

LEXINGTON AREA MPO TITLE VI PROGRAM PLAN



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Reporting Period: July 1, 2023 – June 30, 2024

Director: Christopher Evilia, AICP

Title VI Coordinator: Kenzie Gleason

LEXINGTON AREA MPO TITLE VI PROGRAM PLAN

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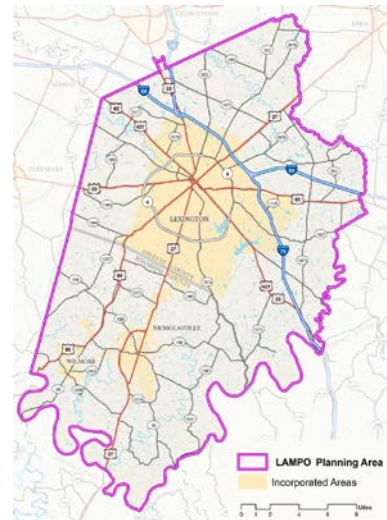
INTRODUCTION

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.



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 and Section 162(a) of the Federal-Aid Highway Act of 1973 (Section 324, Title 23 U.S.C)):

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 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 "Chris Evilia", is written over a horizontal line.

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

6/14/24

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:

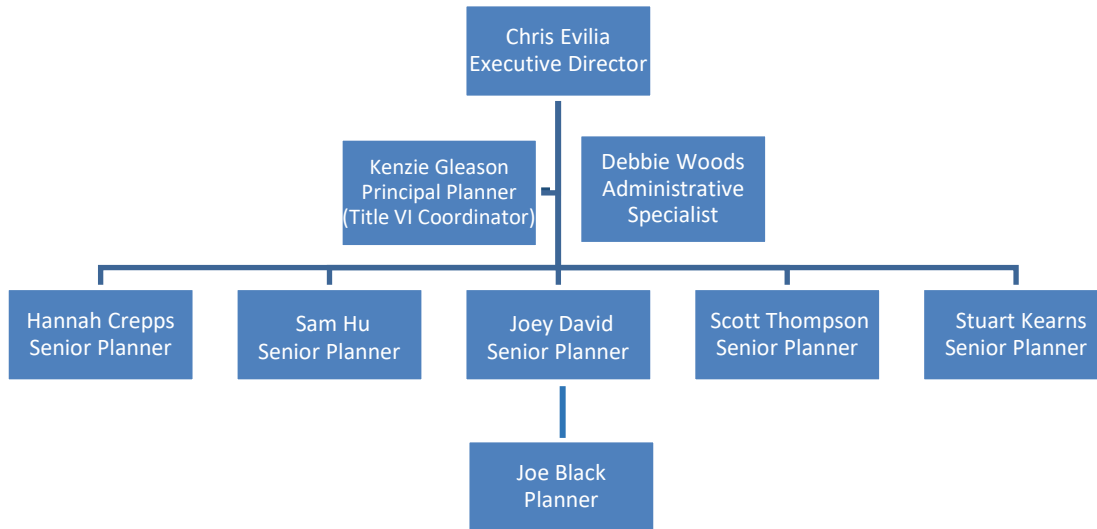
- Coordinating Title VI program development within the MPO and with Local Public Agencies (LPAs) within the MPO's jurisdiction.
- Establishing procedures for processing Title VI program reviews and/or sub-contractor reviews.
- Coordinating Title VI training for MPO staff, sub-contractors and stakeholders.
- 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
cevilla@lexingtonky.gov
859.258.3167

Kenzie Gleason, Title VI Coordinator
Lexington Area MPO
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

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	321,276	46,923	14.61%	156	0.05%	13,185	4.10%	32	0.01%	23,839	7.42%	815	0.25%	84,135	26.19%
Jessamine County	53,381	2,246	4.21%	32	0.06%	715	1.34%	6	0.01%	2,095	3.92%	213	0.40%	5,094	9.54%
MPO Region	374,657	49,169	13.12%	188	0.05%	13,900	3.71%	38	0.01%	25,934	6.92%	1,028	0.27%	89,229	23.82%

*Data source: U.S. Census Bureau (2022) American Community Survey (ACS) 2018-2022

**Of any race

^Non-hispanic

Updated 5/30/2024

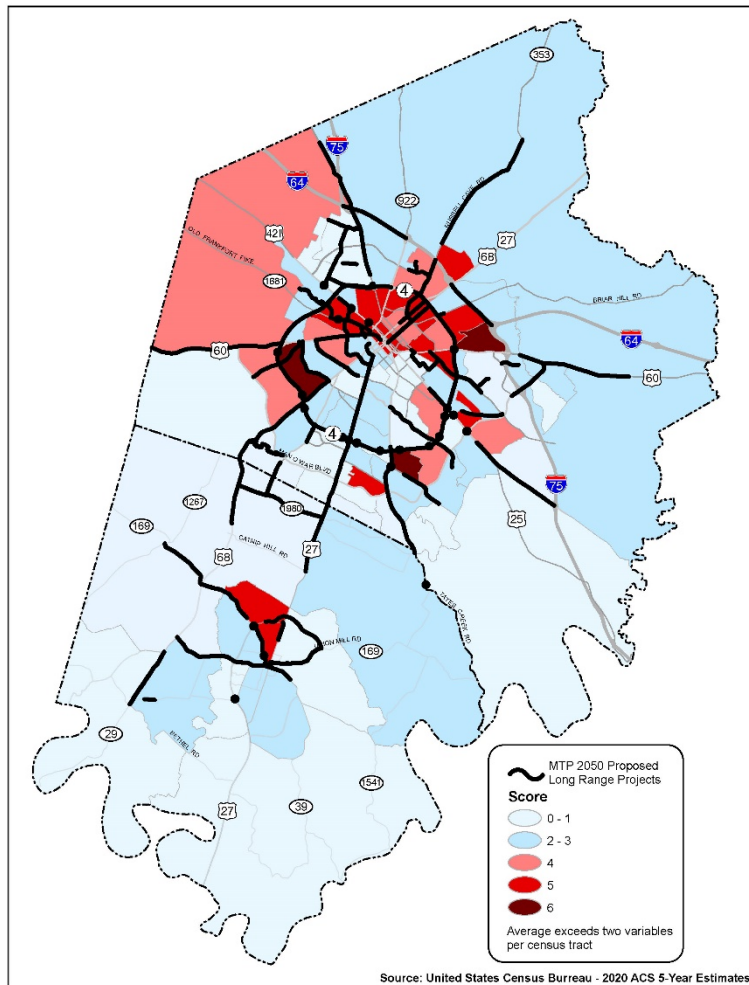
Figure 2. Socioeconomic Breakdown for Lexington Area MPO Counties & Region

Area	Total Population	Population Below Poverty		Individuals Age 65+		Housing Units with No Vehicle		Individuals with Disability		Speak English "Less Than Very Well"	
Fayette County	321,276	14.1%	45,248	14.2%	45,560	3.1%	9,854	12.4%	39,721	5.0%	16,148
Jessamine County	53,381	11.7%	6,254	15.6%	8,329	1.4%	764	14.8%	7,913	2.1%	1,134
MPO Region	374,657	13.7%	51,502	14.4%	53,889	2.8%	10,618	12.7%	47,634	4.6%	17,282

*Data source: U.S. Census Bureau (2022) American Community Survey (ACS) 2018-2022

ASSESSING IMPACTS & ENVIRONMENTAL JUSTICE (FEDERAL HIGHWAY FUNDS)

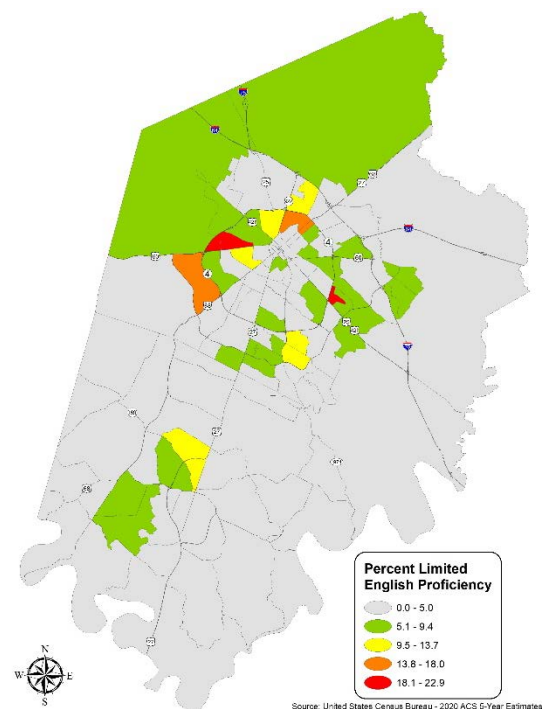
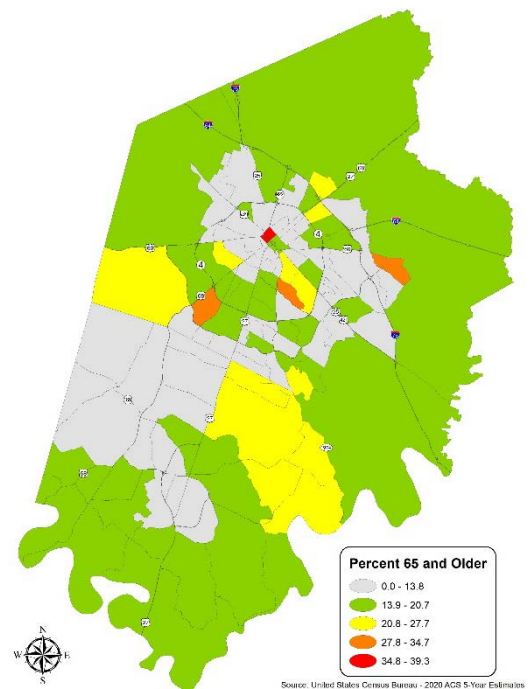
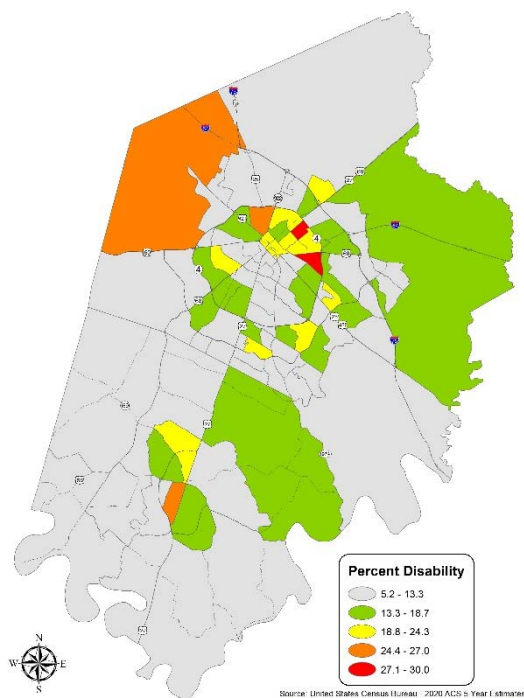
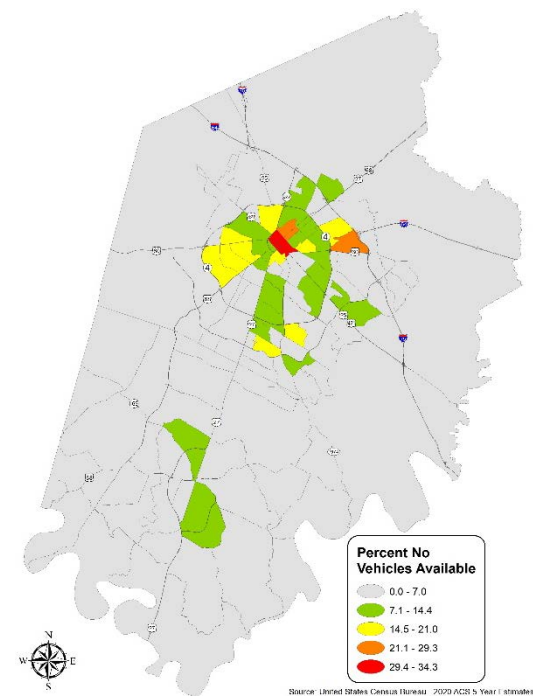
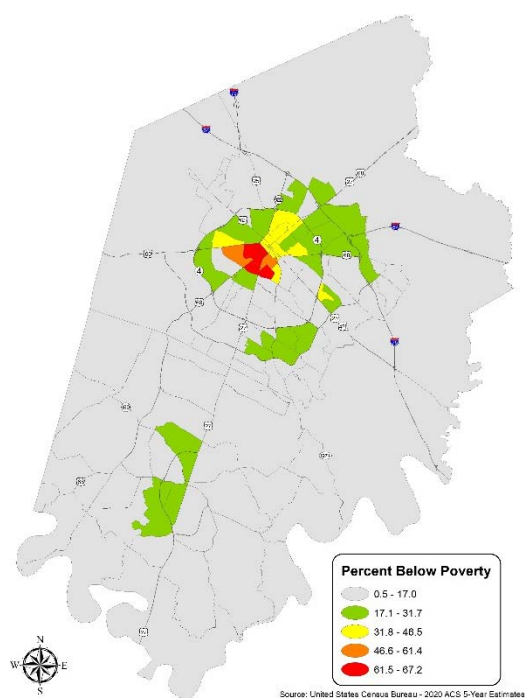
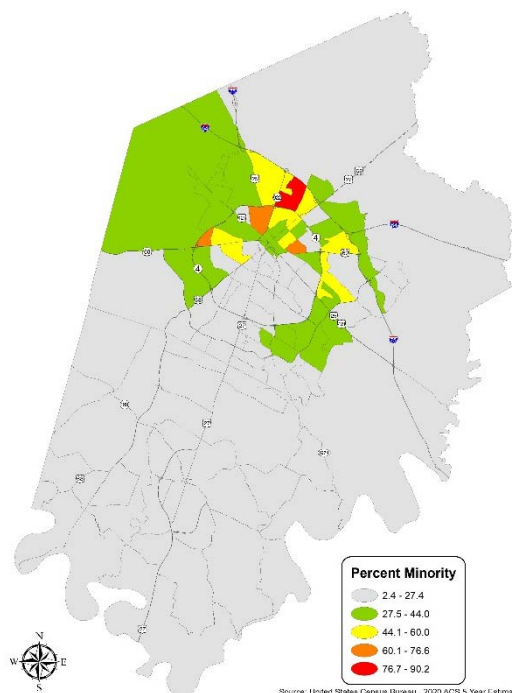
The Equity Target Area (ETA) Maps were developed from US Census data to identify communities in the Lexington Area MPO that are protected by national non-discrimination acts. Identifying Equity Target Areas helps the MPO ensure that there is an equitable distribution of transportation services, facilities 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 identifies as a minority is 26%. 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.

All updates to the MPO’s long range Metropolitan Transportation Plan (MTP) and short range 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 2050 Metropolitan Transportation Plan, which assessed the distribution of Federal Highway funds. The MPO’s 2050 MTP update was completed in FY 24 and included this analysis.



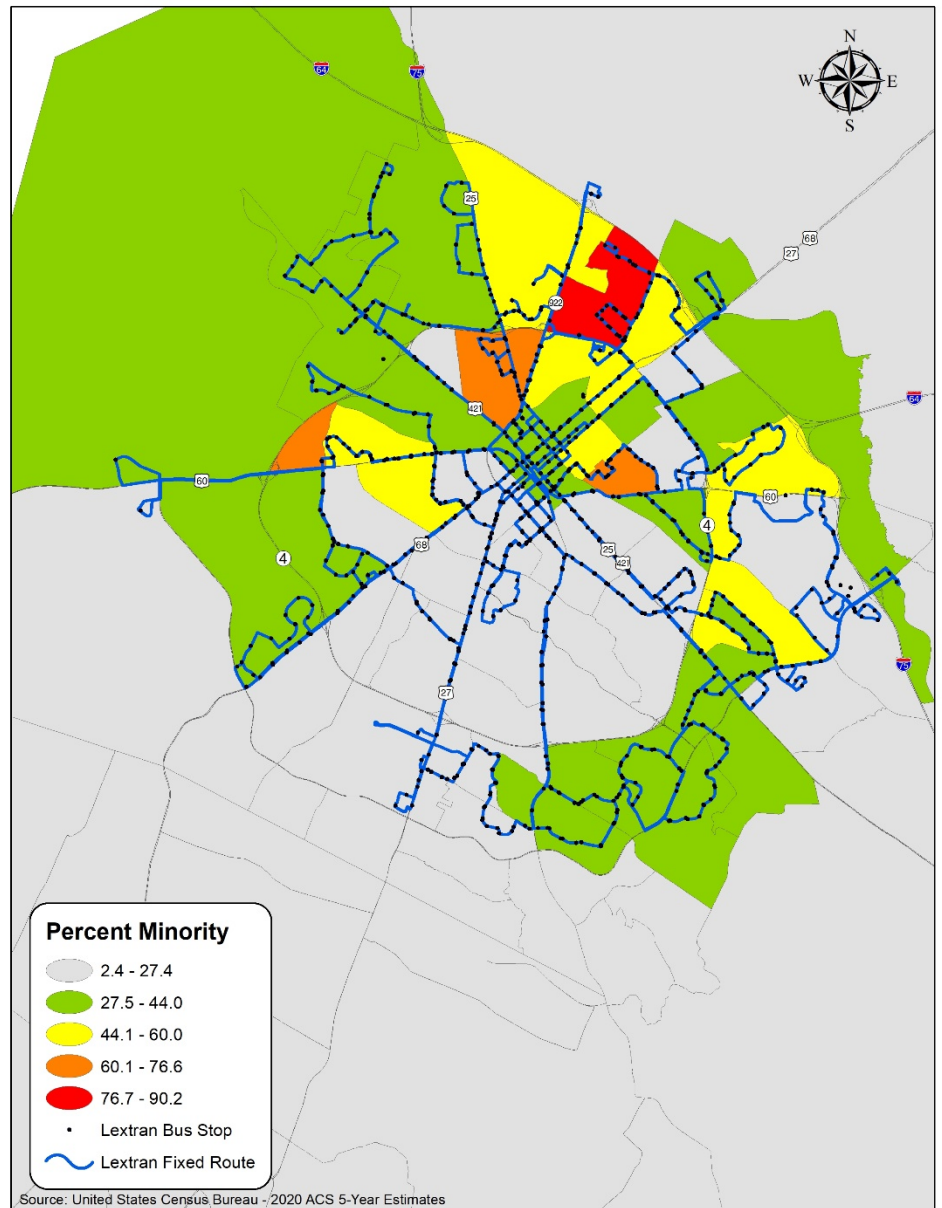
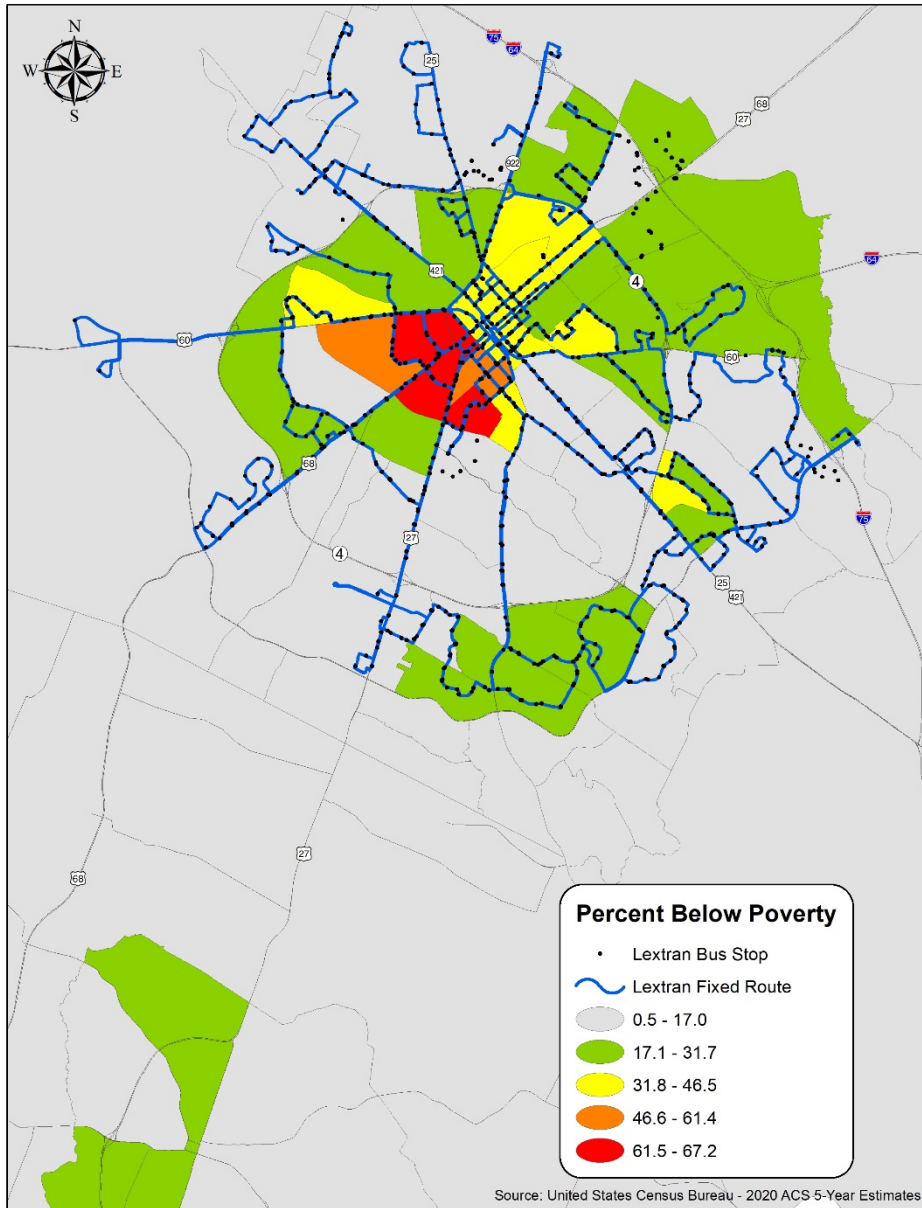
ASSESSING IMPACTS & ENVIRONMENTAL JUSTICE (FEDERAL TRANSIT FUNDS)

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 under 5% speak English less than very well, with a little under half of those being Spanish-speaking individuals and the other half being a mix of other languages.

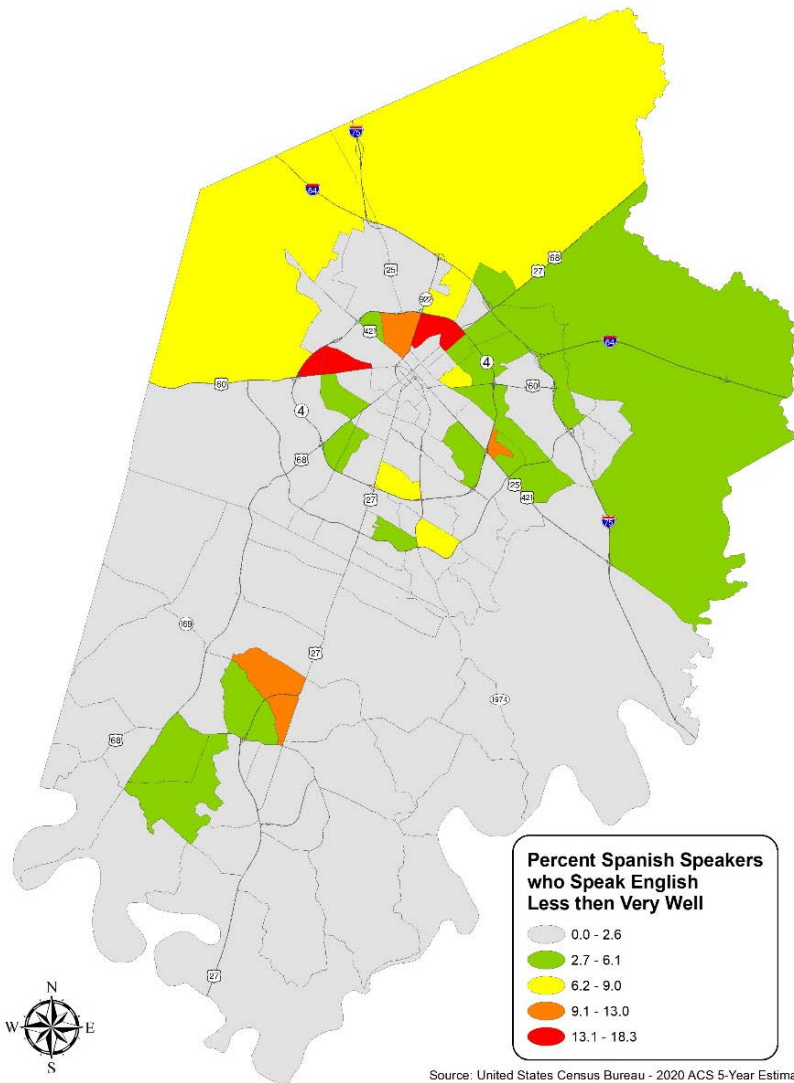
Languages other than English spoken in the Lexington Area MPO (Fayette and Jessamine Counties)			Speak English Less Than Very Well	
	Number	Percent	Number	Percent
Spanish	20,057	5.68%	7,678	2.17%
Chinese	2,979	0.84%	1,504	0.43%
French	2,040	0.58%	790	0.22%
Arabic	2,327	0.66%	880	0.25%
Other Languages*	16,603	4.70%	6,353	1.80%
Total all languages	44,581	12.62%	17,281	4.89%

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

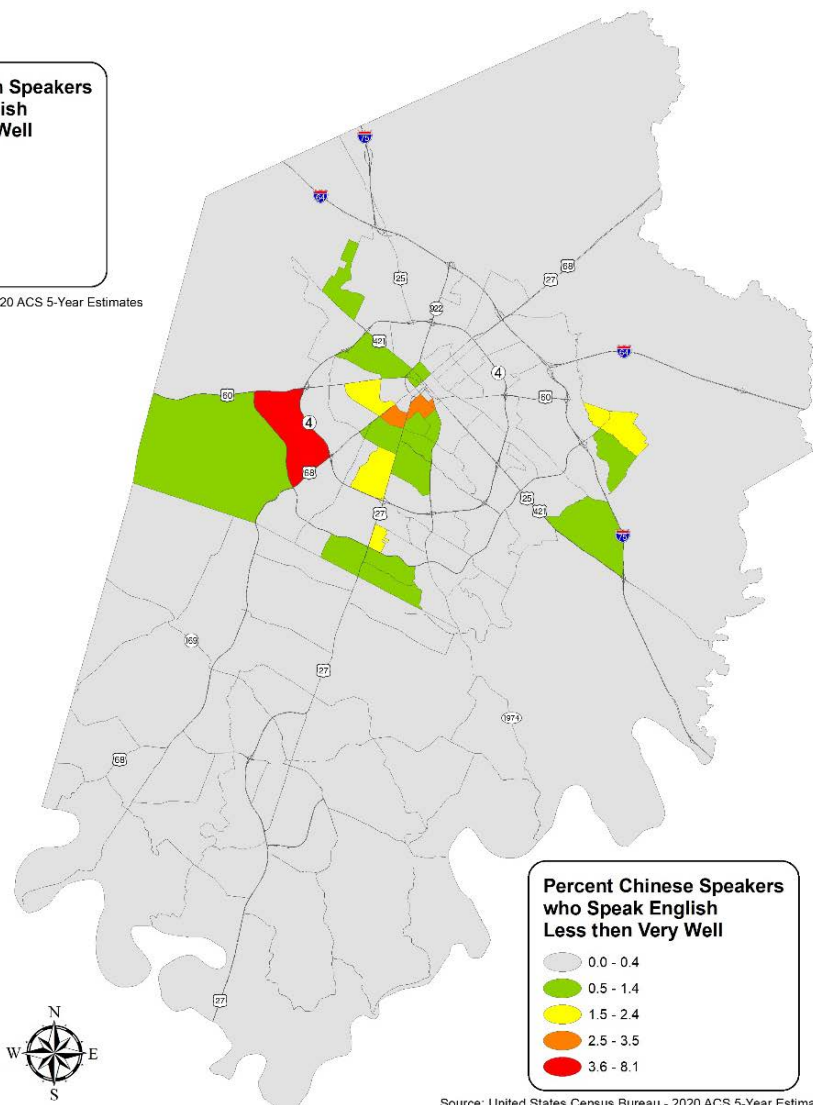
The Spanish speaking population is the primary LEP group that the Lexington Area MPO is likely to engage with due to their size. Information with respect to Title VI and public notices are currently translated into Spanish. The Lexington Area MPO offers translation services upon request to any LEP individual. 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.



Source: United States Census Bureau - 2020 ACS 5-Year Estimates



Source: United States Census Bureau - 2020 ACS 5-Year Estimates

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.
8. The MPO website will include a language translation option that will easily translate the web content into most common languages.

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 Small 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 2023-2024

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. During the first staff meeting of the calendar year, the Title VI Coordinator conveys to all staff, including new employees, a summary of the MPO's Title VI responsibilities, an overview of federal regulations and requirements, a review of the Public Notice and Complaint Procedure, and the process to follow in the event of a complaint.

- Annual MPO staff Title VI training. Date: January 8, 2024 (attendees: see staff organization chart on page 4).
- 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 Small Business Development at the Statewide Planning meeting held virtually on October 18, 2023 (attendees: Chris Evilia, Kenzie Gleason, Stuart Kearns).
- Several MPO staff participated in the KYTC / MPO site Title VI compliance site visit which served as an informational / training opportunity regarding Title VI requirements and compliance. Date: April 30, 2024 (attendees: Chris Evilia, Kenzie Gleason, Hannah Crepps)
- The MPO Title VI Coordinator and Bicycle & Pedestrian Coordinator, attended the following webinars: The Color of Law and Just Action (October 24, 2023 – Kenzie Gleason); Inclusive Transportation – Rethinking Transportation Planning and Engineering (September 19, 2023 – Kenzie Gleason, Scott

Thompson); LEED for Communities: Planning for Sustainability, Resilience and Equity webcast (July 27, 2023 – 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 FY24.

SUMMARY OF TITLE VI ACTIVITIES FOR FISCAL YEAR 2023-2024

During FY 2024, the MPO participated in the following Title VI, EJ and ADA-related activities:

- Updated the Lexington Area MPO Title VI Program Plan. Submitted to the KYTC Office of Civil Rights and Small Business Development and KYTC Office of Transportation Delivery for review and approval.
- Participated in Title VI compliance site visit with KYTC Office of Civil Rights and Small Business Development.
- Developed the 2050 Metropolitan Transportation Plan. The Plan update included two rounds of significant public outreach. The first round included a digital survey distributed in English and Spanish via the MPO website, social media, e-newsletters, email lists, and MPO partners. The MPO also conducted in-person tabling at various locations over the course of two summer months targeting EJ and LEP areas including the transit center, public libraries, the senior center and community-based events. The second round of input included hosting 5 public listening sessions at similar public spaces. Both the first and second round of public outreach included distributing surveys and/or tabling at the public library that serves most of Lexington's Spanish-speaking residents. The MPO also Ran 30 second and 3 minute radio spots on the 2050 MTP survey on Radio Vida and Radio Lex (local radio stations that target Spanish-speaking residents).
- Initiated a consultant project to add a full-performance accessibility widget to MPO website.
- The MPO continued to make the I Speak cards and Language Line available to any member of the public who enters or calls the MPO offices whom does not speak English very well.
- 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.
- MPO staff assisted the Lexington Mayor's Office and Council in developing a Complete Streets Action Plan. The MPO also assisted with issuing an RFP for a Complete Street Design Standards project for the LFUCG/MPO. The goal is to provide safe transportation choices for all individuals regardless of income and means of transportation.
- Participated in Lexington Vulnerable Road User Safety Team to systematically review problematic safety locations to identify and implement proven safety countermeasures in partnership with KYTC. Vulnerable Roadway Users are disproportionately low-income, people of color, older and disabled individuals.
- Participated in 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.
- Assisted in the preparation of a Safe Streets for All discretionary grant from FHWA for the Safe Streets for Lexington Project which includes funding for a Vision Zero Coordinator, public roadway safety education, and safety improvements for New Circle Rd from Boardwalk to Bryan Station Rd. The

project area includes higher than average concentrations of low-income, minority, LEP populations and households without access to a vehicle.

- Coordinated with LFUCG and KYTC regarding RAISE and Reconnecting Communities grant applications. Both of the submitted projects target investments in disadvantaged communities.
- The MPO partnered with the LFUCG Division of Environmental Services in developing a Regional Climate Pollution Reduction Priority Plan and Implementation Grant. Both emphasized strategies to reduce and/or eliminate disparity in climate pollution/reduction strategies and impacts in Justice 40 communities.
- Completed the Campus to Commons Trail Corridors Study. The study identifies trail alignments to connect disadvantaged areas to the University of Kentucky. The study included two rounds of public outreach including a public input survey, interviews with local media, meetings with neighborhood associations, canvassing local businesses, posts to the website, emails and social media outreach, as well as public listening sessions at the public library that primarily serves Lexington's Spanish speaking residents.
- Participated as a 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 several Fayette County public schools with an emphasis on schools in disadvantaged areas. Continued seasonal Safety City school visits.
- 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 an area identified as disadvantaged.
- Worked with LFUCG's public outreach team to include transportation content in classroom outreach. The bulk of LFUCG's classroom outreach targets schools in disadvantaged areas.
- Announced Paula Nye Grant #2 Award: 3-day League Certified Instructor seminar with scholarships to fund bilingual participants. The application and program will begin spring 2024. Ran initial Facebook/Instagram ads about bilingual seminar opportunity.
- 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/Non-Discrimination Assurances

Lexington Area Metropolitan Planning Organization

The Lexington Area Metropolitan Planning Organization (LAMPO) (herein referred to as the "Recipient"), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through the Federal Highway Administration (FHWA), is subject to and will comply with the following:

Statutory/Regulatory Authorities

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

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

General Assurances

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

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

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

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted Federal Highway Program:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all Federal Highway Programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

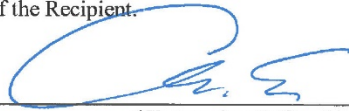
"The Lexington Area MPO, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."
3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
 - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.

9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

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

Lexington Area MPO gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the Federal Highway Program. This ASSURANCE is binding on *[insert State]*, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the Federal Highway Program. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Signed and approved



(Christopher Evilia, Director
Lexington Area MPO)

DATED 6/14/24

APPENDIX B – TITLE VI NOTICE OF PROTECTIONS



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, sex and national origin in accordance with the Title VI of the Civil Rights Act and Section 162(a) of the Federal-Aid Highway Act of 1973. Any person who believes she or he has been subjected to discrimination prohibited under these Acts 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/> 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 (USDOT) / Federal Highway Administration (FHWA) / 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/FHWA/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.



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 distinción de raza, color, sexo y origen nacional de acuerdo con el Título VI de la Ley de Derechos Civiles y la Sección 162 (a) de la Ley de Carreteras con Ayuda Federal de 1973. Cualquier persona que crea que ha sido objeto de discriminación prohibida según estas leyes puede presentar una queja ante la 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 Address: cevilia@lexingtonky.gov
Sitio Web: www.lexareampo.org

Para presentar una queja por discriminación, la queja por escrito debe presentarse a la dirección mencionada anteriormente dentro de los 180 días posteriores a la supuesta discriminación. También se pueden presentar quejas por escrito ante el Departamento de Transporte de EE. UU. (USDOT)/Administración Federal de Carreteras (FHWA)/Administración Federal de Tránsito (FTA) a más tardar 180 días después de la fecha de la supuesta discriminación, a menos que el tiempo de presentación se extienda por TLC/FHWA/USDOT. Atención: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE Washington, DC 20590.



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

Who can file?

Any person who believes they—or with a specific class of persons—were subjected to discrimination on the basis of race, color, sex, or national origin in the programs and activities of a Federal-aid Recipient may file a Title VI complaint.

Where can one file?

Complaints may be filed with the Kentucky Transportation Cabinet (KYTC), Federal Highway Administration (FHWA) Division Offices, the FHWA Headquarters Office of Civil Rights, the United States Department of Transportation (USDOT) Departmental Office of Civil Rights, or the U.S. Department of Justice.

When must one file?

According to U.S. DOT regulations, 49 CFR § 21.11(b), a complaint must be filed not later than 180 days after the date of the last instance of alleged discrimination, unless the time for filing is extended by the investigating agency.

What should a complaint look like?

Complaints should be in writing and signed and may be filed by mail, fax, in person, or e-mail. However, the complainant may call the agency and provide the allegations by telephone, and the agency will transcribe the allegations of the complaint as provided over the telephone and send a written complaint to the complainant for correction and signature. A complaint should contain at least the following information:

- A written explanation of what has happened;
- A way to contact the complainant;
- The basis of the complaint (e.g., race, color, national origin);
- The identification of a specific person/people and the respondent (e.g., agency/organization) alleged to have discriminated;
- Sufficient information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity that receives Federal financial assistance; and
- The date(s) of the alleged discriminatory act(s). Complaint should indicate if the alleged discrimination is on-going.

How are complaints routed?

FHWA is responsible for all decisions regarding whether a complaint should be accepted, dismissed, or referred to another agency.

With this understanding, complaints should be routed in the following ways:

- All complaints should be routed to the FHWA Headquarters Office of Civil Rights (HCR) for processing. HCR is responsible for all determinations regarding whether to accept, dismiss, or transfer Title VI complaints filed against State DOTs or Subrecipients of Federal financial assistance.
- Complaints should be forwarded from the initial receiving agency through the Federal-aid highway oversight hierarchy until the complaint reaches HCR. For example, if a complaint is filed with a Subrecipient City, that receiving agency should forward the complaint to the State DOT, which should forward the complaint to the State's FHWA Division Office, which should forward the complaint to HCR. If a complaint is filed with a State DOT, then the State DOT should forward the complaint to the State's FHWA Division Office, which should forward the complaint to HCR.
- State DOTs and Subrecipients must log all complaints received.
- When HCR decides on whether to accept, dismiss, or transfer the complaint, HCR will notify the Complainant, the FHWA Division Office, State DOT, and Subrecipient (where applicable).

Complaints may be sent to:
Kentucky Transportation Cabinet
Office for Civil Rights
200 Mero Street, 6th Floor
Frankfort, KY 40622

And/Or

US Federal Highway Administration Kentucky Division
John C Watts Federal Building
330 W Broadway St Ste 264,
Frankfort, KY 40601
Attention: Civil Rights Specialist

And/Or

Federal Highway Administration Headquarters - Office of Civil Rights
1200 New Jersey Avenue, SE HCR-40, Room E81-101
Washington, DC 20590
202-366-0693 or Fax: 202-366-1599
TTY: 202-366-5751

Additionally, complaints may be filed with the U.S. Department of Justice at:

Federal Coordination and Compliance Section - NWB Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

What are the potential outcomes for processing a complaint?

There are four potential outcomes for processing complaints:

- **Accept:** if a complaint is timely filed (see **"When must one file?"** above), contains sufficient information to support a claim under Title VI, and concerns matters under FHWA's jurisdiction, then HCR will send to the complainant, the respondent agency, and the FHWA Division Office a written notice that it has accepted the complaint for investigation.
- **Preliminary review:** if it is unclear whether the complaint allegations are sufficient to support a claim under Title VI, then HCR may (1) dismiss it or (2) engage in a preliminary review to acquire additional information from the complainant and/or respondent before deciding whether to accept, dismiss, or refer the complaint.
- **Procedural Dismissal:** if a complaint is not timely filed (see **"When must one file?"** above), is not in writing and signed, or features other procedural/practical defects, then HCR will send the complainant, respondent, and FHWA Division Office a written notice that it is dismissing the complaint.
- **Referral\Dismissal:** if the complaint is procedurally sufficient but FHWA (1) lacks jurisdiction over the subject matter or (2) lacks jurisdiction over the respondent entity, then HCR will either dismiss the complaint or refer it to another agency that does have jurisdiction. If HCR dismisses the complaint, it will send the complainant, respondent, and FHWA Division Office a copy of the written dismissal notice. For referrals, FHWA will send a written referral notice with a copy of the complaint to the proper Federal agency and a copy to the USDOT Departmental Office of Civil Rights.

HCR is responsible for conducting all investigations of State DOTs and other primary Recipients. In the case of a complaint filed against a Subrecipient, HCR may either conduct the investigation itself, or it may delegate the investigation to the primary Recipient State DOT. If HCR chooses to delegate the investigation of a Subrecipient, HCR will communicate its acceptance of the complaint to the complainant and respondent, but the State DOT will conduct all data requests, interviews, and analysis.

The State DOT will then create a Report of Investigation (ROI), which it will send to HCR. Finally, HCR will review the ROI and compose a Letter of Finding based on the ROI. All Letters of finding issued by FHWA are administratively final.

What are the timeframes for investigations?

For FHWA, there is no regulatory timeframe for completing investigations. However, FHWA strives to complete all tasks within 180 days from the date of acceptance. For State DOTs that have been delegated an investigation from FHWA, 23 CFR §200.9(b)(3) provides that State DOTs must complete investigations within 60 days of receipt (meaning the date it receives the delegated complaint from FHWA).

Investigation files are confidential and will be maintained by KYTC. The contents of such files will only be disclosed to appropriate KYTC personnel and federal authorities in accordance with Federal and State laws. KYTC will retain files in accordance with records retention schedules and all Federal guidelines.

PROCEDIMIENTOS DE DISPOSICIÓN DE QUEJAS

¿Quién puede presentar la solicitud?

Cualquier persona que crea que ella, o una clase específica de personas, fue sometida a discriminación por motivos de raza, color, sexo u origen nacional en los programas y actividades de un beneficiario de ayuda federal puede presentar una queja en virtud del Título VI.

¿Dónde se puede presentar una solicitud?

Las quejas pueden presentarse ante KYTC, las oficinas de la división de la FHWA, la Oficina de Derechos Civiles de la sede de la FHWA, la Oficina Departamental de Derechos Civiles del Departamento de Transporte de los Estados Unidos (USDOT) o el Departamento de Justicia de los Estados Unidos.

¿Cuándo se debe presentar una solicitud?

Según la normativa del USDOT, Título 49, Sección 21.11(b) del CFR, la queja debe presentarse en un plazo máximo de 180 días a partir de la fecha del último caso de presunta discriminación, a menos que la agencia investigadora amplíe el plazo de presentación.

¿Cómo debería ser una queja?

Las quejas deben presentarse por escrito y firmadas, y pueden presentarse por correo, fax, en persona o correo electrónico. Sin embargo, el denunciante puede llamar a la agencia y proporcionar las alegaciones por teléfono, y la agencia transcribirá las alegaciones de la queja tal como se proporcionaron por teléfono y enviará una queja por escrito al denunciante para que la corrija y la firme. Una queja debe contener al menos la siguiente información:

- Una explicación escrita de lo sucedido;
- Una forma de contactar al denunciante;
- El motivo de la queja (por ejemplo, raza, color, origen nacional);
- La identificación de una persona o personas específicas y el demandado (por ejemplo, agencia/organización) que presuntamente ha discriminado;
- Información suficiente para comprender los hechos que llevaron al denunciante a creer que ocurrió una discriminación en un programa o actividad que recibe asistencia financiera federal; y
- Las fechas de los presuntos actos discriminatorios. La queja debe indicar si la supuesta discriminación continúa.

¿Cómo se canalizan las quejas?

La FHWA es responsable de todas las decisiones sobre si una queja debe aceptarse, desestimarse o remitirse a otra agencia.

Con este entendimiento, las quejas deben dirigirse de las siguientes maneras:

- Todas las quejas deben enviarse a la Oficina de Derechos Civiles (HCR) de la sede central de la FHWA para su procesamiento. La HCR es responsable de todas las determinaciones sobre si aceptar, desestimar o transferir las quejas en virtud del Título VI presentadas contra los DOT estatales o los subreceptores de asistencia financiera federal.
- Las quejas deben enviarse desde la agencia receptora inicial usando la jerarquía de supervisión de carreteras de ayuda federal hasta que la queja llegue a la HCR. Por ejemplo, si se presenta una queja ante una ciudad subreceptora, esa agencia receptora debe enviar la queja al DOT estatal, que a su vez debe enviarla a la Oficina de División de la FHWA del estado, que a su vez debe enviar la queja a la HCR. Si se presenta una queja ante un DOT estatal, entonces el DOT estatal debe enviar la queja a la Oficina de División de la FHWA del estado, que a su vez debe enviarla a HCR.
- Los DOT estatales y los subreceptores deben registrar todas las quejas recibidas.
- Cuando la HCR decida aceptar, desestimar o transferir la queja, la HCR notificará al denunciante, a la Oficina de División de la FHWA, al DOT estatal y al subreceptor (cuando corresponda).

Las quejas podrán enviarse a:
Kentucky Transportation Cabinet
Office for Civil Rights
200 Mero Street, 6th Floor
Frankfort, KY 40622

o

US Federal Highway Administration Kentucky Division
John C Watts Federal Building
330 W Broadway St Ste 264,
Frankfort, KY 40601
Atención: Civil Rights Specialist

o

Federal Highway Administration Headquarters - Office of Civil Rights
1200 New Jersey Avenue, SE HCR-40, Room E81-101
Washington, DC 20590
202-366-0693 o al fax: 202-366-1599
TTY: 202-366-5751

Además, se pueden presentar quejas ante el Departamento de Justicia de EE. UU. en:

Federal Coordination and Compliance Section - NWB Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

¿Cuáles son los posibles resultados al procesar una queja?

Hay cuatro resultados posibles al procesar quejas:

- Aceptarla: si una queja se presenta oportunamente (consulte el apartado "**¿Cuándo se debe presentar una solicitud?**" arriba), contiene información suficiente para respaldar una reclamación en virtud del Título VI y se refiere a asuntos conforme a la jurisdicción de la FHWA, entonces la HCR enviará al denunciante, a la agencia demandada y a la Oficina de División de la FHWA una notificación por escrito de que ha aceptado la queja para su investigación.
- Revisión preliminar: si no está claro si las alegaciones de la queja son suficientes para respaldar una reclamación en virtud del Título VI, entonces la HCR puede (1) desestimarla o (2) participar en una revisión preliminar para adquirir información adicional del denunciante o demandado antes de decidir si aceptar, desestimar o remitir la queja.
- Desestimación procesal: si una queja no se presenta oportunamente (consulte el apartado "**¿Cuándo se debe presentar una solicitud?**" arriba), no está escrita ni firmada, o presenta otros defectos procesales/prácticos, entonces la HCR enviará al denunciante, al demandado y a la Oficina de División de la FHWA una notificación por escrito indicando que desestima la queja.
- Remisión/Desestimación: si la queja es procesalmente suficiente pero la FHWA (1) carece de jurisdicción sobre el tema en cuestión o (2) carece de jurisdicción sobre la entidad demandada, entonces la HCR desestimarla la queja o la remitirá a otra agencia que sí tenga jurisdicción. Si la HCR desestima la queja, enviará al denunciante, al demandado y a la Oficina de División de la FHWA una copia del aviso de desestimación por escrito. Para remisiones, la FHWA enviará un aviso de remisión por escrito con una copia de la queja a la agencia federal correspondiente y una copia a la Oficina departamental de Derechos Civiles del USDOT.

La HCR es responsable de realizar todas las investigaciones de los DOT estatales y otros beneficiarios principales. En el caso de una queja presentada contra un subreceptor, la HCR puede realizar la investigación por sí misma o puede delegar la investigación al DOT del estado receptor principal. Si la HCR decide delegar la investigación de un subreceptor, la HCR comunicará su aceptación de la queja

al denunciante y al demandado, pero el DOT estatal llevará a cabo todas las solicitudes de datos, entrevistas y análisis. Luego, el DOT estatal creará un Informe de Investigación (ROI), que enviará a la HCR. Finalmente, la HCR revisará el ROI y redactará una carta de conclusiones basada en este. Todas las cartas de determinación emitidas por la FHWA son administrativamente definitivas.

¿Cuáles son los plazos para las investigaciones?

Para la FHWA, no existe un plazo reglamentario para completar las investigaciones. Sin embargo, la FHWA se esfuerza por completar todas las tareas dentro de los 180 días a partir de la fecha de aceptación. Para los DOT estatales a los que se les ha delegado una investigación de la FHWA, el Título 23 del CFR, Sección 200.9(b)(3), establece que los DOT estatales deben completar las investigaciones dentro de los 60 días posteriores a la recepción (es decir, la fecha en que reciben la queja delegada de la FHWA).

Los archivos de investigación son confidenciales y serán conservados por KYTC. El contenido de dichos archivos solo se divulgará al personal pertinente de KYTC y a las autoridades federales de conformidad con las leyes federales y estatales. KYTC conservará los archivos de acuerdo con los cronogramas de retención de registros y todas las pautas federales.

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"/> Sex				
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?	
[] YES* [] NO	
If yes, check all that apply:	
[] Federal Agency _____	[] State Agency _____
[] Federal Court _____	[] Local Agency _____
[] 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
cevilla@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: _____

(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 rellenado 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: 请填写清楚				
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

FEDERAL HIGHWAY AUTHORITY COMPLAINT LOG

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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:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally assisted programs of the U.S. Department of Transportation, 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.
2. **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.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment each potential subcontractor or supplier will be notified by the contractor of the contractor’s obligations under this contract and the Acts and the Regulations relative to nondiscrimination on the grounds of race, color or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information and its facilities as may be determined by the Recipient or the 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.
5. **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.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the 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

STANDARD ASSURANCES - 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	87%	0%	13%	0%	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 2023 & 2022

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 Small 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.

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 Small 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 speeds 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.

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.

APPENDIX I – TPC RESOLUTION APPROVING TITLE VI PLAN



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

RESOLUTION 2024-6 **APPROVAL OF THE FISCAL YEAR 2025 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 its 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 2025 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 2025 Lexington Area MPO Title VI Plan.

Adopted by the LEXINGTON AREA MPO Transportation Policy Committee this 26th day of June, 2024.




Mayor Alex Carter, City of Nicholasville
Lexington Area Metropolitan Planning Organization
Transportation Policy Committee (TPC) Chair



Date

Attest: 

Christopher Evilia, AICP
Director, Lexington Area Metropolitan Planning Organization



Date

101 E. Vine St., Suite 700, Lexington, KY 40507
859-258-3160
www.lexarempo.org