Title VI Program

Approved by the Coordinating Committee:
November 20th, 2018
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INTRODUCTION

What is SJATSO?

The St. Joseph Area Transportation Study Organization (SJATSO) is the federally designated Metropolitan Planning Organization for the region. A Metropolitan Planning Organization (MPO) is a regional decision-making body composed of elected officials, state and federal partners, and city staff from the metropolitan area. The MPO is charged with producing federally required transportation policy and planning documents as well as ensuring an inclusive public participatory process is followed.

The transportation planning process at SJATSO is overseen by the Technical Committee, which provides technical support and recommendations to the Coordinating Committee, the ultimate decision making body. Committees host both local transportation professionals such as engineers, as well as elected officials such as city council members. SJATSO’s bylaws determine the positions that should be represented on each committee and additional advisory committees are appointed by the individual boards based upon need.

SJATSO seeks to build a stronger regional community through cooperation, leadership and planning surrounding transportation. Through SJATSO’s leadership, area jurisdictions and diverse community interests collaborate 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 related to transportation
- Long–Range transportation planning and public policy coordination
- Technical assistance and services to enhance the effectiveness of local government in relation to transportation issues

SJATSO serves the tri–county St. Joseph metropolitan region, which includes five separate city governments. As a bi–state MPO, SJATSO’s boundaries include
portions of Buchanan County and Andrew County in Missouri and Doniphan County in Kansas (see Figure 1).

Figure 1: SJATSO Planning Area
SJATSO Boards & Committees

SJATSO’s Coordinating Committee (Policy Board) consists of locally elected and appointed leaders (individuals appointed to their positions directly by locally elected officials such as mayors or commission members) to represent their local government. Transportation planning at SJATSO is overseen by the Technical Committee, which provides technical support and recommendations to the Coordinating Committee.

SJATSO’s bylaws determine the positions that should be represented on each committee. The voting positions for each committee are as follows:

Coordinating Committee/Policy Board

- One (1) Buchanan County Commissioner
- One (1) Andrew County Commissioner
- One (1) Doniphan County Commissioner
- Three (3) St. Joseph City Council Members
- One (1) St. Joseph City Manager
- One (1) Citizen At-large (Representative appointed by Committee for a three (3) year term)
- One (1) Elected official from another city in Andrew County or Doniphan county within the transportation planning area (city appointed by committee for a three (3) year term)

Technical Committee

- Ten (10) seats from the City of St. Joseph
- One (1) seat from the Kansas Department of Transportation (KDOT)
- Two (2) seats from the Missouri Department of Transportation (MoDOT)
- One (1) seat from the Country Club Village
- One (1) seat from the City of Elwood
- One (1) seat from the City of Savannah
- One (1) seat from the City of Wathena
- One (1) seat from Andrew County
- One (1) seat from Doniphan County
- One (1) seat from Buchanan County

Additional committees are formed based upon need. The following committees have been formed historically and occasionally are reformed for recurring needs:
Staff encourages active participation from women and minorities in our committees and working groups however these members join on a voluntary basis and are not appointed making it difficult to ensure that minorities are represented on committees at all times. Table 1 specifies the breakdown of membership by race and sex.

Table 1: Racial Composition of SJATSO Committees

<table>
<thead>
<tr>
<th>Committee</th>
<th>Description/Purpose</th>
<th>Sex</th>
<th>Race</th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Women</td>
<td>White</td>
<td>Black or African A.</td>
<td>A. Indian/Alaska Native</td>
<td>Asian</td>
<td>Hawaiian N. &amp; Pacific Is.</td>
<td>Some Other</td>
<td></td>
</tr>
<tr>
<td>2040 Metropolitan Transportation Plan Steering Committee</td>
<td>Advised the formation of the long range transportation plan for the metro area that looks at transportation needs and opportunities over a horizon, or span, of 20 years; may be reformed for larger updates</td>
<td></td>
<td>30%</td>
<td>100%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
<td></td>
</tr>
<tr>
<td>Safety Working Group</td>
<td>Examines safety data including national performance measures to look for ways to improve safety for all users either through design or behavioral programs</td>
<td></td>
<td>33%</td>
<td>100%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
<td></td>
</tr>
<tr>
<td>Transit Working Group</td>
<td>Examines how transit can improve job access and career services</td>
<td></td>
<td>26%</td>
<td>100%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
<td></td>
</tr>
<tr>
<td>Section 5310 Committee</td>
<td>Reviewed and prioritized agency funding applications (formed on an as-needed basis when available funds are competitive)</td>
<td></td>
<td>81%</td>
<td>100%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
<td></td>
</tr>
<tr>
<td>Bicycle and Pedestrian Working Group</td>
<td>Provides technical assistance when updating the non-motorized plan, planning bike to work month, walk to school and a variety of other non-motorized initiatives</td>
<td></td>
<td>2040 Metropolitan Transportation Plan Steering Committee</td>
<td>Not currently active</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Freight and Economic Development Working Group</td>
<td>Examines the regional impact of freight movement in relation to proposed development and identifies areas of opportunity for improvement</td>
<td></td>
<td>81%</td>
<td>100%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
<td></td>
</tr>
</tbody>
</table>

NOTE: Many of the working groups are constantly evolving; adding new members as staff identifies interested stakeholders. The above table represents the composition at the time of the adoption of this plan.
Metropolitan Demographic Profile

The MPO maintains a variety of statistical information on the population within the Metropolitan Planning Area. The following tables provide a demographic profile; it is important to note that the metropolitan area encompasses the Cities of St. Joseph, Savannah, Wathena, Elwood; the Village of Country Club; and parts of Buchanan, Andrew and Doniphan Counties. The total population of SJATSO includes 127,261 individuals (See Table 2). In addition to the total population, the percentage of seniors is included; acknowledging that with age comes increased mobility concerns.

When considering demographic data in planning products and policies there are a variety of ways to combine and analyze the information. For the purposes of Title VI and EJ SJATSO not only collects data on protected classes but also pays close attention to what would be considered potential indicators of disadvantage such as a female head of household, zero car households or low educational attainment. While not federally required SJATSO feels this additional information helps create a more complete representation of the community and its potential needs.

Table 2: Population by Sex and Senior Status

<table>
<thead>
<tr>
<th></th>
<th>Total Population</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>SJATSO</td>
<td>Missouri</td>
<td>Kansas</td>
<td>National</td>
</tr>
<tr>
<td>Total Population</td>
<td>127,261</td>
<td>6,059,651</td>
<td>2,898,292</td>
<td>318,558,162</td>
</tr>
<tr>
<td>Male</td>
<td>65,512</td>
<td>2,973,317</td>
<td>1,441,912</td>
<td>156,765,322</td>
</tr>
<tr>
<td>Male Seniors</td>
<td>12.7%</td>
<td>13.7%</td>
<td>12.7%</td>
<td>12.8%</td>
</tr>
<tr>
<td>Female</td>
<td>61,749</td>
<td>3,086,334</td>
<td>1,456,380</td>
<td>161,792,840</td>
</tr>
<tr>
<td>Female Seniors</td>
<td>18.1%</td>
<td>16.9%</td>
<td>16.0%</td>
<td>16.0%</td>
</tr>
</tbody>
</table>

Source: U.S. Census Bureau, 2012–2016 American Community Survey 5-Year Estimates, DP05 Demographic and Housing Estimates and S0101 Age and Sex. Note: 49 U.S.C. 5302(18) defines “senior” as an individual who is 65 years of age or older. Public transportation providers may define “senior” to include individuals under age 65, as a lower age would be inclusive of those over age 65. Queried: 09/18/18
Figure 2: Population Over Age 64 (National Percentiles)

Source: Environmental Protection Administration (EPA) Environmental Justice Screening and Mapping Tool (Version 2018).
Queried: 09/24/18
Ethnicity, race, national origin and the language spoken at home can further inform staff about the various cultures and subsequently the potential language assistance that may be required, better anticipating the written and spoken potential needs of the public. Tables 3–6 show the overall population numbers by these groups. A further discussion of language spoken at home and the requirements for providing translation services is discussed in the following Limited English Proficiency (LEP) section.

Table 3: Population by Ethnicity

<table>
<thead>
<tr>
<th>Population by Ethnicity</th>
<th>SJATSO</th>
<th>Missouri</th>
<th>Kansas</th>
<th>National</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hispanic or Latino (of any race)</td>
<td>6,540</td>
<td>3.9%</td>
<td>11.3%</td>
<td>17.3%</td>
</tr>
<tr>
<td>Not Hispanic or Latino</td>
<td>120,721</td>
<td>96.1%</td>
<td>88.7%</td>
<td>82.7%</td>
</tr>
</tbody>
</table>

Source: U.S. Census Bureau, 2012–2016 American Community Survey 5-Year Estimates, DP05 Demographic and Housing Estimates. Queried: 09/18/18

Table 4: Population by Race

<table>
<thead>
<tr>
<th>Population by Race</th>
<th>SJATSO</th>
<th>Missouri</th>
<th>Kansas</th>
<th>National</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>117,980</td>
<td>89.6%</td>
<td>82.5%</td>
<td>85.2%</td>
</tr>
<tr>
<td>Black or African American</td>
<td>8,549</td>
<td>5.1%</td>
<td>11.6%</td>
<td>5.8%</td>
</tr>
<tr>
<td>American Indian and Alaska Native</td>
<td>1,954</td>
<td>0.4%</td>
<td>0.4%</td>
<td>0.8%</td>
</tr>
<tr>
<td>Asian</td>
<td>1,025</td>
<td>0.8%</td>
<td>1.8%</td>
<td>2.7%</td>
</tr>
<tr>
<td>Native Hawaiian and Pacific Islander</td>
<td>136</td>
<td>0.1%</td>
<td>0.1%</td>
<td>0.1%</td>
</tr>
<tr>
<td>Other</td>
<td>63</td>
<td>0.7%</td>
<td>1.1%</td>
<td>2.1%</td>
</tr>
<tr>
<td>Identified by two or more</td>
<td>3,607</td>
<td>3.3%</td>
<td>2.4%</td>
<td>3.3%</td>
</tr>
</tbody>
</table>

Source: U.S. Census Bureau, 2012–2016 American Community Survey 5-Year Estimates, DP05 Demographic and Housing Estimates. Queried: 09/18/18

Table 5: Population by National Origin

<table>
<thead>
<tr>
<th>Population by National Origin</th>
<th>SJATSO</th>
<th>Missouri</th>
<th>Kansas</th>
<th>National</th>
</tr>
</thead>
<tbody>
<tr>
<td>Native</td>
<td>123,494</td>
<td>5,823,572</td>
<td>2,697,523</td>
<td>276,363,808</td>
</tr>
<tr>
<td>Foreign born</td>
<td>3,767</td>
<td>236,079</td>
<td>200,759</td>
<td>42,193,781</td>
</tr>
<tr>
<td>Europe</td>
<td>410</td>
<td>10.9%</td>
<td>19.2%</td>
<td>7.4%</td>
</tr>
<tr>
<td>Asia</td>
<td>1,040</td>
<td>27.6%</td>
<td>38.5%</td>
<td>30.7%</td>
</tr>
<tr>
<td>Africa</td>
<td>443</td>
<td>11.8%</td>
<td>8.6%</td>
<td>5.3%</td>
</tr>
<tr>
<td>Oceania</td>
<td>44</td>
<td>1.2%</td>
<td>1.3%</td>
<td>0.5%</td>
</tr>
<tr>
<td>Latin America</td>
<td>1,790</td>
<td>47.5%</td>
<td>29.9%</td>
<td>54.7%</td>
</tr>
<tr>
<td>Northern America</td>
<td>40</td>
<td>1.1%</td>
<td>2.5%</td>
<td>1.5%</td>
</tr>
</tbody>
</table>

Figure 3: Minority Population Density (National Percentiles)
Source: Environmental Protection Administration (EPA) Environmental Justice Screening and Mapping Tool (Version 2018). Queried: 09/24/18
Figure 4: Minority/Low Income Populations and Fixed Route Transit

Table 6: Population by Language Spoke at Home

<table>
<thead>
<tr>
<th>Language Spoken at Home</th>
<th>SJATSO</th>
<th>Missouri</th>
<th>Kansas</th>
<th>National</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low Income</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minority</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transit Route (example)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Population 5 years and over</td>
<td>119,630</td>
<td>5,685,641</td>
<td>2,699,377</td>
<td>298,691,202</td>
</tr>
<tr>
<td>---------------------------</td>
<td>---------</td>
<td>-----------</td>
<td>-----------</td>
<td>-------------</td>
</tr>
<tr>
<td>English Only</td>
<td>114,114</td>
<td>95.4%</td>
<td>94.0%</td>
<td>88.7%</td>
</tr>
<tr>
<td>Spanish</td>
<td>3,443</td>
<td>2.9%</td>
<td>2.5%</td>
<td>7.5%</td>
</tr>
<tr>
<td>Speak English &lt; &quot;very</td>
<td>1,653</td>
<td>1.4%</td>
<td>0.9%</td>
<td>3.1%</td>
</tr>
<tr>
<td>well&quot;</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Indo–European</td>
<td>755</td>
<td>0.6%</td>
<td>1.7%</td>
<td>1.4%</td>
</tr>
<tr>
<td>Speak English &lt; &quot;very</td>
<td>229</td>
<td>0.2%</td>
<td>0.5%</td>
<td>0.3%</td>
</tr>
<tr>
<td>well&quot;</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Asian and Pacific Islander</td>
<td>740</td>
<td>0.6%</td>
<td>1.2%</td>
<td>1.9%</td>
</tr>
<tr>
<td>Speak English &lt; &quot;very</td>
<td>565</td>
<td>0.5%</td>
<td>0.6%</td>
<td>0.9%</td>
</tr>
<tr>
<td>well&quot;</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Languages</td>
<td>578</td>
<td>0.5%</td>
<td>0.5%</td>
<td>0.5%</td>
</tr>
<tr>
<td>Speak English &lt; &quot;very</td>
<td>299</td>
<td>0.2%</td>
<td>0.2%</td>
<td>0.2%</td>
</tr>
<tr>
<td>well&quot;</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>


The following map shows the distributions of the households in which no one over the age of 14 speaks English less than “very well”, referred to as linguistically isolated.
Figure 5: Linguistically Isolated (National Percentiles)

Source: Environmental Protection Administration (EPA) Environmental Justice Screening and Mapping Tool (Version 2018). Queried: 09/24/18. Linguistically isolated identifies households in which no one over the age of 14 speaks English "very well"
Disability is another category that is crucial in transportation planning, and is oftentimes requires access to public transportation as well as ADA compliant facilities and infrastructure (see Table 7). A more detailed discussion of ADA requirements is included in the following Americans with Disabilities (ADA) section.

Table 7: Population by Disability Status

<table>
<thead>
<tr>
<th>Population by Disability Status</th>
<th>SJATSO</th>
<th>Missouri</th>
<th>Kansas</th>
<th>National</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Population</td>
<td>120,433</td>
<td>5,946,094</td>
<td>2,839,352</td>
<td>313,576,137</td>
</tr>
<tr>
<td>With a Disability</td>
<td>18,668</td>
<td>15.5%</td>
<td>14.4%</td>
<td>12.5%</td>
</tr>
<tr>
<td>Total Population 18 – 64 years</td>
<td>73,767</td>
<td>61.2%</td>
<td>60.6%</td>
<td>62.2%</td>
</tr>
<tr>
<td>With a Disability</td>
<td>10,072</td>
<td>5.8%</td>
<td>10.6%</td>
<td>10.3%</td>
</tr>
<tr>
<td>Total Population 65 years and over</td>
<td>18,435</td>
<td>15.3%</td>
<td>892,042</td>
<td>13.9%</td>
</tr>
<tr>
<td>With a Disability</td>
<td>6,957</td>
<td>37.7%</td>
<td>35.7%</td>
<td>14.3%</td>
</tr>
</tbody>
</table>

Source: U.S. Census Bureau, 2012–2016 American Community Survey 5-Year Estimates, DP02 Selected Social Characteristics in the United States. Note: Disability Status only includes civilian non-institutionalized population. Queried: 09/18/18

Figure 6: Type of Disability within St. Joseph Metro

Source: U.S. Census Bureau, 2012–2016 American Community Survey 5-Year Estimates, DP02 Selected Social Characteristics in the United States. Note: Disability Status only includes civilian non-institutionalized population. Queried: 09/18/18

Basic economic data such as housing status, employment and income and vehicles available all help provide a more complete picture of economic mobility within the metro, which can lead to some basic assumptions about physical mobility. The following is included in Tables 8–10.
Vehicles available by household as well as income were intentionally examined by the household unit instead of on an individual basis. This is because oftentimes in low-income or under-resourced situations assets such as vehicles and money for housing are often shared, with many individuals pooling funds for the family unit as a whole.

Table 8: Vehicles Available by Housing Units

<table>
<thead>
<tr>
<th>Vehicles Available by Housing Units</th>
<th>SJATSO</th>
<th>Missouri</th>
<th>Kansas</th>
<th>National</th>
</tr>
</thead>
<tbody>
<tr>
<td>Occupied Housing Units</td>
<td>47,028</td>
<td>2,372,362</td>
<td>1,115,858</td>
<td>117,716,237</td>
</tr>
<tr>
<td>No Vehicles Available</td>
<td>3,584</td>
<td>7.6%</td>
<td>7.3%</td>
<td>5.5%</td>
</tr>
<tr>
<td>1 Vehicle Available</td>
<td>15,849</td>
<td>33.7%</td>
<td>33.2%</td>
<td>30.5%</td>
</tr>
<tr>
<td>2 Vehicles Available</td>
<td>17,139</td>
<td>36.4%</td>
<td>38.3%</td>
<td>39.3%</td>
</tr>
<tr>
<td>3 or more Vehicles Available</td>
<td>10,456</td>
<td>22.2%</td>
<td>21.2%</td>
<td>24.7%</td>
</tr>
</tbody>
</table>

Source: U.S. Census Bureau, 2012–2016 American Community Survey 5-Year Estimates, DP04 Selected Housing Characteristics. Queried: 09/18/18

Table 9: Population by Employment and Income

<table>
<thead>
<tr>
<th>Population by Employment and Income</th>
<th>SJATSO</th>
<th>Missouri</th>
<th>Kansas</th>
<th>National</th>
</tr>
</thead>
<tbody>
<tr>
<td>Population 16 years and over in Labor Force</td>
<td>62,110</td>
<td>60.8%</td>
<td>3,055,025</td>
<td>1,505,247</td>
</tr>
<tr>
<td>Employed (Civilian)</td>
<td>58,221</td>
<td>57.0%</td>
<td>58.8%</td>
<td>62.5%</td>
</tr>
<tr>
<td>Unemployment</td>
<td>3,754</td>
<td>6.1%</td>
<td>6.6%</td>
<td>5.3%</td>
</tr>
<tr>
<td>Armed Forces</td>
<td>135</td>
<td>0.1%</td>
<td>0.4%</td>
<td>0.8%</td>
</tr>
<tr>
<td>Total Families with income in the past 12 months below poverty level</td>
<td>12.3%</td>
<td>10.8%</td>
<td>8.8%</td>
<td>11.0%</td>
</tr>
<tr>
<td>All Families with children of the householder under 18 years</td>
<td>21.1%</td>
<td>17.6%</td>
<td>14.3%</td>
<td>17.4%</td>
</tr>
<tr>
<td>Married Couple Families</td>
<td>4.7%</td>
<td>5.1%</td>
<td>4.2%</td>
<td>5.5%</td>
</tr>
<tr>
<td>Families with Female Householder, no husband present</td>
<td>40.4%</td>
<td>31.0%</td>
<td>29.1%</td>
<td>29.9%</td>
</tr>
<tr>
<td>Median Household Income (In 2016 Inflation-Adjusted Dollars)</td>
<td>$47,622</td>
<td>$49,593</td>
<td>$53,57</td>
<td>$55,322</td>
</tr>
<tr>
<td>Median Nonfamily Income</td>
<td>$27,083</td>
<td>$29,452</td>
<td>$30,805</td>
<td>$33,158</td>
</tr>
<tr>
<td>Per Capita Income</td>
<td>$23,151</td>
<td>$27,044</td>
<td>$28,478</td>
<td>$29,829</td>
</tr>
</tbody>
</table>

Source: U.S. Census Bureau, 2012–2016 American Community Survey 5-Year Estimates, DP03 Selected Economic Characteristics. Queried: 09/18/18
Figure 7: Low Income Population Density (National Percentiles)

Source: Environmental Protection Administration (EPA) Environmental Justice Screening and Mapping Tool (Version 2018).
Queried: 09/24/18
Table 10: Housing Status

<table>
<thead>
<tr>
<th></th>
<th>SJATSO</th>
<th>Missouri</th>
<th>Kansas</th>
<th>National</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total</strong></td>
<td>53,622</td>
<td>2,738,774</td>
<td>1,248,955</td>
<td>134,054,899</td>
</tr>
<tr>
<td><strong>Occupied</strong></td>
<td>87.7%</td>
<td>86.6%</td>
<td>89.3%</td>
<td>87.8%</td>
</tr>
<tr>
<td><strong>Owner-occupied</strong></td>
<td>65.7%</td>
<td>66.8%</td>
<td>66.3%</td>
<td>63.6%</td>
</tr>
<tr>
<td><strong>Renter-occupied</strong></td>
<td>34.3%</td>
<td>33.2%</td>
<td>33.7%</td>
<td>36.4%</td>
</tr>
<tr>
<td><strong>Vacant</strong></td>
<td>12.3%</td>
<td>13.4%</td>
<td>10.7%</td>
<td>12.2%</td>
</tr>
<tr>
<td><strong>Rental Vacancy Rate</strong></td>
<td>9.3</td>
<td>6.7</td>
<td>7.5</td>
<td>6.2</td>
</tr>
<tr>
<td><strong>Homeowner Vacancy Rate</strong></td>
<td>2.2</td>
<td>2.0</td>
<td>1.8</td>
<td>1.8</td>
</tr>
</tbody>
</table>

Source: U.S. Census Bureau, 2012–2016 American Community Survey 5-Year Estimates, DP04 Selected Housing Characteristics. Queried: 09/18/18

Educational attainment is also included as a potential indicator of disadvantage, especially when compared to poverty rates as seen in Figure 7. This information is taken into consideration when SJATSO creates documents, keeping in mind the average education and subsequent level of literacy for not only the general population but the population within poverty.

Figure 8: Poverty and Education Attainment

Figure 9: Population with Less than a High School Education (National Percentiles)

Source: Environmental Protection Administration (EPA) Environmental Justice Screening and Mapping Tool (Version 2018). Queried: 09/24/18
CIVIL RIGHTS

All recipients of Federal financial assistance are obligated to comply with various civil rights requirements. This chapter provides the basis for the requirements and descriptions of the programs. The overarching law that provides the basis of all civil rights programs is the Title VI of the Civil Rights Act of 1964 which ensures no person is excluded from participation in, denied the benefit of, or subjected to discrimination on the basis of race, color, or national origin under any programs that receive federal funding. MPOs are responsible for creating a Title VI/Environmental Justice (EJ) Program, a Limited English Proficiency (LEP) Plan, an Americans with Disabilities (ADA) Plan, and a Disadvantaged Business Enterprises (DBEs) Plan. These can be combined in any number of ways, some choose to combine them into one single program or split the topics out separately (Figure 9).

Figure 10: Components of Civil Rights Program

- **Title VI**: Combination of laws and executive orders that prohibits discrimination based on race, color or national origin.
- **EJ**: Refers to an executive order that ensures the benefits and burdens related to transportation are equally distributed to minority and low income populations.
- **LEP**: Ensures translation services are provided as needed; note that a state’s English Only Law does not supersede Federal law.
- **ADA**: Refers to both the facilities MPOs use/own for meetings as well as program accessibility, ensuring people with disabilities are not hindered in participating.
- **DBE**: Provides opportunities to participate in the economic benefits of USDOT contracts to small businesses owned and operated by 51% women and/or minority.
Title VI of the Civil Rights Act of 1964/Environmental Justice (EJ)

While Title VI refers to a specific section of the 1964 Civil Rights Act, in practice it is a suite, or collection, of several federal regulations that guide federal programs (Figure 10). All agencies that receive federal funds must comply with the Civil Rights Restoration Act of 1987 and all relevant Executive Orders.

It is important to note that both Title VI and EJ apply to all planning and project development programs, policies and activities of the MPO. Once an agency, firm, or local government receives federal–aid funds, all programs and activities of that entity are covered by Title VI. It is the full intent of SJATSO to operate its program without regards to race, color, and national origin.

Title VI of the Civil Rights Act of 1964

Title VI of the Civil Rights Act of 1964 provides that no person in the United States shall on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.¹

Civil Rights Restoration Act of 1987

The Civil Rights Restoration Act of 1987 expanded the scope of Title VI coverage by defining the word “program” to make clear that discrimination is prohibited throughout an entire agency if any part of the agency receives federal financial assistance.²

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¹ 49 CFR Part 21, which codifies the Title VI of the Civil Rights Act of 1964
   www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title49/49cfr21_main_02.tp

² FHWA guidance for the Civil Rights Restoration Act of 1987
   www.fhwa.dot.gov/legsregs/directives/notice/n4720-6.cfm
Executive Order 12898
Executive Order 12898 is titled Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. It was issued by President Clinton in 1994 to direct federal attention to develop strategies to address disproportionately high and adverse human health or environmental effects of their programs on minority and low-income populations.3

Executive Order 13166
Executive Order 13166 is titled Improving Access to Services for Persons with Limited English Proficiency (LEP). It was issued by President Clinton in 2000 to direct federal agencies to evaluate services provided and implement a system that ensures that Limited English Proficiency persons are able to meaningfully access the services provided consistent with and without unduly burdening the fundamental mission of each federal agency. The Executive Order includes the statement below:

Each Federal Agency shall prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons. Each plan shall be consistent with the standards set forth in the LEP Guidance, and shall include the steps the agency will take to ensure that eligible LEP persons can meaningfully access the agency’s programs and activities.4

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3 FHWA guidance for Executive Order 12898
www.fhwa.dot.gov/environment/environmental_justice/overview

4 FHWA guidance for Executive Order 13166
www.fhwa.dot.gov/civilrights/programs/lepf.cfm
Note that both E.O. 12898 and 13166 are separate but related E.O.s however not directly under the statutes of Title VI.
Title VI vs. Environmental Justice

Environmental Justice (EJ) refers to identifying and addressing disproportionately high and adverse effects of the agency’s programs, policies, and activities on minority and low-income populations to achieve an equitable distribution of benefits and burdens. This includes the full and fair participation by all potentially affected communities in the transportation decision-making process. The MPO identifies Environmental Justice through identifying the low/moderate household income and minority population. Note that FHWA defines “low-income” as “a person whose household income is at or below the Department of Health and Human Services poverty guidelines.” There are three fundamental Environmental Justice principles:

- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations

Title VI vs EJ

While there are many similarities, there is an important distinction:

Title VI prohibits discrimination based on race, color, or national origin. This is required for all plans, programs and processes receiving federal funds.

EJ ensures the benefits and burdens related to transportation are not disproportionately high. Special attention should be given to this in project selection and prioritization.

Title VI and Environmental Justice in Practice

The Public Participation Plan (PPP) requires that SJATSO ensure that the public has full access to all information concerning human health and environmental impacts that could potentially affect the public and in particular, EJ populations. Staff includes the Title VI Notice to the Public in relevant press releases and on the agency website while also notifying the affected, protected groups (as defined by Title VI) of the public hearings regarding proposed actions. The MPO also makes the hearings accessible to all residents. This includes the use of interpreters when
requested, or when a strong need for their use has been identified. More information on public participation can be found in Appendix B.

The development of the Metropolitan Transportation Plan (MTP) includes a Title VI and Environmental Justice (EJ) Analysis to ensure that the burdens and benefits of planned transportation activities are equitably distributed across racial and socio-economic groups. Staff reviews the impacts that planned programs and projects would have on low-income and minority residents in such areas as transportation investments, effect of projects on travel times of area residents, and access to transit. Prior to adoption, a draft MTP is provided to the community for public comment through the MPO website and a variety of other public engagement techniques.

The Transportation Improvement Program (TIP) documents the metropolitan region’s prioritization of limited transportation resources available among the various needs of the region. It is a program and schedule of intended transportation improvements (or continuation of current activities) for the next four (4) years, developed as part the regional planning process for federal funds received from the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA), as well as regionally significant projects affecting the system regardless of funding source.

The TIP implements the Metropolitan Transportation Plan (MTP) which itself underwent substantial environmental justice review, analysis and outreach on a system level. All projects in the TIP must first be included in the MTP either as explicitly identified regional capacity projects or as part of the plan’s programmatic elements and therefore are included in this assessment. The TIP does not directly assess benefits and burdens related to outcomes of specific projects or programs; that level of analysis would be made during the environmental analysis of individual projects with oversight provided by the administering State DOT. On that note, as part of project submission and request for extension, sponsors are required to certify that their projects are in compliance with SJATSO’s Civil Rights Program and are expected to mitigate and address an EJ concerns at the project level. The distribution of federal, state and local funds in EJ areas has been identified under each category in the Fiscally Constrained Project listing within the TIP.
While investment of funds alone does not account for all EJ considerations, it does help identify where the community is investing its resources. Also recently added to the website is an interactive map that shows all physical projects listed in the TIP which can be overlaid with Environmental Justice (EJ) populations based on the Census, further allowing policy makers, project sponsors and the public to better visualize the transportation projects that may affect EJ populations (Figure 11). This map allows the public to see the projects planned and their proximity to identified EJ populations as well as other layers of interest. It is important to note that some census tracts that are not currently touched by any projects may have been touched by projects from previous TIPs, which do not appear on the map, or will have future investments made. It is through the MTP and the TIP, its implementing program, that investments to the transportation system can be examined for any disparate impacts and addressed.
Figure 12: Interactive TIP Map with EJ Populations

Projects in the Transportation Improvement Program (TIP) have been mapped and can be viewed here. This map allows you to see the projects planned and their proximity to identified EJ populations as well as other layers that may be of interest. Areas shaded in yellow are low-income block groups, areas shaded in blue are minority block groups and the areas in green are where the two block groups overlap. This data is based on the American Community Survey 5-year estimates 2011-2015, which is a function of the United States Census. To view the projects with other layers, click the boxes to the left.

When reviewing these projects it is important to keep in mind that the map does not account for the population density of the census block groups. Secondly, the 2019-2022 TIP only contains projects with funding over that four-year fiscal period. Some census tracts that are not currently touched by any...
<table>
<thead>
<tr>
<th><strong>Guidance &amp; Resources</strong></th>
<th><strong>Title VI/Environmental Justice (EJ)</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>MoDOT’s Title VI Program</strong></td>
<td>Primary goal is to ensure all management staff, contractees, and service beneficiaries are aware of the provisions of Title VI and the responsibilities associated with Title VI of the Civil Rights Act of 1964</td>
</tr>
<tr>
<td><strong>Title VI of the Civil Rights Act of 1964</strong></td>
<td>&quot;No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.&quot;</td>
</tr>
<tr>
<td><strong>49 CFR Part 21</strong></td>
<td>Addresses nondiscrimination in federally assisted programs of the US DOT—effectuation of the provisions Title VI of the Civil Rights Act of 1964</td>
</tr>
<tr>
<td><strong>23 CFR Part 200</strong></td>
<td></td>
</tr>
<tr>
<td><strong>42 U.S.C. § 2000d–1</strong></td>
<td>Addresses discrimination based on race, color, and national origin in any program or activities financed by Federal aid</td>
</tr>
<tr>
<td><strong>The 1973 Federal-aid Highway Act 23 U.S.C. § 324</strong></td>
<td>23 USC 324 is a reaction by UDSOT to help address how the department will affect title VI</td>
</tr>
<tr>
<td><strong>The 1975 Age Discrimination Act 42 U.S.C. § 12101</strong></td>
<td>Adds age to the list of protections</td>
</tr>
<tr>
<td><strong>Pub. L. 109–59 § 1101(b) under 23 U.S.C. 403</strong></td>
<td>Enforces Title VI prohibition against discrimination on the basis of national origin</td>
</tr>
<tr>
<td><strong>Civil Rights Restoration Act of 1987 (PL 100–209)</strong></td>
<td>Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities: to include all of the programs or activities of Federal-aid recipients and contractors, whether such programs or activities are Federally funded or not</td>
</tr>
<tr>
<td><strong>Section 504 of the Rehabilitation Act of 1973</strong></td>
<td>One of the first U.S. federal civil rights laws offering protection for people with disabilities. It set precedents for subsequent legislation for people with disabilities</td>
</tr>
<tr>
<td><strong>The 1970 Uniform Act (42USC 4601)</strong></td>
<td>As reflected in 49 CFR Part 24. Clarifies requirements to meet modern needs and improve the service to individuals and businesses affected by Federal or federally-assisted projects</td>
</tr>
<tr>
<td><strong>Executive Order 12898 on Environmental Justice (EJ)</strong></td>
<td>Was issued by President Clinton in 1994 to direct federal attention to develop strategies to address disproportionately high and adverse human health or environmental effects of their programs on minority and low-income populations further amplifies Title VI by providing that “each Federal agency shall make achieving environmental justice part of its mission 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.” Note: Executive orders are only for Departments of the Federal Government — it is pushed down to federal fund recipients to help Departments meet the intent of the EO</td>
</tr>
</tbody>
</table>
### General
- The Assistant Director of Public Works for the City of St. Joseph, Missouri is responsible for ensuring implementation of the MPO’s Title VI Program and assumes the role of MPO Title VI Coordinator. The Title VI Coordinator is responsible for coordinating the overall administration of this document and will:
  - Ensure that all aspects of the planning/programming process operation and environmental justice work comply with Title VI requirements including providing a notice that the agency complies with Title VI and outline procedures the public may follow to file a discrimination complaint.
  - Meet with appropriate staff members to monitor and discuss progress, implementation, and compliance issues related to the MPO’s Title VI program; periodically review the MPO’s Title VI program to assess if administrative procedures are effective, staffing is appropriate, and adequate resources are available to ensure compliance.
  - Assess communications and public involvement strategies to ensure adequate participation of impacted Title VI protected groups and address additional language needs when needed.
  - Ensure inclusion of Title VI language in contracts and Requests for Qualifications (RFQ).
  - Process Title VI complaints received by the MPO, described in Appendix C.
  - Identify, investigate, and work to eliminate discrimination when found to exist.
  - Review important Title VI–related issues with the MPO Policy Board’s Chairperson, as needed.
- Staff will:
  - Establish, maintain, and update a Title VI procedures manual (this document) containing general information pertaining to the administration of the MPO’s Title VI program, as well as related documents such as the Title VI Discriminatory Complaint Form and process, a Limited English Proficiency Plan, and signed assurances describing how SJATSO intends to ensure the planning process upholds Title VI.
  - Develop and submit an Annual Progress Report to MoDOT; to be reviewed by the Title VI Coordinator.
  - Monitor program compliance and the implementation of the Civil Rights Program.

### Unified Planning Work Program (UPWP)
- Reporting roles, duties, tasks associated with civil rights need to be document in the UPWP.

### Metropolitan Transportation Plan (MTP)
- Include a system level EJ Analysis; review of impacts that planned projects to ensure burdens and benefits are distributed across racial and socio-economic groups. Establish a process and criteria for selecting cost–feasible projects that minimize or avoid disproportionately high and adverse effects.
- Preparation of a Coordinated Public Transit–Human Services Transportation Plan.

### Transportation Improvement Program (TIP)
- Document public involvement efforts.
- Ensure proposed projects are evaluated for their effects on low-income and minority populations in an EJ Analysis. Projects may be evaluated with regards to cost, location, the inclusion of multimodal amenities, the type of project, and/or access to transit.

### Public Participation Plan (PPP)
- Ensure compliance with previously adopted nondiscrimination statement.
- Outline procedures to ensure inclusive participation by all citizens.

### Deadline
- Review and update current Title VI/EJ Program every 3 years. Annual Report is due before year end, as requested.
**Limited English Proficiency (LEP)**

Persons with a limited ability to read, write, speak, or understand English are designated the status LEP within the construct of Title VI and implementing regulations. The LEP population includes persons for whom English is not their primary language and who have a limited ability to speak, understand, read, or write English. The U.S. Supreme Court, in Lau v. Nichols (414 U.S. 563 [1974]), ruled that Title VI regulations promulgated by the former Department of Health, Education, and Welfare (HEW) prohibit federal actions that have a disproportionate effect on LEP persons, because such conduct constitutes discrimination with respect to national origin.

Not only do all federal agencies have to develop LEP Plans, as a condition of receiving federal financial assistance recipients have to comply with Title VI and LEP guidelines of the federal agency from which funds are provided. Federal assistance includes grants, training, use of equipment, donations of surplus property, and other assistance. As a recipient of federal funds from the Federal Highway and Federal Transit Administrations, SJATSO is committed to providing service to all citizens, including those who do not speak English as their primary language, and who have a limited ability to read, speak, write, or understand English.

**Elements of an Effective LEP Policy**

The US Department of Justice (DOJ), Civil Rights Division has developed a set of elements⁵ that were used in the development of this program, including:

- Identifying LEP persons who need language assistance
- Identifying ways in which language assistance will be provided
- Training staff
- Providing notice to LEP persons
- The recommended method of evaluating accessibility to available transportation services is the Four-Factor Analysis identified by the USDOT

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**Methodology: Four Factor Analysis**

The DOJ outlined the following four factors to determine the level and extent of language-assistance measures required within a metropolitan planning organization’s area of responsibility:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee.
2. The frequency with which LEP individuals come in contact with the program.
3. The nature and importance of the program, activity, or service provided by the recipient to people’s lives.
4. The resources available to the recipient and costs.

The results of this analysis provide a reasonable basis for identifying different language assistance measures necessary to ensure meaningful access for LEP persons to the different types of programs or activities in which the recipient engages.

**Factor 1: Proportion, Numbers and Distribution of LEP Persons**

The Census Bureau has a range of classifications for how well people speak English, for the purpose of this analysis SJATSO is considering people over 5 years of age and that speak English “less than very well”.

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Total Population</th>
<th>Speak English Less than very well</th>
<th>% of Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kansas</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Doniphan County</td>
<td>7,387</td>
<td>21</td>
<td>0.3%</td>
</tr>
<tr>
<td>Wathena</td>
<td>1,231</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Elwood</td>
<td>882</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Missouri</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Andrew County</td>
<td>16,406</td>
<td>15</td>
<td>0.1%</td>
</tr>
<tr>
<td>Savannah</td>
<td>4,845</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Village of Country Club</td>
<td>2,677</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Buchanan County</td>
<td>83,677</td>
<td>2,660</td>
<td>3.2%</td>
</tr>
<tr>
<td>St. Joseph</td>
<td>71,636</td>
<td>2,607</td>
<td>3.6%</td>
</tr>
<tr>
<td>Metropolitan Area Total</td>
<td>119,630</td>
<td>2,746</td>
<td>2.3%</td>
</tr>
</tbody>
</table>

Table 9, shows the number of LEP persons and the three most common languages spoken by LEP persons, who are five years of age or older, within the St. Joseph MPO planning area. Spanish is spoken by nearly 3% of the population. The second–most common language are collectively, Asian and Pacific Islander languages, which includes Chinese, Vietnamese, Thai, Laotian, Korean, and Japanese. Those languages are spoken by 0.6% of the population. The third most common language includes Indo European languages, such as Dutch, Italian, Russian, Portuguese, French, or German, representing .06% of the population.

Table 9: Identifying Top 3 Most Common Languages after English

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>LEP Population</th>
<th>Speak Spanish</th>
<th>Speak Indo-European Languages</th>
<th>Speak Asian and Pacific Islander Languages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kansas</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Doniphan County</td>
<td>21</td>
<td>44</td>
<td>0.6%</td>
<td>32</td>
</tr>
<tr>
<td>Wathena</td>
<td>0</td>
<td>0</td>
<td>0.0%</td>
<td>10</td>
</tr>
<tr>
<td>Elwood</td>
<td>0</td>
<td>0</td>
<td>0.0%</td>
<td>3</td>
</tr>
<tr>
<td>Missouri</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Andrew County</td>
<td>15</td>
<td>184</td>
<td>1.1%</td>
<td>66</td>
</tr>
<tr>
<td>Savannah</td>
<td>0</td>
<td>86</td>
<td>1.8%</td>
<td>21</td>
</tr>
<tr>
<td>Village of Country Club</td>
<td>0</td>
<td>0</td>
<td>0.0%</td>
<td>0</td>
</tr>
<tr>
<td>Buchanan County</td>
<td>2,660</td>
<td>3,102</td>
<td>3.7%</td>
<td>607</td>
</tr>
<tr>
<td>St. Joseph</td>
<td>2,607</td>
<td>2,954</td>
<td>4.1%</td>
<td>573</td>
</tr>
<tr>
<td>Metropolitan Area Total</td>
<td>2,746</td>
<td>3,443</td>
<td>2.9%</td>
<td>755</td>
</tr>
</tbody>
</table>


In total, 2.3% of the population within SJATSO’s planning area is identified as being LEP, primarily located within Buchanan County. Outside of LEP needs, Spanish is by far the most common language after English.

Factor 2: Frequency of Contact with LEP Individuals

SJATSO does not currently have any documentation or knowledge of an interaction with an LEP person in any of its programs or activities, either formal or otherwise. However, through this program staff will continue to monitor and anticipate potential LEP needs.
Factor 3: The Nature and Importance of the Program, Activity, or Service to LEP Community
SJATSO is responsible for coordinating the regional transportation planning process, supporting cooperative, comprehensive and continuing planning as outlined in federal transportation acts. In doing so, SJATSO develops the MTP, TIP, and UPWP (discussed earlier in the Title VI Chapter). While those projects are important for long term growth, SJATSO does not provide any programs, activities, or services involving vital, immediate, or emergency assistance, such as medical treatment, or any programs, activities, or services involving basic needs, such as food or shelter. Therefore, denial or delay of access to services or information provided by SJATSO would not have life-threatening implications to a LEP individual.

And, while it is encouraged, involvement in SJATSO’s planning and decision-making process by residents is entirely voluntary. Furthermore, there are no pre-requisites or qualifications the public must meet prior to their participation in the transportation planning and decision-making process.

Factor 4: The Resources Available to the MPO and Overall Costs
As shown above, there is a very small population of LEP persons within the SJATSO planning area. Given the small size of the LEP population, there does not appear to be a need to produce planning documents, programs, and general information in languages other than English at the regional level. Moreover, based on SJATSO’s budget, such a plan would, at the present time, be cost prohibitive. However, as shown in the LEP Implementation Plan below, SJATSO is committed to including all residents in the transportation planning and decision-making process. To that end, this LEP Plan will be reviewed every three years to assess whether there are any significant changes in need and to ensure that language barriers are not preventing LEP persons from participating meaningfully in the transportation planning and decision-making process. SJATSO will make all attempts, to the best of its abilities, to ensure that LEP person have meaningful opportunities to participate; this includes providing translation services when provided advance notice.
LEP Implementation Plan

Safe Harbor

Federal law provides a “Safe Harbor” so that a recipient of federal funds, like SJATSO, can ensure with greater certainty that it is in compliance with its Title VI obligation to provide written translations of its documents to LEP persons. Even if the “Safe Harbor” is not used and if, for example, the written translation of certain documents would be so burdensome as to defeat the legitimate objectives of the program, written translation will not be required. In such cases, other ways of providing meaningful access, such as effective oral interpretation of certain vital documents, may suffice to meet the requirements of Title VI.

The failure to provide written translations, however, does not necessarily mean that there is noncompliance. Even if the “Safe Harbor” is not used and if, for example, the written translation of certain documents would be so burdensome as to defeat the legitimate objectives of the program, written translation will not be required. In such cases, other ways of providing meaningful access, such as effective oral interpretation of certain vital documents, may suffice to meet the requirements of Title VI. Strong evidence of compliance with Title VI under the “Safe Harbor” provision involves providing written translations of vital documents for each language group of LEP persons that constitutes 5% of the population or 1,000 persons, whichever is less, eligible to be served or likely to be affected or encountered by the recipient. If that 5% is composed of less than 50 persons, then translation of vital documents can be provided orally. Also, under the “Safe Harbor” provision, oral translation of non–vital documents is deemed sufficient to meet the requirements of Title VI.

Finally, SJATSO is mindful of the fact that the “Safe Harbor” provision applies only to the translation of written documents. It does not affect the requirement to provide meaningful access to LEP persons through competent oral interpreters where oral language services are needed and reasonable to provide on an advance request basis.

A “Safe Harbor” means that if the recipient provides written translations in certain circumstances, then such action will be deemed strong evidence of compliance with the recipient’s written–translation obligations under Title VI. The failure to provide written translations, however, does not necessarily mean that there is noncompliance.
As shown above, the LEP population of the metropolitan area does surpass the threshold of 1,000 people, with Spanish–speaking LEP population totaling 1,653 individuals, however due to the limited frequency of contact and lack of requests the cost of translation at this time outweighs the benefits.

Services and Assistance Measures
Many options were discussed and considered by staff to increase the accessibility of SJATSO’s programs and plans. Among them include:

- “I Speak” card, provided by the U.S. Census Bureau to help quickly identify a language someone speaks
- Staff has made contact with the Spanish Department at Missouri Western State University for volunteer services in translating executive summaries and handouts; there are plans to produce a Spanish executive summary upon the adoption of the 2045 MTP. MoWEST also has a French program, as well as several international students who could act as community volunteers in translating key materials upon request.
- Google translate was added to the website allowing individuals to translate the web materials to any language supported by Google. Similarly, google translate as well as various translating applications are available and generally reliable for simple translations.
- There is a list of certified interpreters form the Missouri Court System for reference. These interpreters are able to listen to oral comments and translate them in–person to SJATSO staff and vice versa. Additionally, one staff member is currently conversationally bi–lingual in Spanish, with another staff member identified at St. Joseph Transit as fluent in Spanish for immediate Spanish LEP needs.
- Keep staff members informed of the LEP guidance and support their LEP planning activities, as appropriate. Provide training as needed and maintain a record of language assistance requests for future assessment.
- Update plan consistently with the 3 year update cycle of Title VI and EJ requirements
- Disseminate information to LEP community as part of the Civil Rights program as a whole, including LEP complaints in the Title VI complaint procedure and form.
Providing Notice
SJATSO will provide statements in public information and public notices, as outlined in Appendix A, that persons requiring language assistance or special accommodations will be provided, with reasonable advance notice to SJATSO. This language is also included on all plans and agendas.

Some individuals with hearing or vision disabilities rely on assistive technologies to access websites and electronic documents. These assistive technologies rely on the underlying code of a website or the heading structure of an electronic document to help users efficiently and easily navigate content. SJATSO staff is aware of these technologies and attempts to accommodate them when designing its electronic presence whenever feasible; this is discussed in more detail in the following chapter.
<table>
<thead>
<tr>
<th>Executive Order 13166 on Limited English Proficiency (LEP)</th>
<th>Titled Improving Access to Services for Persons with Limited English Proficiency. Issued by President Clinton in 2000 to direct federal agencies to evaluate services provided and implement a system that ensures that Limited English Proficiency persons are able to meaningfully access the services provided consistent with and without unduly burdening the fundamental mission of each federal agency. Established that differing treatment based upon a person’s inability to speak, read, write or understand English is a type of national origin discrimination and directed each federal agency to publish guidance clarifying the obligation of recipients of federal assistance to ensure such discrimination does not occur.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department of Transportation’s Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons: A Handbook for Public Transportation Providers</td>
<td>Issued by the FTA Office of Civil Rights, April 13, 2007. Includes a detailed explanation of requirements as well as guidance in selecting language assistance services, elements of an effective implementation plan, promising practices, and frequently asked questions. More user friendly than the above guidance.</td>
</tr>
<tr>
<td><strong>MPO Role/Responsibility</strong></td>
<td><strong>Deadline</strong></td>
</tr>
</tbody>
</table>
| • Develop a LEP Plan that describes how the MPO intends to ensure that their metropolitan planning process upholds Executive Order 13166 so that all individuals regardless of English proficiency have access to the transportation decision making process  
• Submit to MoDOT a Title VI Annual report that includes details on the MPO’s effort in regards to LEP compliance and activities by as requested  
• Handle any LEP complaints received per the complaint process outlined in the Plan and coordinate with the State DOT’s Office of Civil Rights and Planning Division as appropriate  
• Evaluate the LEP Plan on a periodic basis and make any necessary updates to the plan  
• Provide LEP training and support for language assistance | Review and update current LEP Plan on a periodic basis (typically in concurrence with 3 year Title VI update). Annual Report is due before year end, as requested. |
Americans with Disabilities Act (ADA)

“…prohibits discrimination and guarantees that people with disabilities have the same opportunities as everyone else to participate in the mainstream of American life…” – ADA.gov

SJATSO works to ensure the key programs, the prioritization of transportation improvements and the publication of planning products (MTP, TIP, etc.), are accessible to individuals with disabilities. This includes having physically accessible offices and meeting locations, and an electronic presence that is compatible with assistive technologies used by individuals with disabilities.

ADA Transition Plan
For MPO’s directly affiliated with a local government, completion of an ADA Transition Plan is vital; SJATSO’s facilities are covered under the City of St. Joseph’s ADA Plan maintained by the Parks and Recreation Department. ADA Transition plans are required by federal regulations, 28 CFR 35.150 for MPOS with 50 or more employees or if an MPO owns their own facilities; SJATSO is exempt from this requirement.

Program Access
All SJATSO meetings are held in ADA accessible buildings, whether that is City Hall or a Community Center. MPOs have two major ‘programs’ with which they should focus on making accessible:

1. The planning and prioritizing of transportation improvements, and;
2. The publication of planning products (MTP, TIP, UPWP, etc.).

The planning and prioritizing of improvements is a ‘program’ that likely involves a person attending a meeting; which is why all meetings are held in ADA compliant locations. The review of planning products however is done in a variety of ways, increasingly electronically at an individual’s home or at a local public library. Which is why SJATSO posts notices and documents not only through social media, its website, but also the public libraries: more information can be found under Appendix B.
Physical Accessibility
It is important to maintain an “accessible path” from the parking lot to the rooms where MPO meetings are held and printed documents are available. SJATSO certifies annually its compliance with the ADA law with the adoption of each new TIP. Additionally, an accessible path should exist at all venues where the MPO holds public meetings; staff consistently assesses the current condition of this “accessible path.”

Electronic Accessibility
Some individuals with disabilities rely on assistive technologies to access websites and electronic documents. These assistive technologies rely on the underlying code of a website or the heading structure of an electronic document to help users efficiently and easily navigate content. SJATSO staff is aware of these technologies and attempts to accommodate them when designing its electronic presence whenever feasible using the web accessibility evaluation tool listed in the following table.
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</thead>
<tbody>
<tr>
<td></td>
<td>Section 504 of the Rehabilitation Act of 1973 Implementing Regulation 49 CFR 27</td>
<td>To ensure nondiscrimination in the award and administration of DOT–assisted contracts in the Department’s highway, transit, and airport financial assistance programs</td>
</tr>
<tr>
<td></td>
<td>Title II of the Americans with Disabilities Act Implementing Regulation (28 CFR 35)</td>
<td>This rule implements subtitle A of title II of the Americans with Disabilities Act, Pub. L. 101–336, which prohibits discrimination on the basis of disability by public entities.</td>
</tr>
<tr>
<td></td>
<td>SSA Guide: Producing Accessible Word and PDF Documents</td>
<td>The Social Security Administration has a checklist for accessible document formatting; staff incorporates this incrementally as updates to documents occur</td>
</tr>
<tr>
<td></td>
<td>Web Accessibility Evaluation Tool</td>
<td>An easy to use tool for evaluating the accessibility of SJATSO’s website, used when uploading new content to create as accessible format as possible</td>
</tr>
<tr>
<td>MPO Role/Responsibility</td>
<td>• Ensure an accessible path from the parking lot to the rooms where MPO meetings are held and printed documents are available • Annually certify compliance with ADA law with the adoption of each new TIP • Evaluate the accessibility of the MPO’s electronic presence i.e. through social media and website • Establish policies to ensure new document formatting principles are followed as needed • Report to state DOT(s) ADA activities as it relates to Title VI reporting as requested</td>
<td></td>
</tr>
<tr>
<td>Deadline</td>
<td>Report is due as requested</td>
<td></td>
</tr>
</tbody>
</table>
APPENDIX A: PUBLIC NOTICE

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 placed permanently on the SJATSO website and posted in SJATSO offices. 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 statutes 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 http://stjoempo.org/title-vi-and-environmental-justice-program/

Abbreviated Version

SJATSO fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. For more information or to obtain a Title VI Complaint Form please visit http://stjoempo.org/title-vi-and-environmental-justice-program/ or call (816) 236-1471.
TITLE VI NOTICIA PUBLICA

Conforme a la Sección 49 CFR 21.9 (d), La Organización de Estudio de Transporte de St. Joseph Area fija una notificación en el sitio Web SJATSO y órdenes del día. Este aviso provee el público de notificación y dirección que pertenece a procedimiento de queja del SJATSO y forma. El párrafo abajo será insertado en todas las publicaciones significativas que son distribuidas al público, como futuras versiones y actualizaciones del Plan de Transporte Metropolitano (MPT). El texto será colocado permanentemente en el sitio Web SJATSO y fijado en oficinas SJASTO. La versión abajo es el texto preferido, pero donde el espacio es limitado la versión abreviada puede ser usada en su lugar.

*St. Joseph MPO (SJATSO) por este medio da la atención pública que esto es la política de la agencia asegurar la conformidad llena con el Título VI del Acto de Derechos Civil de 1964, el Acto de Restauración de Derechos Civil de 1987, la Orden 12898 Ejecutiva en Justicia Ambiental, y estatutas relacionadas y reglamento o reglamentación en todos los programas y actividades. El título VI requiere que ninguna persona en los Estados Unidos de América, con motivo de la raza, color, u origen nacional, sera excluido de la participación en, ser negado los beneficios de, o ser por otra parte sujeto a la discriminación conforme a cualquier programa o actividad para la cual SJATSO recibe la ayuda financiera federal. Cualquier persona que cree que ellos han sido ajenado por una práctica discriminatoria ilegal bajo el Título VI tiene un derecho de presentar una demanda formal con SJATSO. Alguno tal dócil debe ser por escrito y archivado con el Título del SJATSO VI Coordinador dentro de ciento ochenta (180) días después de fecha del suceso de discriminación presunto. Para más información, u obtener una Forma de Queja Discriminatoria del Título VI , por favor visite [http://stjoempo.org/title-vi-and-environmental-justice-program/](http://stjoempo.org/title-vi-and-environmental-justice-program/)*

Versión Abreviada

*El SJATSO totalmente cumple con el Título VI del Acto de Derechos Civil de 1964 y estatutas relacionadas y reglamento o reglamentación en todos los programas y actividades. Para más información u obtener Título VI Forma de Queja por favor visite [http://stjoempo.org/title-vi-and-environmental-justice-program/o llamar (816) 236-1471.]*
APPENDIX B: PUBLIC PARTICIPATION

Public participation for the SJATSO is guided by this Public Participation Plan (PPP). The PPP outlines recommended methods to engage the public during the transportation planning & decision making process and informs members of the public how they can be involved. Below is an excerpt of how SJATSO engages with the public, for the full plan visit stjoempo.org by clicking the hyperlink above or contact staff for a physical copy.

Document Availability
When select major SJATSO documents, maps or programs are proposed to be changed, copies of the existing documents and the proposed changes will be made available during the public comment period at the following locations:

- Rolling Hills Public Library, 1904 N Belt Hwy, St Joseph, MO 64506
- St. Joseph Public Library Districts, 927 Felix St, St Joseph, MO 64501
- Doniphan County Library Districts, 207 Locust St, Doniphan, MO 63935
- St. Joseph City Hall, 1100 Fredrick Ave, 2nd Floor, Suite 202, St. Joseph, MO
- Documents are also published online at http://stjoempo.org/

As well, notices are sent via local newspapers, advertisements and public notices, social media, posted to the SJATSO website and included in the SJATSO quarterly newsletters.

SJATSO staff also maintains lists of committee members including the Coordinating and Technical committees as well as standing committees and temporary SJATSO groups set up for particular projects (e.g. MTP update advisory committee, special studies. etc.) as well as interested members of the public.

Anyone interested can subscribe to the meeting agenda announcements and/or updates by contacting the SJATSO at:

- By mail : 1100 Fredrick Ave, St. Joseph, MO 64501 Suite 202
- By phone : 816-236-1489
- By email : mpo@stjoemo.org
- Online : http://stjoempo.org/
Accessibility for Minority and LEP Populations
SJATSO promotes the full and fair participation of all affected populations in the transportation decision-making process. Any SJATSO information, educational materials, and transportation planning participation opportunities will be equally accessible to all members of the community. This includes providing translation services as requested, including a recent update to the website that makes it fully translatable in any language supported by google via a widget in the bottom right hand corner.

Figure 13: Example of Website Translated to Spanish
In addition to the translate widget, comment boxes were added to the website at various locations so the public may submit comments at any time, which will notify staff via email for timely responses. Additionally meetings and detailed information are listed on our newly added online event calendar.

In an effort to ensure public meetings are accessible for people with limited transportation, all Technical Committee meetings rotate among member cities and are always located in ADA accessible locations such as City Halls or community centers; this internal policy has been in place for two years now and has increased member participation. Additionally, the engagement of stakeholder organizations that support minority services, data collection, analysis of available census data by GIS mapping, public comment, and other available sources is used to ensure the mobility needs of minorities are met.
APPENDIX C: COMPLAINT PROCEDURE

SJATSO has established 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 is responsible for providing guidance and guidelines pertaining to its complaint procedures against SJATSO. SJATSO’s complaint process includes the following steps:

1. Identification of alleged act of discrimination: Any person who feels that he or she, individually or as a member of any class of persons, on the basis of race, color, sex, national origin, or LEP has been excluded from or denied the benefits of, or subjected to discrimination caused by the MPO may file a written complaint with the MPO’s Title VI Coordinator.

2. Submission of Complaint to 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. A complaint form is available for download at http://stjoempo.org/?page_id=111 and is available in hard copy at the MPO office (also see Appendix C).

Complaints should be mailed to:

St. Joseph Area Transportation Study Organization
Title VI Coordinator
1100 Frederick Avenue
St. Joseph, MO 64501

Note: Upon request, assistance in the preparation of any necessary written material will be provided to a person or persons as requested.

3. Referral to Review Officer. Upon receipt of the complaint, MPO’s Chairperson shall appoint one or more staff review officers, as appropriate, to evaluate and investigate the complaint, in consultation with an approved MPO Attorney. The Complainant shall meet with the staff review officer(s) to further explain his or her complaint. The staff review officer(s) shall complete
their review no later than 45 calendar days after the date the MPO received the complaint. If more time is required, the MPO’s Chairperson shall notify the Complainant of the estimated timeframe for completing the review. Upon completion of the review, the staff review officer(s) shall make a recommendation regarding the merit of the complaint and whether remedial actions are available to provide redress. Additionally, the staff review officer(s) may recommend improvements to the MPO’s processes relative to Title VI, as appropriate. The staff review officer(s) shall forward their recommendations to the MPO’s Chairperson for concurrence. If the MPO’s Chairperson concurs, he or she shall issue the MPO’s written response to the Complainant. In the event that SJATSO staff and the MPO Chairperson 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.

Note: Upon receipt of a complaint, the MPO shall forward a copy of this complaint and the resulting written response to the appropriate KDOT, FHWA, and FTA Region VII contacts.

4. Request for Reconsideration. If the Complainant disagrees with the MPO’s Chairperson’s response, he or she may request reconsideration by submitting the request, in writing, to the MPO’s Chairperson within 10 calendar days after receipt of the MPO Chairperson’s response. The request for reconsideration shall be sufficiently detailed to contain any items the Complainant feels were not fully understood. The MPO’s Chairperson will notify the Complainant of his or her decision either to accept or reject the request for reconsideration within 10 calendar days. In cases where the MPO’s Chairperson agrees to reconsider, the matter shall be returned to the staff review officer(s) to re-evaluate in accordance with Step 2 above.

5. Appeal. If the request for reconsideration is denied, the Complainant may appeal the MPO Chairperson’s response by submitting a written appeal to
the MPO Policy Board no later than 10 calendar days after receipt of the MPO Chairperson’s written decision rejecting reconsideration.

6. **Submission of Complaint to the Kansas Department of Transportation and Missouri Department of Transportation.** If the Complainant is dissatisfied with the MPO’s resolution of the complaint, he or she may also submit a written complaint within 180 days after the alleged date of discrimination to the State of Kansas Department of Transportation and the State of Missouri Department of Transportation for investigation.

   KDOT Office of Civil Rights Compliance Compliance
   Eisenhower State Office Building
   700 Southwest Harrison
   3rd Floor West
   Topeka, KS 66603

   MoDOT External Civil Rights Division
   Attn: Title VI Program Coordinator
   1617 Missouri Blvd
   P.O. Box 270
   Jefferson City, MO 65102
APPENDIX D: COMPLAINT FORM

Title VI – DISCRIMINATORY COMPLAINT FORM

This form may be used to file a complaint with 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 in person 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.)
APPENDIX E: COMPLAINTS RECEIVED LOG

SJATSO’s practice and policies are established on nondiscriminatory measures. If a formal complaint arises, it will be addressed through the complaint procedure (see appendix B). 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, as exampled below.

<table>
<thead>
<tr>
<th>Complaint Date</th>
<th>Investigation Date</th>
<th>Lawsuit Date</th>
<th>Date Received</th>
<th>Date Resolved</th>
<th>Summary Including Basis of Complaint</th>
<th>Status</th>
<th>Action(s) Taken</th>
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List of Transit–Related Title VI Investigations, Complaints, and Lawsuits

Additionally, per Federal Transit Administration’s Circular 4702.1B, Title VI plans should include a list of transit–related Title VI investigations, complaints, and lawsuits. At the time of this program’s adoption, there were no known complaints lodged against St. Joseph Transit. The policy statement, complaint procedures, and complaint form for St. Joseph Transit can be found online, under the City of St. Joseph’s Title VI page at: http://www.stjoemo.info/index.aspx?NID=409.

Compliance Review

The Kansas Department of Transportation (KDOT) and the Missouri Department of Transportation (MoDOT) conducted a Title VI compliance review of the MPO in the spring of 2016. There were no findings, only suggestions, which were incorporated into this document.
APPENDIX F: SJATSO TITLE VI ASSURANCES

The United States Department of Transportation (USDOT) Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

The St. Joseph Area Transportation Study Organization (SJATSO) (herein referred to as the "Recipient"), HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through the FHWA and FTA, is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled Non-discrimination In Federally-Assisted Programs Of The Department Of Transportation–Effectuation Of Title VI Of The Civil Rights Act Of 1964);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, "for which the Recipient receives Federal financial assistance from DOT, including the FHWA and FTA.

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age
Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

**Specific Assurances**

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted St. Joseph Area Metropolitan Planning Organization (MPO):

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23(b) and 21.23(e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all St. Joseph Area Metropolitan Planning Organization (MPO) and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

   "The St. Joseph Area Transportation Study Organization (SJATSO), in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 US.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair 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. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.

4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.

6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.

7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:

   a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
   b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.

8. 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 of 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.

9. The Recipient will 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-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, St. Joseph Area Transportation Study Organization (SJATSO) also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the St. Joseph Area Metropolitan Planning Organization (MPO) access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the St. Joseph Area Metropolitan Planning Organization (MPO). You must keep records, reports, and submit the material for review upon request to St. Joseph Area Metropolitan Planning Organization (MPO) or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

St. Joseph Area Transportation Study Organization (SJATSO) gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal–aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the St. Joseph Area Metropolitan Planning Organization (MPO). This ASSURANCE is binding in the States of Kansas and Missouri, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the St. Joseph Area Metropolitan Planning Organization (MPO). The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

___________________________________  __________________________________
Robert Dempster                        Christina Crain
MPO Coordinating Committee Chair       MPO Administrative Assistant

DATED____________________________   DATED____________________________

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APPENDIX A

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 (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, FHWA and FTA, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.

2. **Non-discrimination**: The contractor, with regard to the work performed by it during the contract, will 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 will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.

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 will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.

4. **Information and Reports**: The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the FHWA and FTA to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the FHWA and FTA, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance**: In the event of a contractor’s noncompliance with the Non discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the FHWA and FTA may determine to be appropriate, including, but not limited to:

   a. withholding payments to the contractor under the contract until the contractor complies; and/or
   b. cancelling, terminating, or suspending a contract, in whole or in part.

6. **Incorporation of Provisions**: The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the FHWA and FTA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.
APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the St. Joseph Area Transportation Study Organization (SJATSO) will accept title to the lands and maintain the project constructed thereon in accordance with the Fixing America’s Surface Transportation “FAST ACT” Section 1105; 23 U.S.C. 117, the Regulations for the Administration of St. Joseph Area Metropolitan Planning Organization (MPO), and the policies and procedures prescribed by the FHWA and FTA of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the St. Joseph Area Transportation Study Organization (SJATSO) all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto St. Joseph Area Transportation Study Organization (SJATSO) and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the St. Joseph Area Transportation Study Organization (SJATSO), its successors and assigns.

The St. Joseph Area Transportation Study Organization (SJATSO), in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected
to discrimination with regard to any facility located wholly or in part on, over, or
under such lands hereby conveyed [,] [and]* (2) that the St. Joseph Area
Transportation Study Organization (SJATSO) will use the lands and interests in
lands and interests in lands so conveyed, in compliance with all requirements
imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department
of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in
Federally-assisted programs of the U.S. Department of Transportation,
Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and
Acts may be amended [, and (3) that in the event of breach of any of the above-
mentioned non-discrimination conditions, the Department will have a right to enter
or re-enter said lands and facilities on said land, and that above described land
and facilities will thereon revert to and vest in and become the absolute property of
the U.S. Department of Transportation and its assigns as such interest existed prior
to this instruction].*

(*Reverter clause and related language to be used only when it is determined that
such a clause is necessary in order to make clear the purpose of Title VI.)
APPENDIX C

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the St. Joseph Area Transportation Study Organization (SJATSO) pursuant to the provisions of Assurance 7(a):

A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:

1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.

B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, St. Joseph Area Transportation Study Organization (SJATSO) will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*

C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the St. Joseph Area Transportation Study Organization (SJATSO) will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will thereupon revert to and vest in and become the absolute property of the St. Joseph Area Transportation Study Organization (SJATSO) and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)
APPENDIX D

CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED
UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by St. Joseph Area Transportation Study Organization (SJATSO) pursuant to the provisions of Assurance 7(b):

A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.

B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, St. Joseph Area Transportation Study Organization (SJATSO) will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*

C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, St. Joseph Area Transportation Study Organization (SJATSO) will thereupon revert to and vest in and become the absolute property of St. Joseph Area Transportation Study Organization (SJATSO) and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

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APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100–209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131–12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration’s Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
• Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low–Income Populations, which ensures Non–discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low–income populations;
• Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of Limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
• Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).
APPENDIX G: TITLE VI PROGRAM REQUIREMENTS CHECKLIST

Below is a summary of the required contents of a Title VI Program, as well as the location in this document where more information on these requirements can be found.

FTA Circular 4702.1B—General Requirements (Chapter III)6

1. Title VI Notice to the Public, including a list of locations where the notice is posted
   Found in: Appendix B
2. Title VI Complaint Procedures (i.e., instructions to the public regarding how to file a Title VI discrimination complaint)
   Found in: Appendix C
3. Title VI Complaint Forum
   Found in: Appendix D
4. List of transit–related Title VI investigations, complaints, and lawsuits
   Found in: Appendix E
5. 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
   Found in: Appendix B
6. Language Assistant Plan for providing language assistance to persons with Limited English Proficiency (LEP), based on the DOT LEP Guidance
   Found in: LEP Chapter
7. Description of membership including non–elected committees and councils, the membership of which is selected by the recipient, brown down by race, and description of the process the agency uses to encourage the participation of minorities on such committees
   Found in: SJATSO Boards and Committees subchapter

6 FTA Title VI Program Checklist
8. 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

**Exempt:** SJATSO is a sub recipient of the state DOTs and is not directly responsible for monitoring activities of Title VI

9. 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.

**Exempt:** SJATSO has not constructed any of the above

10. 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?

See below

**FTA Circular 4702.1B—Requirements of MPOs (Chapter VI)**

1. All requirements set out in Chapter III (General Requirements)

See above

2. The requirements set out in Chapter IV (Transit Provider) if the MPO is a provider of fixed route public transportation.

**Exempt:** SJATSO is not the transit provider

3. Demographic profile of the metropolitan area.

**Found in:** Metropolitan Demographic Profile Chapter

4. A description of the procedures by which the mobility needs of minority populations are identified and considered within the planning process.

**Found in:** Title VI and Environmental Justice in Practice subsection

5. Demographic maps that show the impacts of the distribution of State and Federal funds in the aggregate for public transportation projects.

**Found in:** Metropolitan Demographic Profile Chapter

6. Analysis of the MPO’s transportation system investments that identifies and addresses any disparate impacts.

**Found in:** Title VI and Environmental Justice in Practice subsection

7. Description of the procedures the agency uses to ensure nondiscriminatory pass through of FTA financial assistance (If requested).

**Exempt:** SJATSO is not a primary recipient

8. Description of the procedures the agency uses to provide assistance to potential sub recipients in a nondiscriminatory manner.
Exempt: SJATSO is not a primary recipient

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.

Found in: Appendix H
APPENDIX H: COPY OF MINUTES APPROVING TITLE VI PROGRAM

<Insert upon board approval>