

LEXINGTON AREA MPO TITLE VI PROGRAM PLAN



Adopted: June 28, 2023

Reporting Period: July 1, 2022 – June 30, 2023

Director: Christopher Evilia, AICP

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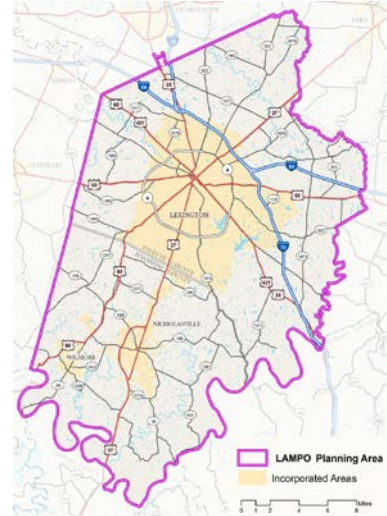
INTRODUCTION

This Title VI Program Plan for the Lexington Area Metropolitan Planning Organization (MPO) outlines how the MPO provides equal access to the transportation planning process and ensures its policies and programs are non-discriminatory and do not negatively impact minority and low-income individuals.

ABOUT THE MPO

Federal law requires all urbanized areas with populations greater than 50,000 people to designate a Metropolitan Planning Organization (MPO) to develop transportation plans for the region. The Lexington Area MPO consists of Fayette and Jessamine County and the cities of Lexington, Nicholasville and Wilmore. The 2010 U.S. Census also designated a small portion of Scott County as part of the Urbanized Area and thus part of the MPO planning area.

A core function of the MPO is to ensure that local people and governments are represented in an impartial setting in the transportation planning process. To that end, each MPO works with federal, state and local governments, transit agencies, stakeholders and the public to ensure transportation policies, plans, projects and programs move the region forward based upon mutually agreed goals.



LEGAL FRAMEWORK

The following laws and regulations provide guidance regarding the MPO's Title VI Program Plan.

FEDERAL NON-DISCRIMINATION ACTS

[Title VI of the Civil Rights Act of 1964](#) stipulates 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 receiving Federal financial assistance. Title [49 CFR Part 21](#) outlines how agencies must ensure nondiscrimination in their programs and in their use of federal funds provided through the Department of Transportation. This Title VI Program Plan is pursuant to this requirement.

Subsequent federal acts extend nondiscrimination requirements to gender (Federal Aid Highway Act 1973); disability (Rehabilitation Act of 1973 & Americans with Disabilities Act 1990); and age (Age Discrimination Act of 1975).

EXECUTIVE ORDERS

An Executive Order is an order given by the President to federal agencies. As a recipient of federal revenues, the Lexington Area MPO assists federal transportation agencies in complying with these orders.

[Executive Order 12898](#): *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*. This Executive Order mandates that federal agencies or those receiving

federal funds include environmental justice as part of their mission. The fundamental principles of environmental justice include:

- Avoiding, minimizing or mitigating disproportionately high and adverse health or environmental effects on minority and low-income populations;
- Ensuring full and fair participation by all potentially affected communities in the transportation decision-making process; and
- Preventing the denial, reduction or significant delay in the receipt of benefits by minority populations and low-income communities.

[Executive Order 13166](#): *Improving Access to Services for Persons with Limited English Proficiency (LEP)*. This Executive Order states that people who speak limited English should have meaningful access to federally conducted and federally funded programs and activities. It requires that all federal agencies identify any need for services to those with limited English proficiency and develop and implement a system to provide access to those services.

A list of all general and transportation-related non-discrimination authorities include:

- Title VI of the Civil Rights Act of 1964 (42 USC 2000d et seq.)
- Section 162 (a) of the Federal Aid Highway Act of 1973 (23 USC 324)
- Age Discrimination Act of 1975
- Section 504 of the Rehabilitation Act of 1973
- Americans With Disabilities Act of 1990
- Civil Rights Restoration Act of 1987
- 49 CFR Part 21
- 23 CFR Part 200
- U.S. DOT Order 1050.2
- Executive Order #12898 (Environmental Justice)
- Executive Order #13166 (Limited-English-Proficiency)

TITLE VI POLICY STATEMENT

Pursuant to and consistent with Title VI of the Civil Rights Act of 1964 and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations (CFR), U.S Department of Transportation (DOT), Subtitle A, Office of the Secretary, (49 CFR, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964:

It is the policy of the Lexington Area Metropolitan Planning Organization (MPO) to afford equal opportunity to all persons to the end that no persons in the United States shall, on the grounds of race, color, sex, disability, age or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity conducted by the Lexington Area Metropolitan Planning Organization.

Any person or persons who believe they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with the MPO. The Title VI complaint procedure and example complaint form is found in Appendix A of this Plan. This policy shall be prominently posted in the Lexington Area MPO offices and on the MPO's website at www.lexareampo.org.



LEXINGTON AREA METROPOLITAN PLANNING ORGANIZATION
TRANSPORTATION PLANNING FOR FAYETTE AND JESSAMINE COUNTIES

Phone: 859-258-3160
Fax: 859-258-3163
101 East Vine Street Suite 700
Lexington, KY 40507

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This Policy Statement shall be posted at the MPO's offices located at 101 East Vine Street, Lexington, KY 40507 and on the MPO's website at www.lexareampo.org.

A handwritten signature in blue ink, appearing to read "C. Evilia", is written over a horizontal line.

Christopher Evilia, AICP, Director
Lexington Area Metropolitan Planning Organization (MPO)

6/30/23

Date

RESPONSIBLE OFFICIALS

The Executive Director is responsible for administering the federally required duties of the MPO. As such, the Director is responsible for the MPO's adherence to and compliance with Title VI program implementation and policy development.

The Title VI Coordinator for the MPO is the Administrative Officer who is responsible for the day to day direct oversight of the MPO's compliance with Title VI. The Title VI Coordinator shall have direct access to the Executive Director. General responsibilities of the Title VI Coordinator include but are not limited to:

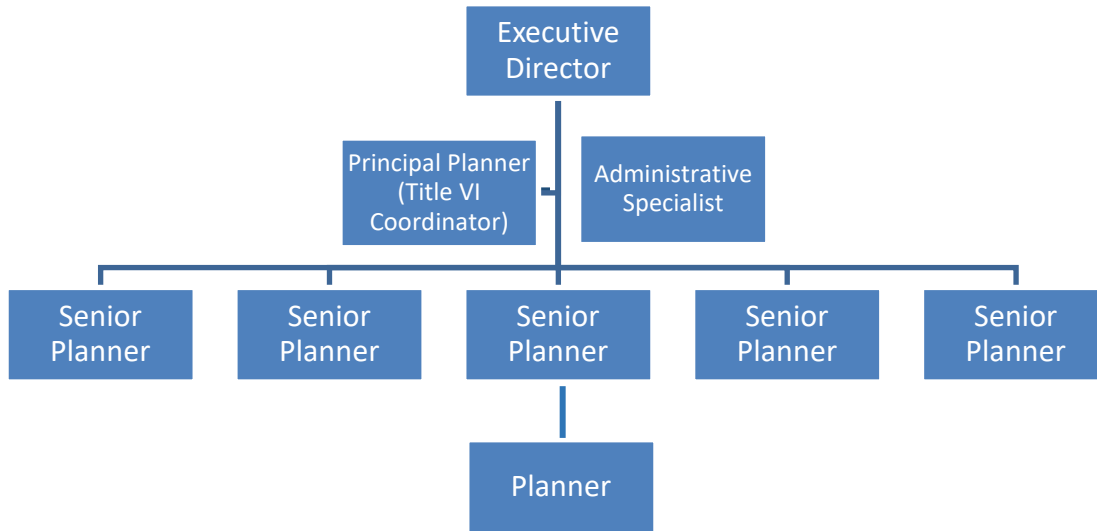
- Coordinating Title VI program development within the MPO and with Local Public Agencies (LPAs) within the MPO's jurisdiction.
- Establishing procedures for processing Title VI program reviews and/or sub-contractor reviews.
- Coordinating Title VI training for MPO staff, sub-contractors and stakeholders.
- Preparing required reports.
- Providing guidance and advice on the Title VI Program to MPO staff and LPAs.
- Annually reviewing and updating the MPO's Title VI Program Plan as needed.

Inquiries regarding the MPO's Title VI activities should be directed to the following contacts:

Christopher Evilia, AICP, Executive Director
Lexington Area MPO
101 East Vine Street, Lexington, KY 40507
cevilia@lexingtonky.gov
859.258.3167

Kenzie Gleason, Title VI Coordinator
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101 East Vine Street, Lexington, KY 40507
kgleason@lexingtonky.gov
859.258.3605

LEXINGTON AREA MPO ORGANIZATION CHART



PROGRAM REVIEW PROCEDURES

The MPO provides equal access to the transportation planning process and ensures its policies and programs are non-discriminatory and do not negatively impact minority and low-income individuals. To that end, the MPO utilizes the following program review procedures to ensure compliance with Title VI:

- Collecting and analyzing data on minority and low-income populations to determine the potential impact of proposed plans, programs and projects
- Ensuring all contract documents contain the appropriate Title VI provisions
- Consulting with the Title VI Officer, Coordinator or Liaison and the KYTC Office for Civil Rights & Small Business Development's Executive Director when complaints are received or issues arise
- Ensuring that all people are treated equitably regardless of race, color or national origin
- Monitoring Title VI accomplishments, notifying the KYTC Title VI Officer, Coordinator or Liaison of problem areas and summarizing activities for inclusion in the Title VI Plan Update
- Developing and updating internal policies and procedures to ensure Title VI compliance during all phases of projects and activities
- Ensuring that all business pertaining to the selection, negotiation, and administration of consultant contracts and agreements is accomplished without discrimination based on race, color or national origin
- Ensuring that efforts are made to include minority and women owned businesses in consideration for contracts
- Ensuring that internal and external publications and all other relevant communications disseminated to the public include the Title VI policy reference
- Providing reasonable accommodations and information in the appropriate language or interpreters as needed for individuals with disabilities and LEP persons

See "[Monitoring & Reporting](#)" for details on how the MPO will evaluate and report compliance with Title VI.

SPECIAL EMPHASIS PROGRAM AREAS

There are several ways Title VI and Environmental Justice considerations interface with the Lexington Area MPO's transportation planning process including in the MPO's public outreach efforts and in the programming of federal funds for transportation improvement projects through the MPO's short and long-range regional transportation plans.

The MPO assesses the implications for Title VI and EJ in the planning process through four main functions: the Participation Plan, identifying Title VI, EJ & LEP communities, assessing the impacts & environmental justice of projects and programs, and engaging Title VI, EJ & LEP persons in the planning process.

In the event the MPO identifies any trends or patterns of discrimination, the MPO will coordinate with the Office for Civil Rights and Small Business Development for guidance and form a working group to assess and resolve the identified discrimination.

RELATIONSHIP OF TITLE VI PLAN TO PARTICIPATION PLAN

Many of the MPO's Title VI responsibilities are achieved through implementing the MPO's Participation Plan (PP). The PP is the framework for the MPO's public engagement process and is the official policy for how the MPO will disseminate information to the public and to stakeholders, to ensure there is adequate time for them to provide input, and to engage them in the process.

Through implementing the PP the Lexington Area MPO is committed to:

- Inform and involve the public/stakeholders including citizens, businesses, institutions and non-profits regarding the plans, projects and decisions that impact them
- Provide frequent, comfortable and meaningful experiences for effective feedback
- Provide continuing and timely public information and outreach
- Provide equal access to information that is relevant to a diverse audience and strives to reach under-represented populations
- Evaluate the participation processes and procedures on a periodic basis to assess and improve effectiveness

The MPO's Title VI Plan further supplements, and is an official element, of the MPO's Participation Plan for the Lexington Area outlining how the MPO conducts assessments of Title VI, EJ and LEP populations; strategies to better engage these individuals in the transportation planning process; and ways to evaluate and ensure MPO plans do not result in any disparate impacts upon those communities.

DATA COLLECTION/REPORTING/ANALYSIS

Statistical data on race, color, national origin, sex, age, disability, and LEP of the participants, beneficiaries and affected populations of MPO programs and projects will be gathered, analyzed, and maintained by the MPO. This data will be used to determine any benefits or burdens that transportation investments creates for minority and low-income populations. Data gathering procedures will be reviewed regularly to ensure sufficiency of the data in meeting the requirements of Title VI program administration. Analysis of the data collected by the MPO may include:

- The race, color, national origin, sex, age, disability, income and LEP of the population eligible to be served
- Socioeconomic Assessment to evaluate a project's potential impacts to the human environment
- Persons to include in the decision making process
- Percent of benefits allocated to persons below the poverty line vs. persons above the poverty line
- Distribution of benefits (dollars, facilities, systems, projects) to groups and communities
- Projected population increases versus planned facilities and types of facilities
- Language needs assessment
- Transportation needs of all persons within boundaries of plans or projects
- Strategies to address impacts
- The manner in which services are or will be provided and the related data necessary for determining whether any persons are or will be denied such services on the basis of prohibited discrimination
- The location of existing or proposed facilities connected with the program and related information for determining whether the location has or will have the effect of unnecessarily denying access to any persons on the basis of prohibited discrimination
- The present or proposed membership, by race, color, national origin, sex, disability and age, in any planning or advisory body which is an integral part of the program
- Strategies to disseminate information

IDENTIFYING TITLE VI, EJ & LEP COMMUNITIES

Executive Order (E.O. 12898) was issued to focus federal attention on the environmental and human health conditions in minority and low-income communities to promote non-discrimination in federal programs substantially affecting human health and the environment. It also provides minority and low-income communities with access to public information on and an opportunity for public participation in matters relating to human health or the environment. The Lexington Area MPO utilizes US Census Bureau data, American Community survey data, and the following checklist to identify targeted populations:

- Make a list of potential demographic groups to consider for the region or start with the required EJ populations defined by the Executive Order and supportive guidance
- Consider groups that are underrepresented in typical public involvement and transportation decision making processes, have limited access to the full benefits of the transportation system or have encountered disproportionate impacts from past transportation decisions
- Decide on the level of detail required for identifying groups spatially and identifying data sources to use to conduct a spatial demographic profile
- Engage leaders and representatives of demographic groups to help identify target populations, spatially and non-spatially

To that end, an understanding of community demographics is needed to ensure the MPO's planning and participation efforts reach all segments of the population. A demographic summary of the Lexington Area MPO follows including age, income, race/ethnicity, language and disability. Figure 1 shows the total number and percentage of the population that identifies with a minority race/ethnic group in Fayette County, Jessamine County, and the MPO Region. Figure 2 displays demographical data to identify traditionally underserved and/or under-represented residents.

Figure 1. Racial Minority Totals and Percentage of Overall Population

Figure 1: Total and Percentage of Population as Racial Minority*

Geography	Total Population	Black / African American Alone [^]		American Indian / Alaskan Native Alone [^]		Asian Alone [^]		Native Hawaiian / Other Pacific Islander Alone [^]		Hispanic Or Latino**		Other		Total Minority	
Fayette County	322,570	48,076	14.90%	1,105	0.34%	13,427	4.16%	144	0.04%	24,183	7.50%	16,732	5.19%	86,935	26.95%
Jessamine County	52,991	2,290	4.32%	135	0.25%	658	1.24%	28	0.05%	2,102	3.97%	987	1.86%	5,213	9.84%
MPO Region	375,561	50,366	13.41%	1,240	0.33%	14,085	3.75%	172	0.05%	26,285	7.00%	17,719	4.72%	92,148	24.54%

**Data source: U.S. Census Bureau (2021) American Community Survey (ACS) 2017-2021*

***Of any race*

[^]Non-hispanic

Figure 2. Socioeconomic Breakdown for Lexington Area MPO Counties & Region

Geography	Total Population	Black / African American Alone [^]		American Indian / Alaskan Native Alone [^]		Asian Alone [^]		Native Hawaiian / Other Pacific Islander Alone [^]		Hispanic Or Latino**		Other		Total Minority	
Fayette County	320,601	46,844	14.61%	608	0.19%	12,028	3.75%	83	0.03%	23,063	7.19%	10,825	3.38%	82,626	25.77%
Jessamine County	53,032	2,445	4.61%	156	0.29%	766	1.44%	11	0.02%	1,837	3.46%	465	0.88%	5,215	9.83%
MPO Region	373,633	49,289	13.19%	764	0.20%	12,794	3.42%	94	0.03%	24,900	6.66%	11,290	3.02%	87,841	23.51%

**Data source: U.S. Census Bureau (2020) American Community Survey (ACS) 2016-2020*

***Of any race*

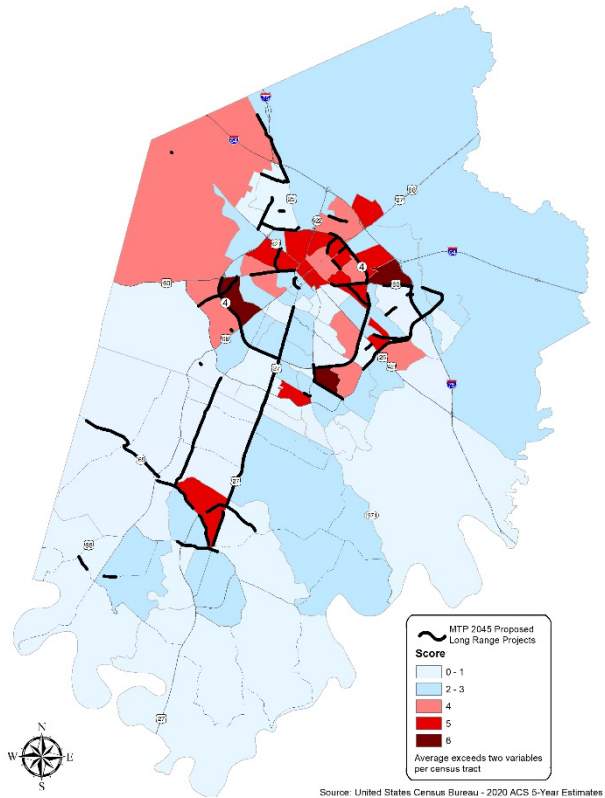
[^]Non-hispanic

ASSESSING IMPACTS & ENVIRONMENTAL JUSTICE (FEDERAL HIGHWAY FUNDS)

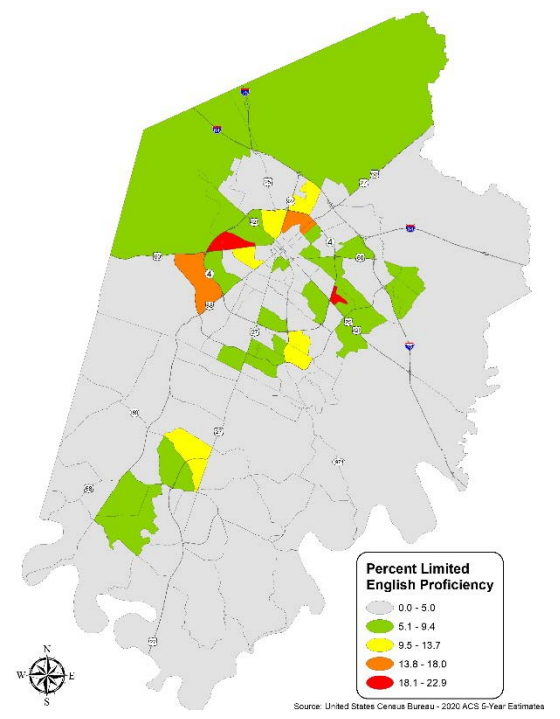
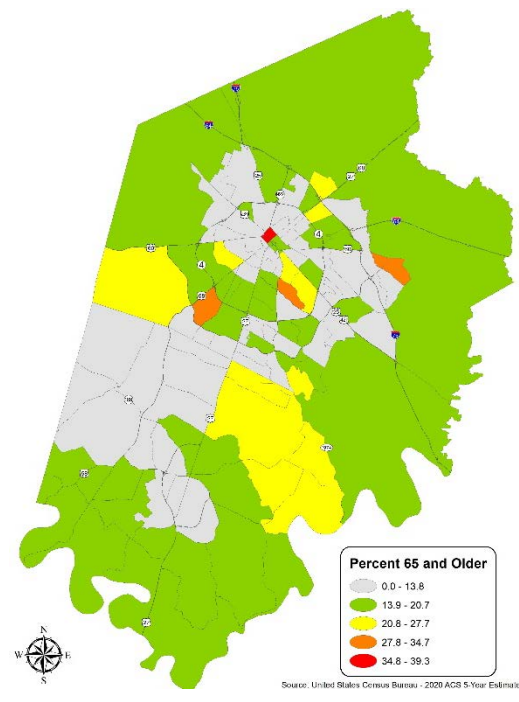
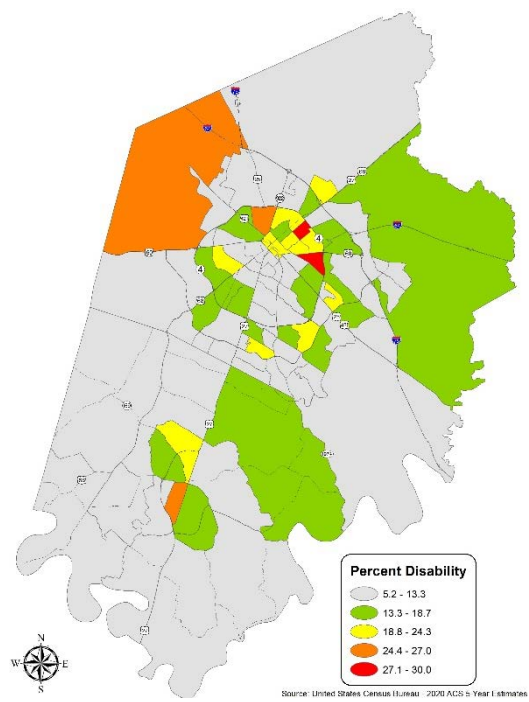
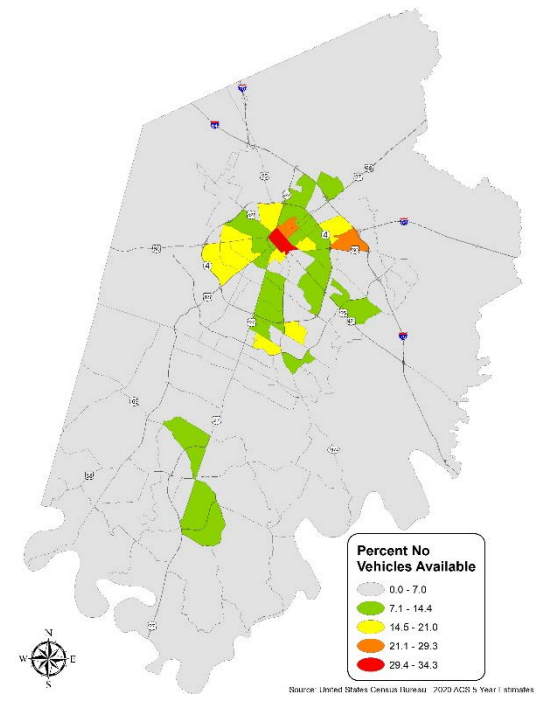
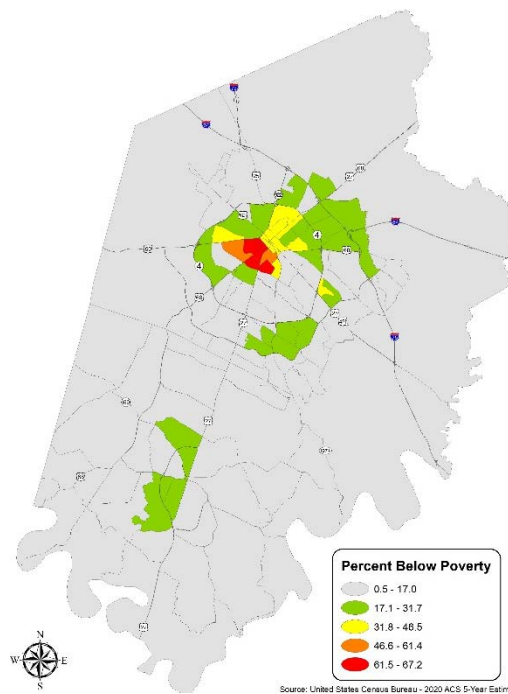
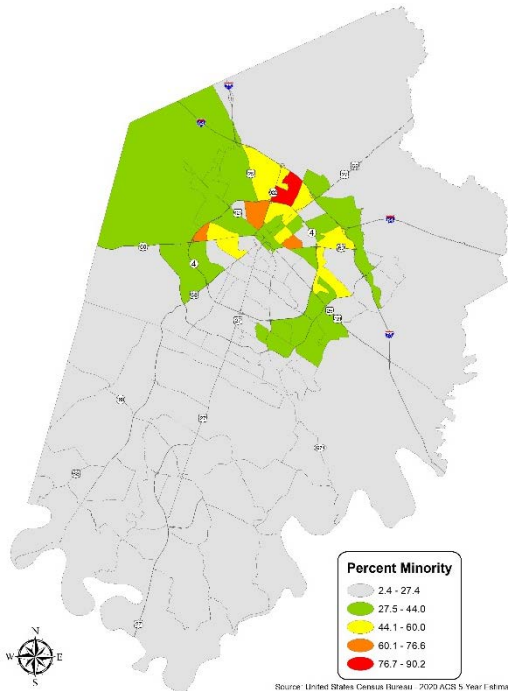
The Equity Target Area (ETA) Maps were developed from US Census data to identify communities in the Lexington Area MPO that are protected by national non-discrimination acts. Identifying Equity Target Areas helps the MPO ensure that there is an equitable distribution of transportation services, facilities and resources within the community without regard to income, race, age, ability and other socio-economic factors; and to ensure that there are not disproportionate negative impacts or burdens on

minority and low-income populations. It also enables the MPO to recognize that additional and focused outreach may be necessary in these target areas.

To identify these ETAs, a regional average for certain socio-economic demographics was established utilizing the American Community Survey 5 year Estimates. A regional “threshold” was identified and census tracts that exceeded that threshold were identified as a targeted equity area. For example, the average percentage of the population in the Lexington Area that is living below the poverty level is 17%. Census tracts that meet or exceed this threshold were then mapped. A compilation of Equity Target Areas was generated to demonstrate the greatest concentrations of EJ-sensitive populations. Darker areas on the map to the left indicates a greater concentration of various EJ populations.



Transportation Improvement Program (TIP) include a map of proposed projects overlaying these Equity Target Areas in order to assess any benefits and burdens on EJ populations. The presence of EJ populations in the vicinity of proposed projects are also weighted in the project scoring/selection process. A synopsis of this analysis is included in the adopted TIP and/or MTP. The maps on this and the following page represent projects from the MPO’s 2045 Metropolitan Transportation Plan, which assessed the distribution of Federal Highway funds. The MPO’s 2050 MTP update, to be completed in FY 24 will include a similar analysis and synopsis.



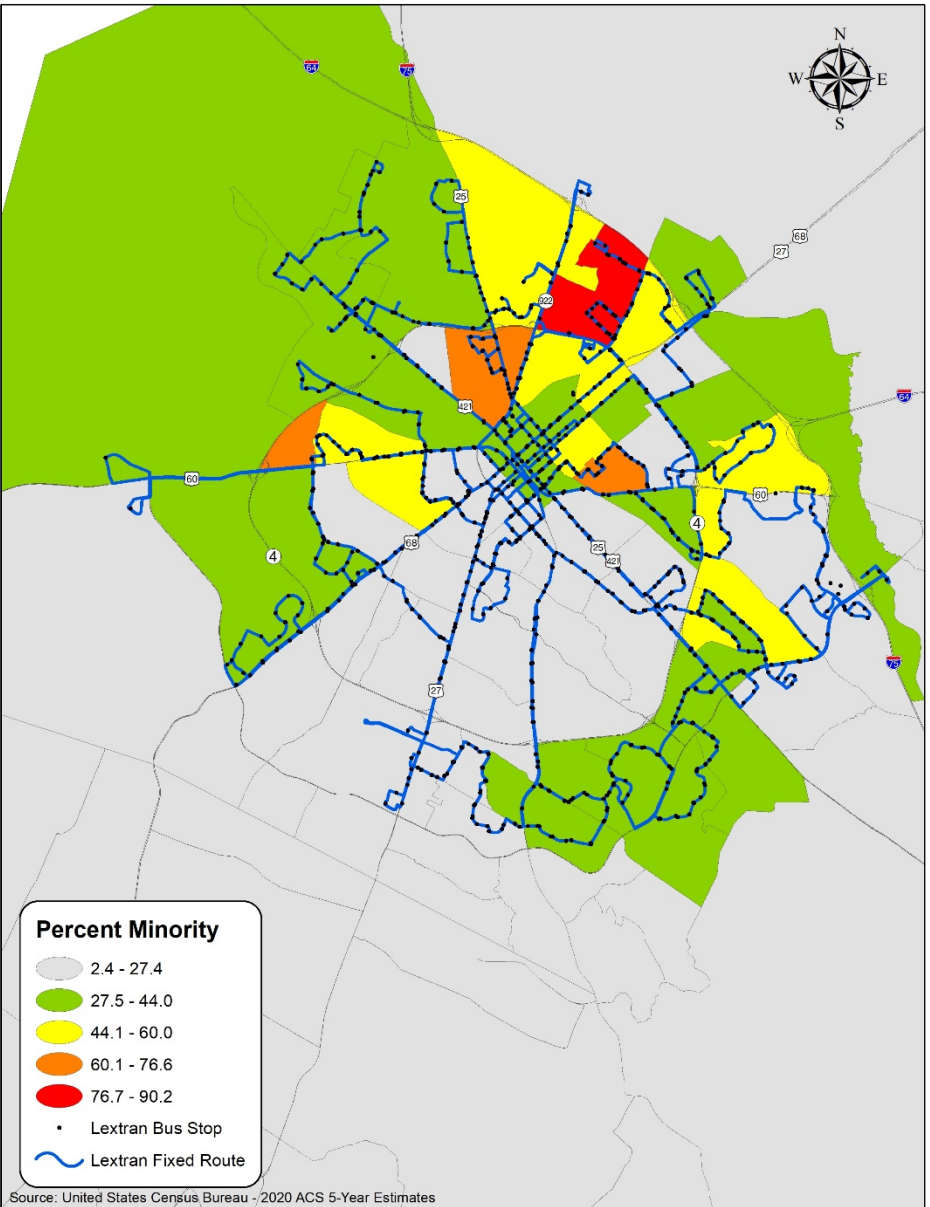
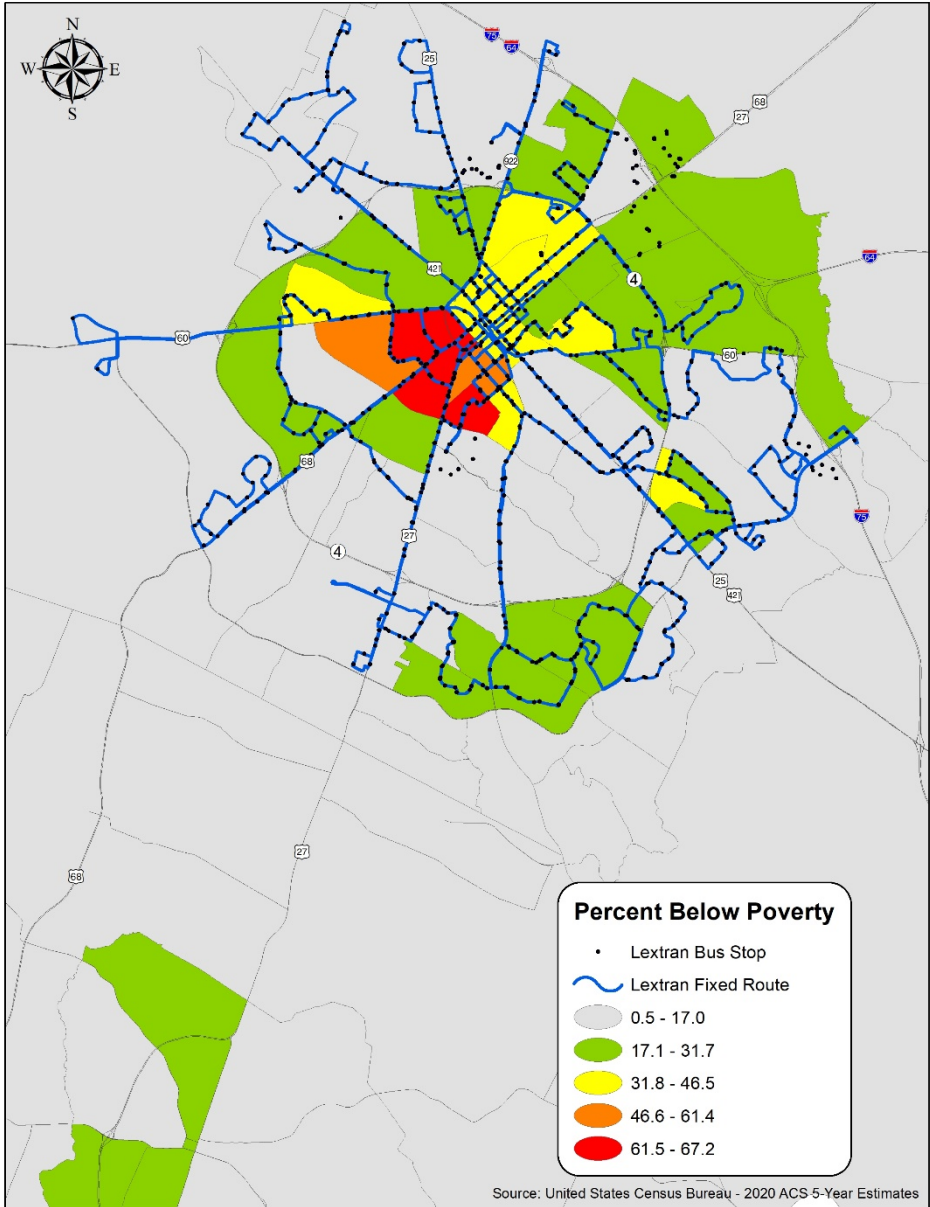
ASSESSING IMPACTS & ENVIRONMENTAL JUSTICE (FEDERAL TRANSIT FUNDS)

The Lexington Area MPO also utilized the equity target area maps and demographic data to assess the distribution of Federal Transit Administration (FTA) funds in lower-income and/or higher-minority areas of the community. Maps found on subsequent page 12 show the location of bus routes and stops operated by the Lexington Transit Authority (Lextran) overlaid with Census tracts that exceed the average poverty and minority rates in the Lexington area.

The MPO compared the average percentage of county residents living in poverty and those who self-identified as racial minorities to the percentage of Lextran bus stops that serve areas that have higher rates of poverty and/or higher rates of minority residents. The data shows that 58% of stops are located within the higher poverty tracts and 63% of stops are located within the minority tracts.

Poverty in Lex Area MPO		Minority in Lex Area MPO	
Average Population Living in Poverty	Lextran Stops in Areas Exceeding Poverty Average	Average Minority Population	Lextran Stops in Areas Exceeding Minority Average
17%	58%	27.4%	63%

Additionally, Lextran continually self-assesses the distribution of services and funds within the community. In 2015, they carried out a detailed [Transit Service and Fare Equity Analysis](#) to analyze the impacts of the distribution of state and federal funds in the aggregate for public transportation purposes. This included areas that benefit from FTA 5303 funded planning activities that are carried out by the MPO. The analysis reviewed survey and demographic data and the extent to which members of minority, non-minority groups and low-income individuals may be affected by Lextran transit services and fares. The study concluded that “Lextran offers service to all populations, specifically including minority, non-minority, and low-income populations. This service is offered without regard to race, color, or national origin and is, therefore, in compliance with the Title VI and Environmental Justice regulations.” A detailed summary is available in Lextran’s “Service & Fare Equity Analysis” available at: <http://www.lextran.com/files/download/1174> and Lextran’s Title VI Program Plan available at <http://www.lextran.com/files/download/1427>.



ENGAGING TITLE VI, EJ & LEP PERSONS

The MPO employs many strategies to inform and engage the public and to provide opportunities for direct input into the transportation planning process. These strategies include advisory committees, the MPO website, e-newsletter, social media, targeted marketing campaigns including radio, television and newsprint ads, public service announcements (PSAs) and in-person interviews. In addition, the Lexington Area MPO uses the following methods to further target outreach activities to reach low income and minority populations, people who are elderly, have disabilities or low English proficiency. These activities are listed below.

- Direct outreach to Council Members, Neighborhood and Community Organizations in priority focus areas. This includes timely notices by electronic or postal mail.
- Direct communication with these individuals and representatives including presentations to community leaders, advocacy groups, organizations and coalitions that serve and/or are associated with target populations.
- Post flyers or other displays as appropriate in high-volume locations including social activity centers such as ethnic grocery stores, churches and community centers;
- Attend festivals or other periodic community events with surveys or displays.
- Engage in public outreach activities conducted by Lextran including public meetings regarding services, routes changes and attending Lextran board meetings where public input is summarized and presented. This enables the MPO to gain a better understanding of transit users' needs and concerns, particularly transit-dependent users who are often lower income individuals without access to a vehicle or people with disabilities who cannot drive.
- Provide documents in large text (upon request). Include a function on the MPO website that allows a user to increase the font size of the webpage.
- Provide sign language interpreters at public meetings (with advanced request).
- Provide closed captioning for all TPC meetings held virtually or in person in Lexington.
- Utilize LFUCG's language translation services as needed and as requested to communicate with individuals with low English proficiency.
- Maintain a record of interactions and participation by these targeted populations when possible [i.e. request demographic information in surveys, note the number of targeted persons that attend public meetings (informally), note presentations made to targeted groups, etc].

In FY 23, the MPO conducted a major update of the Participation Plan in advance of developing the 2050 Metropolitan Transportation Plan Update. During the Participation Plan update, the MPO sought additional community input to further improve upon these strategies to reach these individuals, neighborhoods, business owners and communities.

LIMITED ENGLISH PROFICIENCY (LEP) PLAN

The MPO is committed to making all reasonable efforts to provide Limited English Proficiency (LEP) individuals meaningful access to all of the MPO’s programs and activities. LEP individuals do not speak English as their primary language and have a limited ability to read, write, speak or understand English, and may be entitled to language assistance with respect to a particular type of service, benefit or encounter. The MPO utilizes various measures to provide citizens with LEP access to MPO resources in consideration of the following four questions.

FOUR-FACTOR ANALYSIS

Four flexible, fact-dependent factors are required to be considered in developing language materials and a Limited English Proficiency plan.

1. The number or portion of LEP persons eligible to be served or likely encountered through its federally funded programs.

For determining the LEP population, the MPO utilizes the U.S. Census Bureau Language Use data for Language Spoken at Home and English- Speaking Ability. Nearly 13% of the MPO population speaks a language other than English as their primary language. Of those individuals, just over 5% speak English less than very well, with about half of those being Spanish-speaking individuals.

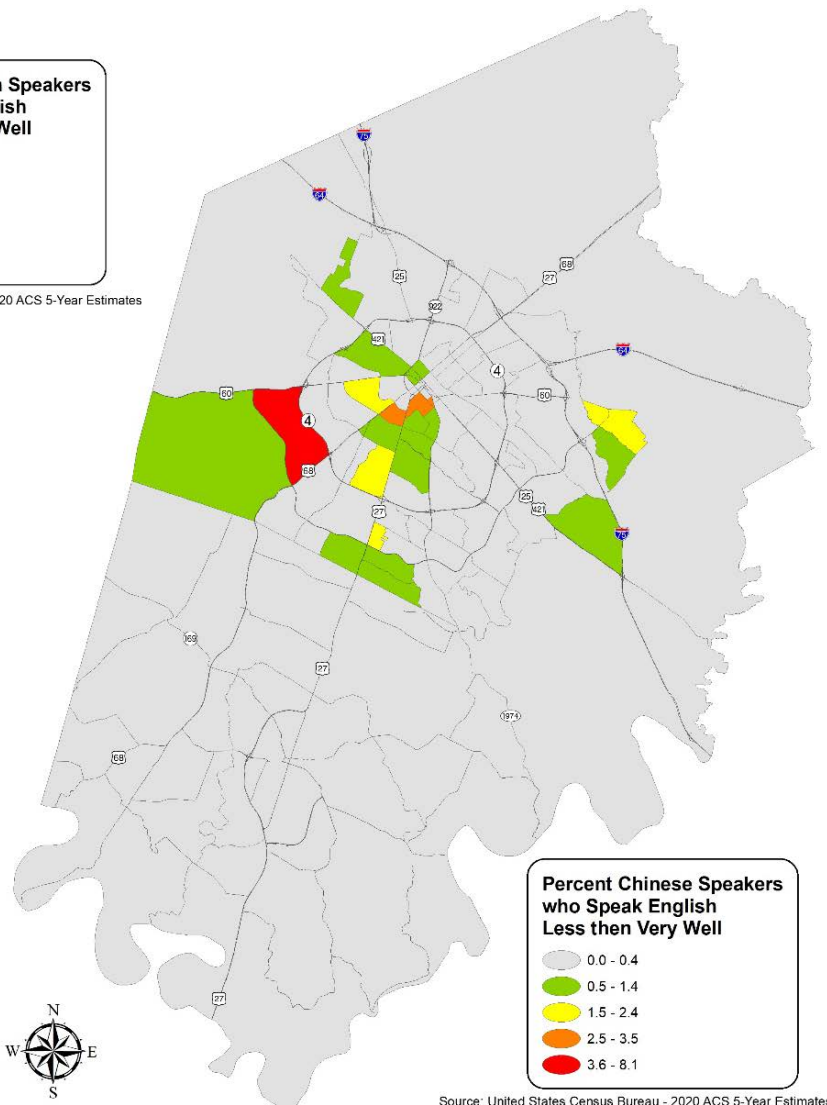
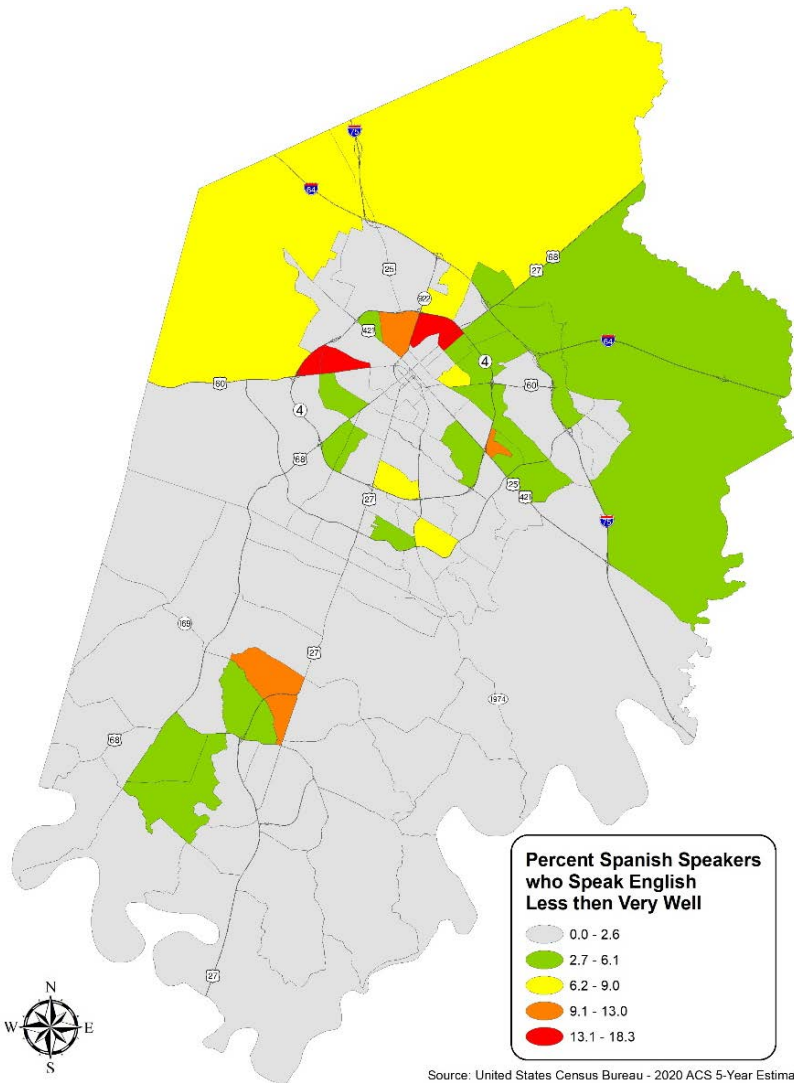
Languages other than English spoken in the Lexington Area MPO (Fayette and Jessamine Counties)			Speak English Less Than Very Well	
	Number	Percent	Number	Percent
Spanish	20,233	5.73%	8,568	2.43%
Chinese	2,997	0.85%	1,630	0.46%
French	2,180	0.62%	798	0.23%
Arabic	2,245	0.64%	711	0.20%
Other Languages*	16,815	4.77%	5,998	1.70%
Total all languages	44,470	12.60%	17,750	5.03%

* Combination of "Other Indo-European," "Other Asian and Pacific Island," and "Other and unspecified" languages

The Spanish speaking population is the primary LEP group that the Lexington Area MPO is likely to engage with due to their size. Information with respect to Title VI and public notices are currently translated into Spanish. The Lexington Area MPO offers translation services upon request to any LEP individual. The only other LEP groups that meet the Safe Harbor Provision threshold are the LEP Chinese and those LEP who speak "Other Languages." The MPO will translate vital documents for these LEP groups upon request.

2. The frequency with which LEP individuals come in contact with the designated federal programs.

The MPO conducts public outreach as part of the transportation planning process. Contact with LEP persons is uncommon but may occur during periods of public comment during major plan updates or during special studies. To date, the MPO has not encountered any LEP person at a public meeting, nor by phone or email.



3. The nature and importance of the program, activity or service provided by the federal programs.

The MPO does not provide direct transportation services to individuals nor manage the design or construction of transportation projects. However, the MPO is responsible for informing how federal transportation funds are expended which directly affects all members of the public. It is important that the needs and desires of LEP persons to be heard in the planning process. The planning process is often the first of multiple points of contact and opportunities for public input in the project development process. The MPO also disseminates roadway safety information through public safety campaigns.

4. The resources available to the recipient and the cost. There are two types of assistance service – oral (interpretation) and written (translation).

The MPO provides both written and oral assistance services, upon request, but the MPO does not have the resources to translate all documents and provide translation services at all public meetings as a regular course of business. The MPO will make available, upon request, translations of its major documents. If there is a consistent need for translations, the MPO will consider additional appropriate measures to serve the language access needs of those persons.

Language Assistance Resources immediately available to the MPO include an in-office Chinese interpreter. There is also a Language Line subscription available to the MPO and LEP persons through the LFUCG 311 Lexcall call center.

After review of the four-factor analysis, the following plan was developed by the Lexington Area MPO to ensure there are no barriers for LEP persons wanting access to information.

1. The Title VI Public Notice of Protections against Discrimination is posted at the receptionist desk at the MPO offices in English, Spanish and Chinese.
2. If anyone enters the office that is LEP, then "I speak cards" from the 2010 Census will be shown to determine their primary language.
3. Language Assistance Resources immediately available include an in-office Chinese interpreter. There is also a Language Line subscription available to the MPO and LEP persons through the LFUCG 311 Lexcall call center.
4. If notified in advanced that the LEP person plans to attend an MPO meeting or is coming to the MPO offices, an interpreter will be made available for the meeting or visit at no cost to the LEP person.
5. At all times the LEP person will be informed and aware that there is no cost for these services to them.
6. Most public input surveys will be provided in Spanish depending on the scope of the planning effort, the geographic area and the target audience.
7. Key safety messages will be translated into Spanish as part of public outreach campaigns and will be aired on Spanish-speaking media outlets.

SAFE HARBOR PROVISION

Lexington Area MPO adheres to the Department of Justice's Safe Harbor Provision, which outlines circumstances that can provide a "safe harbor" for recipients regarding translation of written materials for LEP populations. The Safe Harbor Provision stipulates recipients provide written translations of "vital

documents” for each eligible LEP language group that constitutes five percent (5%) or 1,000 persons, whichever is less, of the total population of persons that are eligible, or likely to be served, affected or encountered by the recipient agency. Such action is considered evidence of compliance with the recipient’s written translation obligations. The MPO considers the Title VI Notice of Protections Against Discrimination and MPO Title VI Complaint Procedure to be vital documents. Translation of non-vital documents, if needed, can be provided orally. If there are fewer than 50 persons in a language group that reaches the five percent (5%) trigger, the recipient is not required to translate vital written materials, but should provide written notice in the primary LEP language group of their right to receive competent oral interpretation of those written materials, free of cost.

MONITORING & REPORTING

TITLE VI & PARTICIPATION PLAN REVIEW

The Lexington Area MPO annually evaluates the Title VI Program Plan in conjunction with the annual review of the MPO's Participation Plan. Changes in the Title VI Plan are provided to MPO employees and committees and are forwarded to KYTC as necessary.

PUBLIC INVOLVEMENT REVIEW

This annual review of the MPO's Participation Plan and Title VI Plan includes an ongoing evaluation of public involvement as outlined in the PP and copied below. The MPO estimates the number of individuals reached, in attendance and/or who respond to various outreach methods. This information is included in the MPO's Annual Performance & Expenditure Report. This required annual report summarizes the MPO's work activities and is posted to the MPO website.

Outreach Method	Objectives & Measures of Effectiveness
Interagency Coordination	Stakeholders are well informed and coordinated. Projects and plans are implemented on a timely and cost-effective basis.
TPC and Committee Meetings	Membership, attendance and the frequency and nature of stakeholder and public comments received at meetings.
Public Meetings/Focus Groups	Number of attendees and comments received.
Surveys	Number of respondents.
Digital Maps	Number of views/comments.
Branding	Individuals are aware of the MPO, its activities and products.
Marketing (paid)	Frequency and reach of messaging through TV, radio, social media, etc. Number of website hits and points of contact with the MPO as a result.
Media Outreach (legal & press releases)	Number of media outlets that receive and subsequently distribute the information. Number of responses or points of contact with the MPO as a result.
Website	Number of site visitor and page views.
Social media	Number of page followers, views, interactions and impressions.
Traveling Exhibits/Displays	Number of attendees at the event and interactions with the MPO.
Newsletters	Number of newsletters distributed and the email open and click rate (tracked by the emailing tool)

COMPLIANCE/NONCOMPLIANCE REPORTING

The MPO will continue to report Title VI, ADA and EJ activities in MPO Quarterly Reports submitted to the KYTC Division of Planning. The MPO will report to the KYTC's Office for Civil Rights and Business Development as requested in order to demonstrate compliance, or progress towards compliance, in a timely fashion. The MPO utilizes the "Kentucky Transportation Cabinet Title VI Program Implementation Plan Checklist" to conduct a self-survey of all applicable Title VI compliance areas and correct any deficiencies identified.

The MPO responds to and investigates any Title VI complaints within the established timeframe and in accordance with the established procedures including notification of the complaint to appropriate parties.

The MPO ensures that any subcontractor acting on behalf of the MPO is made aware of all Title VI requirements. Currently, the only contracts the MPO oversees or administers are consultant services for special planning studies and an annual marketing campaign.

REVIEW OF MPO DIRECTIVES

The MPO does not issue directives such as internal or external design or procedural manuals.

SUB-RECIPIENT REVIEW PROCEDURES

The MPO does not directly issue any federal funding to sub-recipients. If federal funding is awarded by the MPO to a Local Public Agency, the funds are administered by the Kentucky Transportation Cabinet directly with the LPA. The MPO does not have any direct sub-recipients and therefore does not conduct sub-recipient review procedures.

TITLE VI TRAINING FOR FISCAL YEAR 2022-2023

The Title VI Coordinator is responsible for ensuring all members of the Lexington Area MPO staff are familiar with the Title VI plan and complaint procedures. On an annual basis, the Coordinator conveys to all staff, including new employees, an overview of federal regulations and requirements, a summary of the MPO's Title VI responsibilities, a review of the Public Notice and Complaint Procedure and the process to follow in the event of a complaint. This is done informally by meeting with individual staff members, via reports/presentations at regular staff meetings or through a formal training class.

- Several MPO staff, including the Title VI Coordinator and MPO Director, attended the Title VI training provided by the KYTC Office of Civil Rights and Business Development at the Statewide Planning meeting held virtually on October 29, 2022 (attendees: Chris Evilia, Kenzie Gleason, Stuart Kearns).
- Several MPO staff attended a presentation on the Minnesota DOT Equity Tool at the Statewide Planning meeting held virtually on January 18, 2023 (attendees: Chris Evilia, Kenzie Gleason, Stuart Kearns, Hanna Crepps)
- The MPO Title VI Coordinator, Outreach Specialist and Bicycle & Pedestrian Coordinator, attended the following webinars: DOT Justice40 Tool and Index Update (November 17, 2022); FHWA Equity & Roadway Safety Leadership Panel (April 17, 2023) (attendees: Kenzie Gleason, Hannah Crepps, Scott Thompson)

- All MPO staff completed the Title VI Training video provided by KYTC in June 2023 (attendees: Chris Evilia, Kenzie Gleason, Sam Hu, Hannah Crepps, Stuart Kearns, Joey David, Scott Thompson).

Sub-contractors of federal grants are notified of the Title VI plan and complaint procedures at the time of any contract award. Note: No contracts were awarded in FY23.

SUMMARY OF TITLE VI ACTIVITIES FOR FISCAL YEAR 2022-2023

During FY 2023, the MPO participated in the following Title VI, EJ and ADA-related activities:

- Updated and obtained MPO Transportation Policy Committee approval of the Lexington Area MPO Title VI Program Plan. Submitted the annual plan to the KYTC Office of Civil Rights and Business Development and Transportation Delivery for review and approval.
- Participated in Title VI compliance site visit with KYTC & completed FHWA Equity Baseline Survey.
- Updated the MPO's Participation Plan adding reference to Justice 40 Executive Order directives regarding outreach, including the use of web-based and virtual methods to better capture public input, including from disadvantaged communities.
- Continued coordination with Lextran to implement bus stop improvements in accordance with the Bus Stop Facilities Inventory Projects improve access to transit, benefiting all citizens, including those who are dependent on public transit. Title VI and EJ considerations were used to prioritize improvements.
- Conducted meetings with the Blue Grass Community Action Partnership (BGCAP) regarding their plans for transit service expansions in the MPO and Bluegrass Region with the goal of expanding inter-city transportation options to individuals who cannot, do not, or choose not to drive.
- Coordinated Shared Mobility Device Permits for the Lexington Area in accordance with city ordinance which requires mobility companies to provide service in minority and low-income areas.
- Received TPC and Council approval of Complete Street policies for the MPO and the City of Lexington. Community outreach efforts included website, social media campaign, and hosting two public informational Q&A sessions. Both policies emphasize providing safe transportation choices for all individuals regardless of income and means of transportation. They also emphasize prioritizing investments in areas of low income and transit dependent neighborhoods. Staff is assisting the Lexington Mayor's Office in developing a Complete Streets Action plan. Secured funding for a Complete Street Design Standards project for the LFUCG/MPO.
- Completed the Lexington Safety Action Plan which included an environmental justice/equity review of crash locations and crash contributing factors.
- Initiated the Nicholasville Road Transportation & Transit Feasibility Study in coordination with KYTC. A primary goal of the study is to enhance public transit service and pedestrian access along the corridor which will benefit transit- dependent populations, as well as to increase housing, including affordable housing along the corridor.
- Completed the Imagine New Circle Road transportation and land use corridor plan. The study area includes higher than average concentrations of low-income, minority, LEP populations and households without access to a vehicle. Two rounds of public input included a public survey distributed in English and Spanish.
- Initiated a Safe Streets for All grant application to implement the Imagine New Circle Road and Safety Action Plan recommendations.
- Coordinated with LFUCG and KYTC regarding RAISE and Reconnecting Communities grant applications. Both of the submitted projects target investments in disadvantaged communities.

- Completed the East Lexington Trail Connectivity & Traffic Safety Study. The study identifies trail alignments to connect the Brighton Trail to downtown Lexington's East End, a historically black neighborhood.
- Drafted transportation-related updates to the LFUCG 2045 Comprehensive Plan ensuring additional emphasis on goals and policies for transportation equity.
- Participated as Board Member of the Broke Spoke Community Bike Shop in Lexington. This non-profit organization focuses on ensuring low-income, vulnerable, and homeless individuals in Lexington have a means to obtain and maintain a safe-working bicycle for transportation, regardless of their means to pay.
- Participated as Board Chair for the Federated Transportation Services of the Bluegrass, the Medicaid transportation provider for the Lexington Area.
- Continued to serve as member and Secretary to the LFUCG Commission for Citizens with Disabilities.
- Ran 30 second radio spot on RadioLex and Radio Vida in English and Spanish on transportation safety topics.
- Conducted bike safety lessons at Fayette County Safety City - three different schools; 233 students total.
- Worked with LFUCG to submit and receive a grant for \$10,250 to host a League Certified Instructor course for bilingual individuals in Kentucky, through the League of American Bicyclists.
- Held the annual Streetfest event to promote streets as shared spaces and to disseminate information on transportation safety and transportation planning efforts. The event was held in area identified as disadvantaged.
- Held a Bicycle Safety Course and Bike Club for elementary school children in a summer program at William Wells Brown Elementary and Community Center (EJ area).
- Attended the following webinars: DOT Justice40 Tool and Index Update; FHWA Equity & Roadway Safety Leadership Panel
- The MPO reviewed all City of Lexington development plan submittals and advised on ADA circulation issues and potential improvements to transit and bicycle facilities.

APPENDIX A – LEXINGTON AREA MPO STATEMENT OF ASSURANCES



LEXINGTON AREA METROPOLITAN PLANNING ORGANIZATION TRANSPORTATION PLANNING FOR FAYETTE AND JESSAMINE COUNTIES

Phone: 859-258-3160
Fax: 859-258-3163
101 East Vine Street Suite 700
Lexington, KY 40507

STANDARD TITLE VI ASSURANCE

The Lexington Area Metropolitan Planning Organization (hereinafter referred to as the Recipient) hereby agrees that as a condition to receiving any Federal financial assistance from the Department of Transportation it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat.252, 42 U.S.C.2000d-42 U.S.C.2000d-4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations) and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent 'directives, no person in the United States shall, on the grounds of race, color, or national origin, be excluded 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 the Department of Transportation, including the Federal Highway Administration or any other Federal Department, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(a) (1) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to the programs administered by the Recipient

1. That the Recipient agrees that each "program" and each "facility" as defined in sub-sections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all programs administered by the Recipient and in adapted form in all proposals for negotiated agreements:

Construction Proposals:

The Lexington Area Metropolitan Planning Organization, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat.252, 42 U.S.C 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidden that it will affirmatively insure that in any contact entered into pursuant to this advertisement, individuals and business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin, sex, age (over 40) religion, sexual orientation, veteran status or disability in consideration for an award.

For all other services:

Compliance with Regulations: The Consultant shall comply with the regulations of the Transportation Cabinet, Department of Highways, relative to nondiscrimination in Federally Assisted Programs of the Transportation

Cabinet, Department of Highways (49 CFR, Part 21) which are herein incorporated by reference and were made a part of this contract.

3. That the Recipient shall insert one of these nondiscrimination clauses in every contract subject to the Act and Regulations.
4. That the Recipient shall also insert into every relevant contract a clause stating that the contractor will not discriminate against any employee or applicant for employment because of race, color, national origin, sex, age (over 40), religion, sexual orientation, gender identity, veteran status, or disability.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, this assurance shall extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form of, or for the acquisition of real property, this assurance shall extend to rights to space on, over, and under such property.
7. 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, 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 was 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.
8. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation, or the delegated authority, to give a reasonable guarantee that it, other recipients, sub-grantees, contractors, sub-contractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed by or pursuant to the Act, the Regulations and this assurance.
9. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations and this assurance.

This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under the Federal Aid Program. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.



Christopher Evilia, AICP, Director
Lexington Area Metropolitan Planning Organization (MPO)

6/30/23

Date



LEXINGTON AREA METROPOLITAN PLANNING ORGANIZATION

TRANSPORTATION PLANNING FOR FAYETTE AND JESSAMINE
COUNTIES

Phone: 859-258-3160
Fax: 859-258-3163
101 East Vine Street Suite 700
Lexington, KY 40507

TITLE VI NOTICE OF PROTECTIONS AGAINST DISCRIMINATION

Lexington Area Metropolitan Planning Organization

The Lexington Area Metropolitan Planning Organization (MPO) operates its programs without regard to race, color and national origin in accordance with the Title VI of the Civil Rights Act. Any person who believes she or he has been subjected to discrimination prohibited under Title VI may file a complaint with the Lexington Area MPO.

To request or receive additional information on the MPO's Title VI obligations, policies and procedures to file a complaint, please visit <http://www.lexareampo.org/public-involvement-page-detail> or contact the person listed below:

Chris Evilia, AICP, Director
Lexington Area Metropolitan Planning Organization
101 East Vine Street, Suite 700
Lexington, KY 40507

Telephone: 859-258-3167
Email Address: cevia@lexingtonky.gov
Website: www.lexareampo.org

To file a discrimination complaint, the written complaint must be filed to the address above within 180 days of the alleged discrimination. Written complaints may also be filed with the U.S. Department of Transportation/Federal Transit Administration (FTA) no later than 180 days after the date of the alleged discrimination, unless the time for filing is extended by FTA/USDOT. **Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE Washington, DC 20590.** To accommodate limited English proficient individuals, oral complaints to be documented and/or translated may also be given at the above address. If information is needed in another language, contact Lexington Area MPO at 859-258-3162.

Si se necesita información en otro idioma, comuníquese con: 859-258-3162



LEXINGTON AREA METROPOLITAN PLANNING ORGANIZATION

TRANSPORTATION PLANNING FOR FAYETTE AND JESSAMINE
COUNTIES

Phone: 859-258-3160
Fax: 859-258-3163
101 East Vine Street Suite 700
Lexington, KY 40507

TÍTULO VI AVISO DE PROTECCIONES CONTRA LA DISCRIMINACIÓN

Organización de planificación metropolitana del área de Lexington

La Organización de Planificación Metropolitana del Área de Lexington (MPO) opera sus programas sin respecto a la raza, el color y el origen nacional de conformidad con el Título VI de la Ley de Derechos Civiles. Cualquier persona que crea que ha sido objeto de discriminación prohibida por el Título VI puede presentar una queja ante el MPO del área de Lexington. Para solicitar o recibir información adicional sobre las obligaciones, políticas y el Título VI de la MPO procedimientos para presentar una queja, visite <http://www.lexareampo.org/public-involvementpage-detail> o comuníquese con la persona que figura a continuación:

Chris Evilia, AICP, Director

Lexington Area Metropolitan Planning Organization

101 East Vine Street, Suite 700

Lexington, KY 40507

Teléfono: 859-258-3167

Email: cevia@lexingtonky.gov

Sitio Web: www.lexareampo.org

Para presentar una queja por discriminación, la queja por escrito debe presentarse a la dirección anterior dentro de los 180 días de la supuesta discriminación. Las quejas por escrito también se pueden presentar ante el Departamento de Transporte de los Estados Unidos / Administración Federal de Tránsito (FTA) a más tardar 180 días después de la fecha de la supuesta discriminación, a menos que el FTA / USDOT extienda el tiempo de presentación.

Atención: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE Washington, DC 20590. Si se necesita información en otro idioma, comuníquese con: 859-258-3162



LEXINGTON AREA METROPOLITAN PLANNING ORGANIZATION

TRANSPORTATION PLANNING FOR FAYETTE AND JESSAMINE
COUNTIES

Phone: 859-258-3160
Fax: 859-258-3163
101 East Vine Street Suite 700
Lexington, KY 40507

《民权法》第六章反对歧视的保护通知

列克星敦地区都市规划组织

根据《民权法》第六章的规定，列克星敦地区大都会规划组织(MPO),在不考虑种族、肤色和国籍的情况下运营其计划。任何认为自己受到第六章禁止歧视的人都可以向列克星敦地区 MPO 提出投诉。

要请求或接收有关 MPO 第六章义务、政策和投诉程序的更多信息，请访问

[HTTP://WWW.LEXAREAMPO.ORG/PUBLIC-INVOLVEMENT-PAGE-DETAIL](http://WWW.LEXAREAMPO.ORG/PUBLIC-INVOLVEMENT-PAGE-DETAIL) 或联系下列人员：

CHRIS EVILIA, AICP, 主任

列克星敦地区都市规划组织

101 东藤街·楼层 700

肯塔基州列克星敦 40507

电话：859-258-3167

电子邮件地址：CEVILIA@LEXINGTONKY.GOV

网站：WWW.LEXAREAMPO.ORG

要提出歧视投诉，必须在涉嫌歧视发生后 180 天内将书面投诉提交至上述地址。除非 FTA/USDOT 延长了提交时间，否则也可以在涉嫌歧视之日后 180 天内向美国交通部/联邦交通管理局 (FTA) 提交书面投诉。注意：TITLE VI PROGRAM COORDINATOR, EAST BUILDING, 5TH FLOOR-TCR, 1200 NEW JERSEY AVE., SE WASHINGTON, DC 20590。为了适应英语能力有限的个人，也可以在上述地址提供口头投诉记录和/或翻译文件。如果需要其他语言的信息，请致电 859-258-3162 联系列克星敦地区 MPO。

APPENDIX C - TITLE VI COMPLAINT PROCEDURE

English

The Lexington Area Metropolitan Planning Organization (MPO) is committed to a policy of non-discrimination in the operation of its programs and services without regard to race, color and national origin. Any person who believes that he or she, individually, or as a member of any specific class of persons, has been subjected to discrimination on the basis of race, color or national origin by the Lexington Area MPO is encouraged to report a Title VI complaint within 180 days of the alleged discrimination to:

Christopher Evilia, AICP, Director
Lexington Area Metropolitan Planning Organization
101 East Vine Street, Suite 700
Lexington, KY 40507

At the complainant's discretion, the complaint may be filed with the Lexington Area MPO and/or the Kentucky Transportation Cabinet, the Kentucky Commission on Human Rights and the Secretary of the US Department of Transportation.

Submission of Complaints

All complaints, written or verbal, shall be accepted. In the event a complainant sets forth the allegations verbally and refuses to reduce such allegations to writing, the person to whom the complaint is made shall reduce the complaint to writing.

Complaints should contain the following information, ideally utilizing the MPO Title VI Complaint Form:

1. Name, address, and telephone number of the complainant.
2. The basis of the complaint; i.e., race, color, or national origin.
3. The date or dates on which the alleged discriminatory event or events occurred.
4. The nature of the incident that led the complainant to feel discrimination was a factor.
5. Names, addresses and telephone numbers of persons who may have knowledge of the event.
6. Other agencies or courts where complaint may have been filed and a contact name.
7. Complainant's signature and date.

If information is needed in another language, contact (859) 258-3162.

Acceptance and/or Dismissal of Complaints

The MPO Director will respond in writing, acknowledging receipt of complaint within 10 days from date of receipt. After reviewing the complaint, the MPO Director may recommend dismissal of a complaint for any of the following reasons:

1. The complaint filed in an untimely manner
2. The complaint does not allege a basis covered by the statutes for which the MPO is responsible
3. The complaint does not allege any harm with regard to covered programs or statutes
4. The complainant requests the withdrawal of the complaint
5. The complainant fails to respond to repeated requests for additional information needed to process the complaint
6. The complainant cannot be located after reasonable attempts

7. The complainant fails to accept a reasonable resolution. Reasonableness to be determined by the Headquarters Civil Rights (HCR) Office via the FHWA Division Office
8. The complainant has filed a legal action in Federal District Court with the same basis and issue(s) involved in the complaint
9. The same complaint's allegations have been filed with another federal, state, or local agency

Acceptance of a complaint will be determined by the following:

1. Timely filing of the complaint
2. If the allegations involve a covered basis such as race, color, sex, age, national origin, disability, or retaliation
3. If the allegations involve a program or activity of a federal aid recipient, sub - recipient, or contractor

All complaints received by Lexington MPO will be logged for tracking purposes.

Withdrawal of a Complaint

The complainant may withdraw his or her complaint at any time after filing and prior to the issuance of a determination or resolution by the MPO. The complainant must submit a written withdrawal to the following:

MPO Director
Lexington Area Metropolitan Planning Organization
101 East Vine Street, Suite 700
Lexington, KY 40507

Determination of Jurisdiction

The complaint will be reviewed to determine if the Lexington Area MPO has jurisdiction. The complainant will receive an acknowledgement letter from the MPO informing her/him if the complaint is being investigated by our office or if the case has been referred to the MPO's Legal Counsel, the Kentucky Transportation Cabinet, the Secretary of the US Department of Transportation, or other appropriate agency.

Investigation, Requests for Additional Information & Administrative Closure

The MPO has 90 days to investigate the complaint. If additional information is needed to resolve the case the MPO may contact the complainant. The complainant has 45 business days from the date of the request to provide any additional information that has been requested. If the investigator is not contacted by the complainant, or does not receive additional information within 45 business days, the MPO can administratively close the case. A case may also be administratively closed if the complainant no longer wishes to pursue their case.

Notice of Disposition/Appeal to Other Agencies

The complainant will be notified in writing of the disposition of the complaint. In cases where the complainant is dissatisfied with the resolution by the Lexington Area MPO the complaint may be submitted to the Kentucky Transportation Cabinet, the Kentucky Commission on Human Rights and/or the Secretary of the US Department of Transportation. See contact information below.

Kentucky Transportation
Cabinet
Title VI Coordinator
200 Mero Street
Frankfort, KY 40622
1-800-928-3079

KY Commission on Human
Rights
332 W. Broadway, Suite 700
Louisville, Kentucky 40202
1-800-292-5566

U.S Department of
Transportation
400 7th Street SW
Washington, DC 20590
(202) 366-4648

PROCEDIMIENTO DE DENUNCIA TÍTULO VI Español

. La Organización de Planificación Metropolitana del Área de Lexington (MPO) está comprometida con una política de no discriminación en la operación de sus programas y servicios sin distinción de raza, color y origen nacional. Se alienta a cualquier persona que crea que él o ella, individualmente o como miembro de cualquier clase específica de personas, ha sido objeto de discriminación por motivos de raza, color u origen nacional por parte de la MPO del área de Lexington a presentar una queja del Título VI. dentro de los 180 días de la supuesta discriminación para:

Christopher Evilia, AICP, Director

Organización de Planificación Metropolitana del Área de Lexington

101 East Vine Street, Suite 700

Lexington, KY 40507

A discreción del denunciante, la denuncia puede presentarse ante la MPO del área de Lexington y/o el Gabinete de Transporte de Kentucky, la Comisión de Derechos Humanos de Kentucky y el Secretario del Departamento de Transporte de EE. UU.

Presentación de Quejas

Todas las quejas, escritas o verbales, serán aceptadas. En el caso de que un denunciante exponga las alegaciones verbalmente y se niegue a plasmarlas por escrito, la persona a quien se presenta la denuncia deberá plasmarla por escrito.

Las quejas deben contener la siguiente información, idealmente utilizando el formulario de quejas del Título VI de la MPO:

1. Nombre, dirección y número de teléfono del denunciante.
2. El fundamento de la denuncia; es decir, raza, color u origen nacional.
3. La fecha o fechas en que ocurrieron el hecho o hechos discriminatorios alegados.
4. La naturaleza del incidente que llevó al denunciante a sentir discriminación fue un factor.
5. Nombres, direcciones y números de teléfono de las personas que puedan tener conocimiento del evento.
6. Otras agencias o tribunales donde se haya presentado la denuncia y un nombre de contacto.
7. Firma y fecha del denunciante.

Si necesita información en otro idioma, comuníquese al (859) 258-3162.

Si se necesita información en otro idioma, comuníquese con (859) 258-3162.

Aceptación y/o Desestimación de Quejas

El Director de la MPO responderá por escrito, acusando recibo de la queja dentro de los 10 días a partir de la fecha de recepción. Después de revisar la queja, el Director de la MPO puede recomendar la desestimación de una queja por cualquiera de las siguientes razones:

1. La denuncia presentada fuera de tiempo
2. La queja no alega una base cubierta por los estatutos por los cuales la MPO es responsable
3. La queja no alega ningún daño con respecto a los programas o estatutos cubiertos
4. El denunciante solicita el retiro de la denuncia
5. El denunciante no responde a las reiteradas solicitudes de información adicional necesaria para procesar la denuncia
6. El denunciante no puede ser localizado después de intentos razonables
7. El denunciante no acepta una resolución razonable. La razonabilidad será determinada por la Oficina de Derechos Civiles de la Sede (HCR) a través de la Oficina de la División FHWA
8. El denunciante ha presentado una acción legal en el Tribunal Federal de Distrito con los mismos fundamentos y asuntos involucrados en la denuncia.
9. Las alegaciones de la misma queja se han presentado ante otra agencia federal, estatal o local

La aceptación de una queja se determinará por lo siguiente:

1. Presentación oportuna de la denuncia
2. Si las alegaciones involucran una base cubierta como raza, color, sexo, edad, origen nacional, discapacidad o represalia
3. Si las alegaciones involucran un programa o actividad de un beneficiario, subreceptor o contratista de ayuda federal

Todas las quejas recibidas por Lexington MPO KYTC se registrarán con fines de seguimiento.

Retiro de una Queja

El denunciante puede retirar su denuncia en cualquier momento después de la presentación y antes de la emisión de una determinación o resolución por parte de la MPO. El denunciante debe presentar un retiro por escrito a los siguientes:

Director de la MPO

Organización de Planificación Metropolitana del Área de Lexington

101 East Vine Street, Suite 700

Lexington, KY 40507

Determinación de Jurisdicción

La queja se revisará para determinar si la MPO del área de Lexington tiene jurisdicción. El denunciante recibirá una carta de acuse de recibo de la MPO informándole si la denuncia está siendo investigada por nuestra oficina o si el caso ha sido remitido al Asesor Legal de la MPO, el Gabinete de Transporte de Kentucky, el Secretario del Departamento de Transporte de EE. UU. u otra agencia apropiada.

Investigación, Solicitudes de Información Adicional y Cierre Administrativo

La MPO tiene 90 días para investigar la denuncia. Si se necesita información adicional para resolver el caso, la MPO puede comunicarse con el denunciante. El denunciante tiene 45 días hábiles a partir de la fecha de la solicitud para proporcionar cualquier información adicional que se le haya solicitado. Si el denunciante no se comunica con el investigador o no recibe información adicional dentro de los 45 días hábiles, la MPO puede cerrar el caso administrativamente. Un caso también puede cerrarse administrativamente si el denunciante ya no desea continuar con su caso.

Aviso de disposición/apelación a otras agencias

El denunciante será notificado por escrito de the disposición de la queja. En los casos en que el denunciante no esté satisfecho con la resolución de la MPO del área de Lexington, la denuncia puede presentarse ante el Gabinete de Transporte de Kentucky, la Comisión de Derechos Humanos de Kentucky y/o el Secretario del Departamento de Transporte de EE. UU. Consulte la información de contacto a continuación.

Gabinete de transporte de Kentucky

Coordinador del Título VI

Calle Mero 200

Fráncfort, KY 40622

1-800-928-3079

Comisión de Derechos Humanos de Kentucky

332 Oeste de Broadway, Suite 700

Louisville, Kentucky 40202

1-800-292-5566

Departamento de Transporte de EE. UU.

400 Calle 7 SW

Washington, DC 20590

(202) 366-4648

第六章投诉程序 普通话

列克星敦地区大都会规划组织 (MPO) 致力于在其项目和服务的运作中奉行非歧视政策，不考虑种族、肤色和国籍。任何人如果认为他或她个人或作为任何特定类别的成员受到列克星敦地区 MPO 基于种族、肤色或国籍的歧视，我们鼓励其报告第六章投诉 在涉嫌歧视后 180 天内：

克里斯托弗·埃维利亚 (Christopher Evilia), AICP, 主任

列克星敦地区大都会规划组织

东藤街 101 号, 700 室

列克星敦, 肯塔基州 40507

根据投诉人的判断，投诉可以提交给列克星敦地区 MPO 和/或肯塔基州交通内阁、肯塔基州人权委员会和美国交通部部长。

提交投诉

所有书面或口头投诉均应被接受。如果投诉人口头提出指控并拒绝将此类指控转为书面，则投诉人应将投诉转为书面。

投诉应包含以下信息，最好使用 MPO Title VI 投诉表：

1. 投诉人的姓名、地址、电话号码。
2. 投诉的依据；即种族、肤色或国籍。
3. 所指控的歧视事件发生的日期。
4. 事件的性质是导致申诉人感到歧视的一个因素。
5. 可能了解该事件的人员的姓名、地址和电话号码。
6. 可能提出投诉的其他机构或法院以及联系人姓名。
7. 投诉人签名和日期。

如果需要其他语言的信息，请联系 (859) 258-3162。

如果需要其他惯用语的信息，请致电 (859) 258-3162。

接受和/或驳回投诉

MPO 主管将在收到投诉之日起 10 天内以书面形式回复，确认收到投诉。审查投诉后，MPO 主管可能会因以下任何原因建议驳回投诉：

1. 投诉不及时提出
2. 投诉并未提出 MPO 负责的法规所涵盖的依据
3. 投诉并未声称所涵盖的计划或法规有任何损害

4. 投诉人请求撤回投诉
5. 投诉人多次要求提供处理投诉所需的额外信息，但未能做出回应
6. 经过合理努力仍无法找到投诉人
7. 投诉人不接受合理的解决方案。合理性由总部民权 (HCR) 办公室通过 FHWA 分部办公室确定
8. 申诉人已向联邦地方法院提起法律诉讼，其依据和申诉涉及的问题相同
9. 同一投诉的指控已提交给另一个联邦、州或地方机构

投诉的受理将根据以下情况确定：

1. 及时提出投诉
2. 如果指控涉及种族、肤色、性别、年龄、国籍、残疾或报复等所涵盖的基础
3. 如果指控涉及联邦援助接受者、次级接受者或承包商的计划或活动

列克星敦 MPO KYTC 收到的所有投诉都将被记录下来以供跟踪。

撤回投诉

投诉人可以在提交后、MPO 发布决定或决议之前随时撤回其投诉。投诉人必须向以下机构提交书面撤诉：

MPO 总监

列克星敦地区大都会规划组织

东藤街 101 号, 700 室

列克星敦, 肯塔基州 40507

管辖权的确定

我们将对投诉进行审查，以确定列克星敦地区 MPO 是否具有管辖权。投诉人将收到 MPO 的确认信，告知她/他投诉是否正在由我们的办公室进行调查，或者案件是否已转交给 MPO 的法律顾问、肯塔基州运输内阁、美国运输部部长、或其他适当的机构。

调查、索取更多信息和行政关闭

MPO 有 90 天的时间对投诉进行调查。如果需要更多信息来解决案件，MPO 可以联系投诉人。自请求之日起，投诉人有 45 个工作日的时间提供所要求的任何其他信息。如果投诉人没有联系调查员，或者在 45 个工作日内没有收到更多信息，MPO 可以通过行政方式结案。如果投诉人不再希望继续追究其案件，案件也可能被行政结案。

向其他机构发出的处置通知/上诉

投诉人将收到书面通知 e 投诉的处理。如果投诉人对列克星敦地区 MPO 的解决方案不满意，则可以将投诉提交给肯塔基州交通内阁、肯塔基州人权委员会和/或美国交通部部长。请参阅下面的联系信息。

肯塔基州运输柜

第六章协调员

梅罗街 200 号

法兰克福, 肯塔基州 40622

1-800-928-3079

肯塔基州人权委员会

西百老汇 332 号, 700 室

路易斯维尔, 肯塔基州 40202

1-800-292-5566

美国交通部

西南第七街 400 号

华盛顿特区 20590

(202)366-4648



LEXINGTON AREA METROPOLITAN PLANNING ORGANIZATION
TRANSPORTATION PLANNING FOR FAYETTE AND JESSAMINE COUNTIES

Phone: 859-258-3160
 Fax: 859-258-3163
 101 East Vine Street Suite 700
 Lexington, KY 40507

Title VI Complaint Form

Section I: Please Write Legibly				
1. Name:				
2. Address:				
3. Telephone:			Secondary Phone (optional):	
4. Email Address:				
5. Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
Section II:				
6. Are you filing this complaint on your own behalf?			YES*	NO
*If you answered "yes" to #6 go to Section III.				
7. If you answered "no" to #6, what is the name of the person for whom you are filing this complaint? Name:				
8. What is your relationship with this individual:				
9. Please explain why you have filed for a third party:				
10. Please confirm that you have obtained permission of the aggrieved party to file on their behalf.			YES	NO
Section III:				
11. I believe the discrimination I experienced was based on (check all that apply): <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin <input type="checkbox"/> Limited English Proficiency (LEP) <input type="checkbox"/> Age <input type="checkbox"/> Gender <input type="checkbox"/> Disability <input type="checkbox"/> Low Income				
12. Please provide the date and place(s) of the alleged discriminatory action(s). Please include the earliest date of discrimination and the most recent date of discrimination.				
13. How were you discriminated against? Describe the nature of the action, decision, or conditions of the alleged discrimination. Explain as clearly as possible what happened and why you believe your protected status (basis) was a factor in the discrimination. Include how other persons were treated differently than you. (Attach additional pages if necessary.)				

14. The law prohibits intimidation or retaliation against anyone because he/she has either taken action, or participated in action, to secure rights protected by these laws. If you feel that you have been retaliated against, separate from the discrimination alleged above, please explain the circumstances. Tell what action you took which you believe was the cause for the alleged retaliation. (Attach additional pages if necessary.)

15. Names of individuals, agency, or department responsible for the discriminatory action(s):

	Name:	Address:	Phone:
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

16. Names of persons (witnesses, fellow employees, supervisors, or others) whom we may contact for additional information to support or clarify your complaint: (Attach additional pages if necessary.)

	Name:	Address:	Phone:
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

17. Please provide any additional information and/or photographs, if applicable, that you believe will assist with an investigation. (Attach additional pages if necessary.)

18. Photographs submitted with complaint? Yes No

Section IV:

19. Have you previously filed a Title VI complaint with Federated Transportation Services of the Bluegrass, Inc.?	YES	NO
---	-----	----

Section V:	
20. Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State Court? <input type="checkbox"/> YES* <input type="checkbox"/> NO If yes, check all that apply: <input type="checkbox"/> Federal Agency _____ <input type="checkbox"/> State Agency _____ <input type="checkbox"/> Federal Court _____ <input type="checkbox"/> Local Agency _____ <input type="checkbox"/> State Court _____	
21. If you answered "yes" to #20, provide information about a contact person at the agency/court where the complaint was filed.	
Name:	
Title:	
Agency:	
Address:	
Telephone:	Email:
Section VI:	
Name of Transit Agency complaint is against:	
Contact Person:	
Telephone:	

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date are required below to complete form:

Signature: _____

Date: _____

Submit form and any additional information to:

Chris Evilia, AICP, Director
Lexington Area Metropolitan Planning Organization
101 East Vine Street, Suite 700
Lexington, KY 40507
Phone: 859-258-3167
cevilia@lexingtonky.gov



LEXINGTON AREA METROPOLITAN PLANNING ORGANIZATION
TRANSPORTATION PLANNING FOR FAYETTE AND JESSAMINE COUNTIES

Phone: 859-258-3160
Fax: 859-258-3163
101 East Vine Street Suite 700
Lexington, KY 40507

Formulario De Queja Por Discriminacion Por Origen Nacional
(National Origin Discrimination Complaint Form-Spanish)

Instrucciones: Complete y firme este formulario y el formulario de consentimiento de divulgación adjunto, luego envíelo por correo electrónico O envíelo por correo a la oficina del oficial del Organización de planificación metropolitana del área de Lexington (LAMPO) a:

Chris Evilia, AICP
cevia@lexingtonky.gov
101 East Vine Street, Suite 700
Lexington, KY 40507

Sec.1. INFORMATION DEL DENUNCIANTE

Nombre: _____ e-mail: _____

Dirección: _____
Código Postal _____

Celular: (____) _____ # Trabajo: (____) _____

Persona(s) discriminada(s), si es diferente a la de arriba:

Nombre: _____ e-mail: _____

Dirección: _____
Código Postal _____

Celular: (____) _____ # Trabajo: (____) _____

Por favor explique su relación con esta (s) persona (s). _____

Sec. 2. DETALLES DE LA QUEJA

(a) Departamento, programa, o agencia subcontratada o programa causante de la discriminación:

Nombre: _____

Dirección: _____
Código Postal _____

Celular: (____) _____ # Trabajo: (____) _____

(b) ¿Su queja es por discriminación en el acceso a un programa o en la prestación de servicios o por otras acciones discriminatorias por parte de un departamento de LAMPO, o una agencia subcontratada en su trato hacia usted u otras personas? Si es así, indique abajo la(s) razón(es) por la(s) que considera que se tomaron estas acciones discriminatorias.

____ Raza/Origen étnico: _____
____ Origen nacional: _____
____ Sexo: _____
____ Religión: _____
____ Edad: _____
____ Discapacidad: _____

(c) ¿Cuál es la hora y el lugar más convenientes para que nos comuniquemos con usted sobre esta queja? _____

(d) ¿En qué fecha (s) tuvo lugar la discriminación? _____

Si corresponde, fecha del primer incidente de discriminación: _____

Fecha del incidente de discriminación más reciente: _____

(e) Las quejas por discriminación deben presentarse por lo general, en un periodo de 180 días a partir de la presunta discriminación. Si el incidente de discriminación más reciente, que se menciona anteriormente, ocurrió hace más de 180 días, puede solicitar una exención de la solicitud de presentación. Si desea solicitar dicha exención, explique la razón por la que esperó hasta ahora para presentar su queja, y el Organización de planificación metropolitana del área de Lexington (LAMPO) evaluará la explicación y decidirá si una exención es apropiada.

(f) Explique por favor, de la manera más clara y detallada posible, lo qué sucedió, dónde y cuándo sucedió, la razón por la que cree que sucedió y cómo ocurrió la discriminación. Indique quién estuvo involucrado. Asegúrese de indicar la manera en que otras personas recibieron un trato diferente al suyo o a las personas en cuestión. **(Utilice hojas adicionales si es necesario y adjunte una copia de los materiales escritos pertinentes relacionados con su caso).**

(g) El Título VI de la Ley de Derechos Civiles de 1964, 42 U.S.C. §§ 2000d - 2000d7 y la sección relativa a la no discriminación en la Ley Ómnibus de Control de Delitos y de Calles Seguras de 1968, 28 USC§ 3789d (c), prohíbe que los beneficiarios de fondos federales intimiden o tomen represalias en contra de cualquier persona debido a que él o ella ha tomado medidas o ha participado en una acción para garantizar los derechos protegidos por estas leyes. Si usted cree que

ha sido objeto de represalias (además de la discriminación denunciada en el # 10), explique abajo, de la manera más clara y detallada posible, las circunstancias. Asegúrese de explicar qué acciones tomó que cree que fueron la base de la presunta represalia.

(h) Por favor indique a continuación cualquier persona (testigos, compañeros de trabajo, supervisores u otros), si los conoce, a quienes podamos contactar para obtener información adicional para respaldar o aclarar su queja.

Nombre	Dirección	Código Posta/Teléfono
--------	-----------	-----------------------

(i) ¿Tiene alguna otra información que considere pertinente para nuestra investigación sobre su queja por discriminación?

(j) Que solución sugiere?

(k) ¿Ha presentado usted (o la persona discriminada) la misma o cualquier otra queja ante otras oficinas del Organización de planificación metropolitana del área de Lexington o en otras agencias federales?

Si____, No____

Si es así, ¿recuerda el número de la denuncia?

¿En contra de qué agencia, departamento o programa se presentó dicha queja?

Dirección: _____ Código Postal _____

Teléfono: (_____) _____

Fecha de presentación _____ Presentada en contra de:

Nombre de la persona que recibió la queja: _____

Brevemente, ¿en qué consistía la queja?

¿Cuál fue el resultado?

(I) * No podemos aceptar una queja que no está firmada. Firme y feche este Formulario de queja a continuación.

(Firma)

(Fecha)

Necesitaremos su consentimiento para revelar su nombre, si fuera necesario, en el transcurso de cualquier investigación. Por favor firme y feche el formulario de consentimiento. (Si está presentando esta denuncia en nombre de una persona que, usted alega que ha sido discriminada, en la mayoría de los casos necesitaremos un Formulario de Consentimiento firmado por esa persona). Por favor envíe por correo o correo electrónico el formulario de la denuncia por discriminación relleno y firmado y el formulario de consentimiento firmado, como es indicado arriba (haga una copia de cada uno para sus registros).

¿Cómo se enteró de que podía presentar esta queja?

FORMULARIO DE CONSENTIMIENTO / AUTORIZACION DE DIVULGACION

Nombre del denunciante _____

E-mail: _____ Dirección: _____

Número (s) de denuncia (s): si lo(s) conoce) _____

Por favor, lea la siguiente información, marque la casilla correspondiente y firme el formulario.

He leído el Aviso sobre usos de Información Personal para efectos de investigación, Publicado por LAMPO. Como denunciante, entiendo que en el curso de una investigación puede ser necesario que

LAMPO revele mi identidad a personas en la organización o institución que se encuentra bajo investigación. También estoy consciente de las obligaciones que tiene LAMPO de cumplir con las peticiones de la Ley de Libre Acceso a la Información. Entiendo que puede ser necesario que LAMPO divulgue información que ha sido recopilada como parte de su investigación de mi denuncia, la cual incluye detalles que pueden revelar la identidad personal. Además, entiendo que, como denunciante, estoy protegido por los reglamentos en contra la intimidación o las represalias por haber tomado medidas o participado en acciones para garantizar los derechos protegidos por los estatutos de no discriminación.

CONSENTIMIENTO / DIVULGACIÓN

CONSENTIMIENTO OTORGADO - He leído y entiendo la información previamente presentada y autorizo a LAMPO a revelar mi identidad a personas en la organización o institución que se encuentra bajo investigación. Por la presente autorizo a LAMPO a recibir material e información que se utilizarán para actividades autorizadas para hacer valer y cumplir con los derechos civiles. Además, entiendo que no estoy obligado a autorizar esta divulgación, y que lo hago voluntariamente.

CONSENTIMIENTO DENEGADO - He leído y entiendo la información previamente presentada y no quiero que LAMPO revele mi identidad a la organización o institución que se encuentra bajo investigación, ni que revise, hable o reciba copias, material e información sobre mí que sean pertinentes a la investigación de mi queja. Entiendo que esta acción probablemente impida que se realice la investigación de mi queja y que pueda resultar en el cierre de la investigación.

FIRMA

FECHA



LEXINGTON AREA METROPOLITAN PLANNING ORGANIZATION

TRANSPORTATION PLANNING FOR FAYETTE AND JESSAMINE COUNTIES

Phone: 859-258-3160
 Fax: 859-258-3163
 101 East Vine Street Suite 700
 Lexington, KY 40507

《民权法》第六章投诉表

Section I: 请写清楚				
1. 姓名:				
2. 地址:				
3. 电话:			中学电话(选修的):	
4. 电子邮件地址:				
5. 无障碍格式要求?	大字体		录音带	
	聋人通讯设备		其他	
Section II:				
6. 您是否代表您自己提出此投诉?			是的*	不
*如果您对#6 的回答为“是”，请转到第 III 部分。				
7. 如果您对第 6 项的回答为“否”，那么您为其提出此投诉的人的姓名是什么? 姓名:				
8. 您与此人的关系是什么:				
9. 请说明您为何为第三方提交:				
10. 请确认您已获得受害方的许可以代表他们提交。			是的	不
Section III:				
11. 我相信我所经历的歧视是基于 (勾选所有适用项):				
<input type="checkbox"/> 种族 <input type="checkbox"/> 肤色 <input type="checkbox"/> 国籍 <input type="checkbox"/> 英语水平有限 (LEP)				
<input type="checkbox"/> 年龄 <input type="checkbox"/> 性别 <input type="checkbox"/> 低收入 <input type="checkbox"/> 残障				
(请参阅 ADA 投诉表)				
12. 请提供涉嫌歧视行为的日期和地点。请包括最早的歧视日期和最近的歧视日期。				

13. 你是如何被歧视的？描述涉嫌歧视的行为、决定或条件的性质。尽可能清楚地解释发生了什么以及为什么您认为您的受保护身份（基础）是歧视的一个因素。包括如何对待其他人与您不同。（如有必要，请附加其他页面。）

14. 法律禁止恐吓或报复任何人，因为他/她已采取行动或参与行动以确保受这些法律保护的权利。如果您觉得自己受到了报复，除了上述歧视之外，请说明情况。说出您认为是造成所谓报复的原因和行动。（如有必要，请附加其他页面。）

15. 对歧视行为有责任的个人、机构或部门的名称：

	姓名：	地址：	电话：
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

16. 我们可以联系的人员（证人、同事、主管或其他人）的姓名以获取更多信息以支持或澄清您的投诉：（如有必要，请附上其他页面。）

	姓名：	地址：	电话：
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

17. 如果适用, 请提供您认为有助于调查的任何其他信息和/或照片。(如有必要, 请附加其他页面。)		
18. 与投诉同时提交的照片? ___ Yes ___ No		
Section IV:		
19. 您之前是否曾向列克星敦地区 MPO 提交过 Title VI 投诉?	YES	NO
Section V:		
20. 您是否已向任何其他联邦、州或地方机构或任何联邦或州法院提出此投诉? <input type="checkbox"/> YES* <input type="checkbox"/> NO 如果是, 请检查所有适用的选项: <input type="checkbox"/> 联邦机构 _____ <input type="checkbox"/> 州立机构 _____ <input type="checkbox"/> 联邦法院 _____ <input type="checkbox"/> 当地机构 _____ <input type="checkbox"/> 州立法院 _____		
21. 如果您对#20 回答“是”, 请提供有关提交投诉的机构/法院的联系人的信息。		
姓名:		
职称:		
机构:		
地址:		
电话:	电子邮件:	

您可以附上您认为与您的投诉相关的任何书面材料或其他信息。

填写表格需要以下签名和日期:

签名: _____

日期: _____

提交表格和任何其他信息到:

Chris Evilia, Director
Lexington Area Metropolitan Planning Organization
101 East Vine Street, Suite 700
Lexington, KY 40507
Phone: 859-258-3167
cevia@lexingtonky.gov

APPENDIX D - TITLE VI COMPLAINT LOG JULY 1, 2022 – JUNE 30, 2023

FEDERAL HIGHWAY AUTHORITY COMPLAINT LOG

Complaint Log	Notes																	
	FHWA/USDOT/FMCSA																	
	Disposition	Closed																
		Resolved																
		Substantial																
		Unsubstantial																
		Date Closed																
		Other																
	Type of Discrimination	Sexual Harassment																
		Disability																
		Retaliation																
		Age																
		Sex																
		Religion																
		Nat. Origin																
		Color																
		Race																
	Type of Case	Inquiry																
		Informal																
		Complaint																
	Respondent	Date Received																
		First Name 2																
Last Name 2																		
Complainant	First Name																	
	Last Name																	
	Case #																	

LIST OF THE MPO's TRANSIT-RELATED TITLE VI INVESTIGATIONS, COMPLAINTS, AND LAWSUITS

	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
Investigations				
1				
2				
Lawsuits				
1				
2				
Complaints				
1				
2				

APPENDIX E – STANDARD TITLE VI ASSURANCES

STANDARD ASSURANCES - 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:

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, Federal Highway Administration, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.

Nondiscrimination: 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.

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 nondiscrimination on the grounds of race, color or national origin.

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 Federal Highway Administration 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 Federal Highway Administration, as appropriate and will set forth what efforts it has made to obtain the information.

Sanctions for Noncompliance: In the event of a contractor’s noncompliance with the nondiscrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Federal Highway Administration 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.
- 1. 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 Federal Highway Administration 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.

STANDARD ASSURANCES – 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 Department of Transportation as authorized by law and upon the condition that the *(Title of Recipient)* will accept title to the lands and maintain the project constructed thereon in accordance with *(Name of Appropriate Legislative Authority)*, the Regulations for the Administration of Federal Highway Program, and the policies and procedures prescribed by the Federal Highway Administration 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 *(Title of Recipient)* 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 *(Title of Recipient)* 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 *(Title of Recipient)*, its successors and assigns.

The *(Title of Recipient)*, 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]¹ (2) that the *(Title of Recipient)* 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, Non-discrimination 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].²

¹ 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

STANDARD ASSURANCES – 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 (Title of Recipient) 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, (Title of Recipient) 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.³
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the (Title of Recipient) will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the (Title of Recipient) and its assigns.⁴

⁴ 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

STANDARD ASSURANCES – 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 (Title of Recipient) 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 nondiscrimination covenants, (Title of Recipient) 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.⁵
- C. With respect to deeds in the event of breach of any of the above nondiscrimination covenants, (Title of Recipient) will there upon revert to, vest in and become the absolute property of (Title of Recipient) and its assigns.

⁵ 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 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 the following:

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) and 49 CFR Part 21;

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);

Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;

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 F – MINORITY REPRESENTATION ON MPO COMMITTEES

	Caucasian	Latino	African American	Asian American	Native American	Other
Total Population	74%	6%	13%	3%	0%	3%
Transportation Policy Committee	80%	0%	13%	7%	0%	0%
Transportation Technical Committee	85%	4%	4%	4%	0%	4%
Congestion Management Committee	79%	4%	0%	13%	0%	4%
Bicycle/Pedestrian Advisory Committee	90%	5%	0%	5%	0%	0%

APPENDIX G – SUMMARY OF TITLE VI ACTIVITIES FOR FY 2022 & 2021

During FY 2022, the MPO participated in the following Title VI, EJ and ADA-related activities:

- Updated and obtained MPO Transportation Policy Committee approval of the Lexington Area MPO Title VI Program Plan. Submitted the annual plan to the KYTC Office of Civil Rights and Business Development for review and approval.
- Provided financial assistance to Lextran to complete a Comprehensive Operational Analysis that includes an in-depth Title VI and EJ analyses of transit services in Lexington.
- Coordinated with Lextran regarding an update to the regional Public Transit Human Services Coordination Plan. The plan identifies the transportation needs of individuals with disabilities, older adults, and people with low incomes; provides strategies for meeting these needs; and prioritizes transportation services for funding and implementation.
- Continued coordination with Lextran to implement bus stop improvements in accordance with the Bus Stop Facilities Inventory Projects improve access to transit, benefiting all citizens, including those who are dependent on public transit. Title VI and EJ considerations were used to prioritize improvements.
- Conducted meetings with the Blue Grass Community Action Partnership (BGCAP) regarding their plans for transit service expansions in the MPO and Bluegrass Region with the goal of expanding inter-city transportation options to individuals who cannot, do not, or choose not to drive.
- Coordinated Shared Mobility Device Permits for the Lexington Area in accordance with city ordinance which requires mobility companies to provide service in minority and low income areas.
- Drafted Complete Street policies for the MPO and the City of Lexington. The MPO will continue working on formal policy adoption in the coming year. Both policies emphasize providing safe transportation choices for all individuals regardless of income and means of transportation. They also emphasize prioritizing investments in areas of low income and transit dependent neighborhoods.
- Provided environmental justice/equity mapping data to KYTC for evaluation as part of the Fayette County Local Road Safety Plan.
- Developed conceptual designs and cost estimates for intersection, traffic calming and pedestrian safety improvements around the North Limestone and Loudon Ave corridor, an area with higher concentrations of minority and low income individuals. Worked with LFUCG Engineering to fund bike/pedestrian and roadway improvement to the North Limestone corridor.
- Funded the Citation Blvd / Winburn Dr extension project, a critical need identified in the Winburn Small Area plan to improve access and connectivity for this working class and traditionally low income neighborhood.
- Worked to implement the Imagine Nicholasville Road study. A primary goal of the study is to enhance public transit service and pedestrian access along the corridor which will benefit transit-dependent populations, as well as to increase housing, including affordable housing along the corridor.
- Initiated the Imagine New Circle Road transportation and land use corridor plan. The study area includes higher than average concentrations of low income, minority, LEP populations and households without access to a vehicle. The study survey was distributed in English and

Spanish. Targeted outreach efforts included door to door canvassing and social media targeting based on socioeconomic, demographic and geographic data.

- Initiated the East Lexington Trail Connectivity & Traffic Safety Study. The study will identify a trail alignment that connects the Brighton Trail to downtown Lexington's East End neighborhood. It will also recommend ways to calm traffic and create a gateway to the East End, a historically black neighborhood.
- Participated as Board Member of the Broke Spoke Community Bike Shop in Lexington. This non-profit organization focuses on ensuring low-income, vulnerable and homeless individuals in Lexington have a means to obtain and maintain a safe-working bicycle for transportation, regardless of their means to pay.
- Participated as Board Chair for the Federated Transportation Services of the Bluegrass, the Medicaid transportation provider for the Lexington Area.
- Continued to serve as member and Secretary to the LFUCG Commission for Citizens with Disabilities.
- Met with Lexpark and members of the Commission for People with Disabilities to continue a project to evaluate, improve, and increase accessible parking availability in the downtown area.
- Distributed the KYTC Statewide Long Range Transportation Plan public input English and Spanish surveys via digital sources, community-based locations, and collected 150 in-person surveys at the LexTran Transit Center to increase participation by low income, minority and LEP individuals. The KYTC recognized the MPO for these efforts
- Ran 30 second radio spot on RadioLex and Radio Vida in English and Spanish encouraging slow spends in local school zones.
- Ran 30 second radio spot on RadioLex and Radio Vida in English and Spanish on safe walking, biking and scooting
- Ran "Envirominute" public service announcements to promote Complete Street principles in both English and Spanish.
- Distributed Safe Streets kits (~ 75 kits) at Gainesway Adopt-a-Park event (lower income, diverse neighborhood).
- Tabled at St. Martin's Village Neighborhood Association resource fair--talked about multi-modal safety to ~60 attendees, gave away 40 'Slow Down' yard signs (lower income, diverse neighborhood).
- Handed out 100+ Safe Streets kits and tabled about multi-modal safety at WayPoint Community Resource Fair, 100+ interactions. WayPoint provides programming to people living in underserved neighborhoods and communities of color.
- Hosted the "Glow Ride" family event in a diverse, low income neighborhood. The event attracted 150-200 attendees, many of them young or relatively new to biking. Passed out reflective gear, talked about visibility and safety at night, and organized a resource fair with other multi-modal transportation focused partners that distributed information to participants at the event.
- Applied for and received grant funds for a city bike library and to host youth bike clubs at community centers, which are located in lower income neighborhoods throughout Lexington.
- Participated in the Community Health Improvement Project (CHIP) hosted by the Lexington Health Department to develop a strategic plan for improving health outcomes in Fayette County, with an emphasis on disadvantaged communities.
- The MPO reviewed all City of Lexington development plan submittals and advised on ADA circulation issues and potential improvements to transit and bicycle facilities.

During FY 2021, the MPO participated in the following Title VI, EJ and ADA-related activities:

- Ensured MPO standard contract language was in compliance with Title VI requirements.
- Adopted the FY 2021-2024 Transportation Improvement Program. Many of the projects identified for MPO-dedicated funding sources were selected because they will serve Title VI and EJ populations.
- Provided financial assistance to Lextran to complete a Comprehensive Operational Analysis that includes an in-depth Title VI and EJ analyses of transit services in Lexington.
- Continued coordination with Lextran to implement bus stop improvements in accordance with the Bus Stop Facilities Inventory Projects improve access to transit, benefiting all citizens, including those who are dependent on public transit. Title VI and EJ considerations were used to prioritize improvements.
- Coordinated Shared Mobility Device Permits for the Lexington Area in accordance with city ordinance which requires mobility companies to provide serves in minority and low income areas.
- Completed the Imagine Nicholasville Road study in FY21. A primary goal of the study is to enhance public transit service and pedestrian access along the corridor which will benefit transit-dependent populations, as well as to increase housing, including affordable housing along the corridor.
- Participated in the City of Lexington's Neighborhoods in Transition Task Force which is working to address the negative aspects of gentrification, including socioeconomic inequities.
- Participated as Board Member of the Broke Spoke Community Bike Shop in Lexington. This non-profit organization focuses on ensuring low-income, vulnerable and homeless individuals in Lexington have a means to obtain and maintain a safe-working bicycle for transportation, regardless of their means to pay.
- Participated as Board Chair for the Federated Transportation Services of the Bluegrass, the Medicaid transportation provider for the Lexington Area.
- Continued to serve as member and Secretary to the LFUCG Commission for Citizens with Disabilities.
- Met with Lexpark and members of the Commission for People with Disabilities to continue a project to evaluate, improve, and increase accessible parking availability in the downtown area.
- Ran 3 to 5 minute ads on La Pulsa (RadioLex's Spanish channel) and on La Vida along with 30 second PSAs. The ads covered topics including: the trails system, trail etiquette, and roadway safety (vehicular, bike, pedestrian and scooter).
- Prepared and presented a methodology to prioritize annual ADA curb ramp improvements targeting areas with concentrations of disabled people and people without access to a vehicle.
- Programmed bike/ped safety activities for 10-15 kids in Valley Park in the Cardinal Valley area, a primarily Hispanic neighborhood of Lexington.
- Distributed approximately 250 bike/ped activity kits to youth in the Gainesway and Castlewood areas through Partners for Youth, an organization serving at-risk youth.
- Submitted annual Title VI accomplishments report to KYTC Division of Planning.
- The MPO reviewed all City of Lexington development plan submittals and advised on ADA circulation issues and potential improvements to transit and bicycle facilities.

APPENDIX H – GLOSSARY AND DEFINITIONS

Affirmative Action: a good-faith effort to eliminate past and present discrimination in all federally assisted programs and to ensure future nondiscriminatory practices.

African American (Black): A person having origins in any of the black racial groups of Africa.

American Indian or Alaska Native: a person having origins in any of the original peoples of North and South America (including Central America) who maintains cultural identification through tribal affiliation or community attachment.

Applicant: an eligible public entity or organization that submits an application for financial assistance under a program administered on behalf of the State.

Area Development Districts: a special purpose governmental entity authorized to provide public services in planning, management, community improvement, and community development services. ADDs are Federal-State-Local partnership which function as conduits for funding to local areas and programs, and ensure proper oversight of the administration of activities by various local officials and business leaders.

Asian: a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand and Vietnam.

Assurance: a written “policy statement” or “contractual agreement” signed by the agency head in which a recipient agrees to administer federally assisted programs in accordance with civil rights laws and regulations.

Beneficiary: any person or group of people (other than states) entitled to receive benefits, directly or indirectly, from any federally assisted program (i.e., relocated persons, impacted citizens, communities, etc.).

Complaint: a verbal or written allegation of discrimination that indicates that a federally assisted program is operated in such a manner that it results in disparity of treatment to persons or groups of persons because of race, color or national origin.

Compliance: a satisfactory condition wherein an applicant, recipient, or sub recipient has effectively implemented all of the Title VI requirements or can demonstrate that every good-faith effort toward achieving this end has been made.

Contract: a mutually binding legal relationship or any modification thereof obligating the seller to furnish supplies or services, including construction, and obligating the buyer to pay for them. Throughout this document, a lease is considered a contract.

Contractor: any person, corporation, partnership, organization, or incorporated association that participates, through a contract or subcontract, in any program or activity covered by this plan including lessees.

Discrimination: involves any act or inaction, whether intentional or unintentional in any program or activity of a federal aid recipient, sub recipient, or contractor, which results in disparate treatment,

disparate impact, or perpetuating the effects of prior discrimination based on race, color, sex, national origin, age, disability or in the case of disability, failing to make a reasonable accommodation.

Executive Director: The departmental head of the Lexington Area MPO.

Federal Assistance:

- Grants and loans of federal funds
- The grant or donation of federal property and interests in property
- The detail of federal personnel
- The sale and lease of, and the permission to use (on other than a casual or transient basis), federal property or any interest in such property without
- Consideration or with nominal consideration, or with consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient
- Any federal agreement, arrangement, or other contract that has, as one of its purposes, the provision of assistance

Federal Highway Administration or FHWA: agency within the U.S. Department of Transportation that supports State and local governments in the design, construction and maintenance of the Nation's highway system (Federal Aid Highway Program) and various federally and tribal owned lands (Federal Lands Highway Program).

Grantee: any public or private agency, institution or organization to whom federal financial assistance is intended for any program.

Hispanic or Latino: A person of Cuban, Mexican, Puerto Rican, South or Central American or other Spanish culture or origin, regardless of race.

Interpretation: The process of listening to something in one language and orally interpreting it in another. The mix of LEP services under the Oral Languages Services is as follows:

- Hiring bilingual staff
- Hiring staff interpreters
- Using telephone interpreter lines
- Using community volunteers
- Use of family members, friends, and other customers/passengers as interpreters

Kentucky Transportation Cabinet or KYTC: the agency of Kentucky charged by its laws with the responsibility for all modes of transportation.

Limited English Proficiency or LEP: Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English can be limited English proficient.

Metropolitan Planning Organization or MPO: policy board of an organization created and designated to carry out the metropolitan transportation planning process. MPOs are required to represent localities in all Urbanized Areas (UZA) of populations over 50,000, as determined by the US Census. MPOs are designated by agreement between the Governor and units of general-purpose local government that together represent at least 75 percent of the affected population (including the largest incorporated city, based on population, as named by the Bureau of the Census) or in accordance with procedures

established by applicable State or local law. When submitting the transportation improvement program (described below), to the State for inclusion in the statewide program, MPOs self-certify that they have met all federal requirements.

Minority: A person or groups of persons differing from others in some characteristics who may be subjected to differential treatment based on race, color or national origin. Includes African Americans, Hispanics or Latinos, American Indian or Alaska Native, Asians and Native Hawaiian or Other Pacific Islander.

Native Hawaiian or Other Pacific Islander: A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

Non-compliance: the condition wherein a recipient has failed to meet prescribed requirements and has shown a lack of good-faith effort in implementing all of the Title VI requirements.

Non-minority or non-minority group people: Caucasians

Persons: Where designation of persons by race, color or national origin is required, the following designations ordinarily may be used: "White not of Hispanic origin," "Black not of Hispanic origin," "Hispanic," "Asian or Pacific Islander," "American Indian or Alaskan Native." Additional subcategories based on national origin or primary language spoken may be used, where appropriate, on either a national or a regional basis.

Primary recipient: KYTC or any department, division, or agency authorized to request federal assistance on behalf of sub-recipients and to distribute financial assistance to sub-recipients' contracts for carrying out a program.

Program: includes any highway, project, or activity that provides services, financial aid or other benefits to individuals, including education or training, work opportunities, health, welfare, rehabilitation, housing or other services, whether provided directly by the recipient of federal financial assistance or provided by others through contracts or other arrangements with the recipient (i.e. Planning, Environment, Design, Right-of-Way, Construction, Safety, & Research).

Program area officials: the officials who are responsible for carrying out technical program responsibilities.

Public participation: an open process in which the rights of the community to be informed to provide comments to the Government and to receive a response from the Government are met through a full opportunity to be involved and to express needs and goals.

Recipient: Kentucky or any political subdivision or instrumentality thereof or any public or private agency, institution, or organization or other entity; or any individual in Kentucky to whom federal assistance is extended, either directly or through another recipient, for any program. Recipient includes any successor, assignee, or transferee thereof. The term "recipient" does not include any ultimate beneficiary under any such program. Examples of recipients include MPOs, Council of Governments (COG), towns, cities, counties, school districts or any sub recipient.

Secretary: The chief administrative officer of the Kentucky Transportation Cabinet or KYTC.

Statewide Transportation Improvement Program or STIP: statewide transportation improvement program (STIP) for all areas of the State covering a period of at least four years. The STIP is a staged, multi-year, statewide intermodal program of transportation projects, consistent with the statewide transportation plan and planning processes as well as metropolitan plans, transportation improvement programs (TIP), and planning processes. The STIP must be developed in cooperation with the metropolitan planning organizations (MPO), public transit providers, and any Regional Transportation Planning Organizations (RTPO) in the State and must be compatible with the TIPs for the metropolitan areas in the State.

Statewide Transportation Plan or STP: a long-range transportation plan that provides for the development and implementation of the multimodal transportation system (including transit, highway, bicycle, pedestrian and accessible transportation) for the State. This plan must identify how the transportation system will meet the State's economic, transportation, development and sustainability goals for at least a 20-year planning horizon.

Sub-grantee: Any public or private agency, institution, or organization to whom federal financial assistance is intended (through another recipient) for any program.

Sub-Recipient: is an entity or a person that *indirectly* received federal financial assistance in order to implement a program or activity which subjects them to Title VI compliance responsibilities. A sub-recipient may include, but is not limited to, a city, county, metropolitan planning organization, college/university, contractor or sub-grantee.

Title VI Coordinator: refers to the responsible Lexington Area MPO official in matters relating to Title VI. The Title VI Coordinator reports to and assists the Executive Director of the Lexington Area MPO in carrying out the Title VI responsibilities of the MPO.

Title VI Program: the system of requirements developed to implement Title VI of the Civil Rights Act of 1964. When appropriate, the phrase "Title VI Program" also refers to the civil rights provisions of other federal non-discrimination authorities to the extent that they prohibit discrimination on the grounds of race, color, national origin, sex, age and disability, including income level and Limited English Proficiency in programs or activities receiving federal financial assistance.

Translation: Translation is the replacement of a written text from one language into an equivalent written text in another language.

Transportation Improvement Programs or TIP: plan developed by Metropolitan Planning Organization cooperation with the State and public transit providers detailing a list of upcoming transportation projects, covering a period of at least four years. It should include capital and non-capital surface transportation projects, bicycle and pedestrian facilities and other transportation enhancements, Federal Lands Highway projects and safety projects included in the State's Strategic Highway Safety Plan. The TIP should include all regionally significant projects receiving FHWA or FTA funds, or for which FHWA or FTA approval is required.

White: A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.



LEXINGTON AREA METROPOLITAN PLANNING ORGANIZATION
Transportation Planning for Fayette and Jessamine Counties

RESOLUTION 2023-12
APPROVAL OF THE FISCAL YEAR 2023 LEXINGTON AREA MPO TITLE VI PLAN

WHEREAS, Section 134, Title 23, USC requires that a continuing, comprehensive transportation planning process be carried out cooperatively in areas of more than 50,000 population; and

WHEREAS, the LEXINGTON AREA MPO Transportation Policy Committee (TPC) is the designated Metropolitan Planning Organization (MPO) for the Lexington, Kentucky urbanized area; and

WHEREAS, Title VI of the Civil Rights Act requires all programs receiving federal funding to describe and document efforts to implement and comply with it's requirements; and

WHEREAS, the Office of Civil Rights and Business Development within the Kentucky Transportation Cabinet has oversight responsibility to ensure all programs receiving federal highway or public transportation funds are complying with the requirements of Title VI of the Civil Rights Act; and

WHEREAS, to demonstrate Title VI compliance, the KYTC Office of Civil Rights and Business Development requires MPOs within Kentucky to annually adopt a Title VI Plan; and,

WHEREAS, the MPO staff has produced a draft Title VI Plan for Fiscal Year 2024 which meets the requirements for said plan established by the KYTC Office of Civil Rights and Business Development.

NOW, THEREFORE BE IT RESOLVED that the Transportation Policy Committee of the LEXINGTON AREA MPO hereby adopts the Fiscal Year 2024 Lexington Area MPO Title VI Plan.

Adopted by the LEXINGTON AREA MPO Transportation Policy Committee this 28th day of June, 2023.

David K West

Jessamine County Judge Executive, David West
Lexington Area Metropolitan Planning Organization
Transportation Policy Committee (TPC) Chair

6/28/2023

Date

Attest:

Christopher Evilia

Christopher Evilia, AICP
Director, Lexington Area Metropolitan Planning Organization

6/29/23

Date

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