



Lima/Allen County  
**REGIONAL PLANNING  
COMMISSION**

## **TITLE VI & NONDISCRIMINATION PLAN**

**April 2021**

It is the policy of the Lima Allen County Regional Planning Commission that no person shall on the grounds of race, color, national origin, sex, age, disability, low income status or limited English proficiency be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any Commission-sponsored program or activity.

This report was prepared in cooperation with the United States Department of Transportation, Federal Highway Administration, Federal Transit Administration, the Ohio Department of Transportation and local units of government. The contents of this report reflect the view and opinions of the Lima Allen County Regional Planning Commission which is responsible for the facts and accuracy of data presented herein. The contents of this report do not necessarily reflect the views or official policies of the United States Department of Transportation, Federal Highway Administration, Federal Transit Administration, or the Ohio Department of Transportation. This report does not constitute a standard, specification or regulation.

## Table of Contents

Introduction.....	3
Policy .....	3
Assurances .....	3
Organizational Structure .....	4
Program Review Procedures .....	6
Data Collection, Reporting and Analysis .....	7
Training .....	9
Complaint Procedures .....	9
Dissemination of Title VI Information .....	10
Limited English Proficiency .....	12
Appendices	
Appendix 1 – Glossary of Terms	
Appendix 2 – Title VI Policy Statement	
Appendix 3 – Approving Resolution	
Appendix 4 – Notification To The Public	
Appendix 5 – Title VI Discrimination Complaint Form	
Appendix 6 – Title VI Language Assistance Plan	

## **Introduction**

The basic philosophy of Title VI of the Civil Rights Act of 1964 (Title VI) is that “no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance” (42 USC 2000d). In addition to Title VI, there are laws that prohibit discrimination on other grounds. Those laws include: Section 162(a) of the Federal-Aid Highway Act of 1973 (23 USC 324), which prohibits discrimination based on sex; Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, which provide protections for disabled persons; and, the Age Discrimination Act of 1975, which applies to age. As a recipient of federal financial assistance, the Lima Allen County Regional Planning Commission (LACRPC), including its sub-recipients, is obligated to adhere to and is committed to achieving full compliance with Title VI of the Civil Rights Act of 1964 and all related nondiscrimination laws. In its Title VI/Nondiscrimination Program, LACRPC further incorporates the principles of Environmental Justice (EJ) (Executive Order 12898) into its programs, policies, and activities to ensure there are no systemic, disproportionate, adverse impacts to low-income and minority populations. Executive Order 13166 on Limited English Proficiency (LEP) is also included as part of LACRPC’s programs, policies, and activities to ensure meaningful access to persons who are limited in the English language.

## **Policy**

It is the policy of the Lima Allen County Regional Planning Commission that no person shall on the grounds of race, color, national origin, sex, age disability, low income status or limited English proficiency be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any Commission-sponsored program or activity.

The Commission further assures that every effort will be made to ensure non-discrimination in all its programs and activities, whether those programs and activities are federally funded or not. If the Commission distributes federal aid funds to another entity, the Commission will work to include Title VI language in all written agreements and will monitor for compliance as Title VI compliance is a condition of the receipt of federal funds. The Commission’s Executive Director and Title VI Coordinator are authorized to ensure compliance with provisions of this policy and with the law, including the requirements of Title 23 Code of Federal Regulations (CFR) Part 200 and Title 49 CFR Part 21.

A copy of LACRPC’s Title VI/Nondiscrimination Policy is located on the agency website at: <https://www.lacrpc.com/title-vi/>

## **Assurances**

### **LACRPC Nondiscrimination Policy Statement**

It is the policy of LACRPC to provide an environment of nondiscrimination and equal opportunity in employment as well as in the development of the area’s regional transportation policies, plans and programs included in the Regional Transportation Plan.

Prohibited discrimination may be intentional or unintentional. Seemingly neutral acts that have disparate impacts on individuals of a protected group and lack a substantial legitimate justification are a form of prohibited discrimination. Harassment and retaliation are also prohibited forms of discrimination.

Examples of prohibited types of discrimination based on race, color, national origin, sex, disability, or age include: denial to an individual of any service, financial aid, or other benefit; distinctions in the quality, quantity, or manner in which a benefit is provided; segregation or separate treatment; restriction in the enjoyment of any advantages, privileges, or other benefits provided; discrimination in any activities related to highway and infrastructure or facility built or repaired; and discrimination in employment.

Title VI compliance is a condition of the receipt of federal funds. The Title VI Coordinator is authorized to ensure compliance with this policy, Title VI of the Civil Rights Act of 1964, 42 U.S.C § 2000d and related statutes, and the requirements of 23 Code of Federal Regulation (CFR) pt. 200 and 49 CFR pt. 21.

Annually, LACRPC assures that the planning process is carried out in accordance with Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21. For the latest agency self-certification, please see <https://www.lacrpc.com/wp-content/uploads/2021/01/Title-VI-Plan-Update-2021.pdf>

## **Organizational Structure**

### **Overview of LACRPC**

The Lima Allen County Regional Planning Commission (Commission) is the designated Metropolitan Planning Organization (MPO) for the Lima Urbanized Area. As the MPO the Commission is charged with delivering a comprehensive, cooperative and continuing planning process and serve as the forum for decision-making on transportation issues within the MPO planning area.

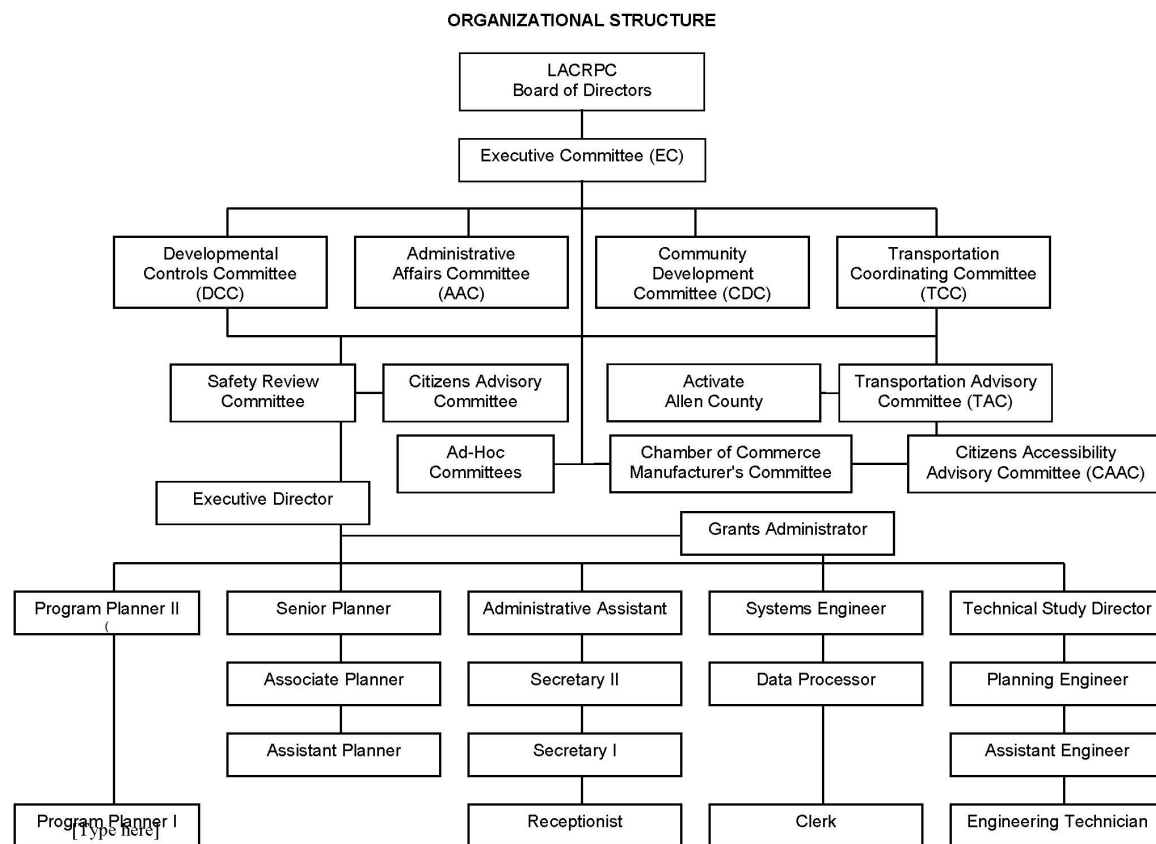
The Commission was established in 1964 by local governments pursuant to sections 713.21 and 713.23 of the Ohio Revised Code. The Regional Planning Commission subsequently worked with State and Federal transportation officials to establish the Transportation Coordinating Committee to act as the “Metropolitan Planning Organization” or “MPO” for the Lima Urbanized Area as designated by the Ohio Governor and U.S. Department of Transportation.

The Commission is comprised of and governed by local community officials who operate under a Resolution of Cooperation where in delegates are appointed to address the various issues facing the region. An internal committee structure works to focus the interests and talents of interested, volunteer stakeholders. One of which is the Transportation Coordinating Committee. Each of the standing committees has bylaws and each of the committee chairpersons serve on an Executive Committee. Part of the Commissions operational funding is derived from membership funding which is subsequently used to match available state and federal grants.

The primary charge of the MPO is to ensure a continuing, cooperative and comprehensive transportation planning process necessary to support informed decision making. Here strong interagency agreements are essential. Key deliverables of the MPO's planning process include:

- The development of an annual work program to address the issues and concerns of local government, area industry, residents and interested stakeholders;
- The timely delivery and management of a fiscally constrained short-range capital improvement plan known as the Transportation Improvement Program (TIP); and, Ongoing support of a Long-Range Transportation Plan inclusive of policies, programs and projects that target strategic transportation system investments necessary to ensure a safe, efficient and effective transportation system into the future.

As a sub-recipient of federal funds, the Commission's transportation planning program is required to comply with Title VI of the 1964 Civil Rights Act (Title VI), which prohibits discrimination on the basis of race, color, and national origin. In addition, protections are afforded under the following non-discrimination statutes: The Federal-Aid Highway Act of 1973, which prohibits discrimination on the basis of sex; Section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990, as amended, which prohibit discrimination based on disability; and the Age Discrimination Act of 1973, as amended, which prohibits discrimination on the basis of age.



## Title VI/Nondiscrimination Program

The Title VI/Nondiscrimination Program is responsible for assuring nondiscrimination in programs and activities receiving federal financial assistance. The program incorporates Executive Order 13166 on LEP to ensure meaningful access to LACRPC's programs, policies, and activities is provided to persons who are limited in the English language.

## Title VI Coordinator

The Executive Director is the governing official of the Commission and is authorized to ensure compliance with provisions of the Commission's policy of nondiscrimination, including the requirements of Title 23 CFR 200 and Title 49 CFR 21. The Grants Administrator is the Title VI Coordinator and contact person for the Commission and responsible for addressing Title VI-

related concerns/complaints. The Title VI Coordinator is responsible for the coordination of programmatic initiatives, including the supervising of staff activities and procedures necessary to address Title VI and Nondiscrimination within the Commission. As such the Coordinator will:

- Periodically meet with local stakeholders to monitor and assess the public's access to Commission programs, services or planning activities and any issues which may directly or indirectly result in discrimination;
- Periodically review the Commission's Public Participation Plan to ensure the public full and fair participation by all potentially affected communities in the transportation decision-making process, and developing strategies to ensure adequate participation of the transportation disadvantaged and protected classes;
- Periodically reviews the Commission's Title VI Plan and programming to determine the effectiveness of administrative procedures and ensure compliance;
- Prepare any required Title VI reports and updates;
- Ensure inclusion of Title VI language in contracts and Requests for Proposals (RFPs);
- Conduct Title VI reviews of all consultant contractors and recipients of federal funds directly distributed by the Commission; and,
- Process Title VI complaints received by the Commission

## **Program Review Procedures**

### **Program Monitoring**

LACRPC is required to conduct its activities in compliance with Title VI. The purpose of compliance monitoring is to evaluate whether LACRPC is meeting its nondiscrimination obligations. The annual assessments are initiated through a Title VI compliance questionnaire. LACRPC receives a Title VI compliance questionnaire tailored to its programs and activities. The questionnaires are updated each year by the agency to reflect any changes that may have occurred in the implementation of programs and activities reviewed. The questionnaire is completed and returned to ODOT for review as part of the yearly Unified Planning Work Program (UPWP) process.

### **Disadvantaged Business Enterprise Program**

The Disadvantaged Business Enterprise Program (DBE) is a federal program operating under the guidance of the United States Department of Transportation. Authorization for the program comes from Title 49 Code of Federal Regulations Part 26 (49 CFR 26). LACRPC, as a recipient of federal transportation funds, must comply with the requirements of 49 CFR 26.

### **Consultant Contracts**

LACRPC seldom employs consultants to assist in planning work. However, when a consultant is used, LACRPC's consultant selection process complies with the provisions of 23 CFR 49.18 All Consultants will be on the ODOT consultant list.

## **Data Collection, Reporting and Analysis**

An integral part of the Title VI/Nondiscrimination Program is the review and analysis of program, service, and activity-related processes and data to identify any indicators of potential discrimination whether intentional or resulting from disparate impacts. LACRPC is required to develop procedures for the collection of statistical data on participants in and beneficiaries of state highway programs (e.g., relocatees, impacted citizens, and affected communities).

### **Collecting Data**

Data collection is a systematic means for tracking activities and identifying and eliminating any trends or patterns of discrimination. Data collection provides measurable evidence of LACRPC's performance related to Title VI for annual reports and demonstrates LACRPC's efforts to ensure compliance with Title VI.

### **Types of data and analysis**

LACRPC collects several types of data to determine compliance with Title VI considerations. Examples include characteristics about the population in program and project areas such as ethnic composition, languages spoken, age distribution, and mobility limitations. Data on the impact of transportation systems and transportation mode choices is also useful data in examining Title VI compliance. In addition, information such as the percentage of households using various modes of transportation; the extent of exposure to transportation hazards; and, data on access to jobs, schools, emergency services, medical facilities, shopping, and other amenities may be useful in understanding how individuals and communities are affected. In addition, each division or office collecting sociodemographic data uses a process to collect and classify data on various sociodemographic categories including race, national origin, gender, home language, age, and disability status.

### **Sources**

There is a wide range of potential sources of data and analysis tools that ODOT leverages including census data, school districts, transit ridership surveys, land use plans, geographic information systems, transportation models, and MPO Committees (e.g., Citizen Advisory Committees).

### **Data Reporting**

The Title VI Coordinator acts as the clearinghouse for all Title VI reports, provides input regarding Title VI corrective actions and meets periodically with the Title VI interdisciplinary team members to discuss relevant issues.

### **Data Analysis**

Once LACRPC has collected data, there are several types of analyses used to address compliance with Title VI. Examples include distribution of benefits (e.g., dollars, facilities, systems, and projects) by groups and communities; impact of investments on race, gender, disability, and age groups; and, allocation of funds by transportation mode. Analyses may also include evaluating projected population increases against planned facilities and type of facilities; conducting a language needs assessment; and, determining the impact of the locations of existing or proposed facilities connected with a project.

Through these analyses, patterns or practices leading to potential discriminatory impact may be discovered to be inherent in a process or procedure on its face or may be found as the result of a process or procedure being implemented in a discriminatory manner. Data analyses also help

identify strategies and options for addressing impacts and avoiding future disparate treatment and impacts. Recommendations based on data analyses are included in ODOT's annual Title VI/Nondiscrimination Goals and Accomplishments Report.

### **Type of Performance Indicators**

There are many performance indicators to assess program and project success including indicators related to ease of mobility, accessibility, cost-effectiveness, safety, reliability, preservation of the environment, and enhanced living conditions within the community:

- **Mobility:** Ease of movement of people and goods.
- **Accessibility:** Access to opportunities (jobs, medical care, emergency services, family, shopping, entertainment).
- **Environment:** Sustainable development and preservation of the existing system and the environment.
- **Cost-effectiveness:** Maximized return on investment, direct as well as indirect costs associated with air pollution, congestion delays for individuals/businesses.
- **Reliability:** System reliability (probability of arriving at destination or even making the trip)
- **Safety:** Physical design and operation of the system (measured in accidents per person mile) also includes security related to criminal activities on highways as well as on transit systems.
- **Equity:** Transportation investments and benefits are invested in a manner that meets the needs of all persons.
- **Customer Satisfaction:** Increased ability to make trips, improved travel time, safety and security, improved access to system.
- **Livable Communities:** Enhancement of living conditions for communities through transportation policies that provide multi-modal options including non-motorized modes.

### **Compliance**

All the data collection considerations above apply directly to LACRPC's programs. When LACRPC administers contracts or applications for grants, permits, or loans, an oversight perspective of sub-recipients is recognized and applied. All data collection activities and analysis are conducted, at a minimum, annually, in all major program areas. When determining compliance with Title VI and related nondiscrimination statutes, ODOT considers the following:

- The manner services are or will be provided and the related data necessary for determining whether any persons are or will be denied such services because of discrimination.
- The populations eligible to be served by race, color, national origin, gender, disability, age, or income status.
- Data regarding covered employment, including use or planned use of bilingual public contact employees servicing beneficiaries of the program where necessary to permit effective participation by beneficiaries unable to speak or understand English.
- The location of existing or proposed facilities connected with the program and related information adequate for determining whether the location has or will have the effect of unnecessarily denying access to any persons based on prohibited discrimination.
- The present or proposed membership by race, color, national origin, gender, disability, age, or income status in any planning or advisory body which is an integral part of the program.
- Where location is involved, the requirements and steps used or proposed to guard against unnecessary impact on persons based on race, color, national origin, gender, disability, age, or income status.



Additional data, such as demographic maps, the racial composition of affected neighborhoods, or census data may be necessary or appropriate for understanding the above information. ODOT relies on additional data to the extent that they are readily available and can be compiled with reasonable effort. The Title VI Coordinator is promptly notified of any lawsuit filed against any of ODOT's programs and its sub-recipients alleging discrimination based on race, color, national origin, gender, disability, age, or income status.

### **Training**

In furtherance of its goal to have Title VI considerations engrained in how LACRPC conducts business and how it provides its services, it will utilize training developed by ODOT's Office of Equal Opportunity which has partnered with the Local Technical Assistance Program (LTAP) to develop online Title VI and EJ Training for sub-recipients and anyone else interested in taking the courses. The Title VI training course is mandatory for Local Public Agencies (LPA) that request to participate in Ohio's local-let program. Notices of updates to training modules are disseminated and refresher training is required.

Information about LPA training requirements is available at:

<http://www.dot.state.oh.us/Divisions/Planning/LocalPrograms/Pages/LocalLetProcesses.aspx>.

LTAP e-learning courses are available at:

[http://www.dot.state.oh.us/Divisions/Planning/LocalPrograms/LTAP/Pages/Ohio\\_LTAP\\_eLearning.aspx](http://www.dot.state.oh.us/Divisions/Planning/LocalPrograms/LTAP/Pages/Ohio_LTAP_eLearning.aspx).

### **Complaint Procedures**

The following discussion provides a summary of LACRPC's Title VI/Nondiscrimination Program complaint handling process.

#### **Procedure**

1. Any person claiming to be aggrieved by an alleged discriminatory practice may, by them or through their legally authorized representative, make and sign a complaint (see the complaint form in the appendix).
2. The LACRPC Executive Director and Administrative Affairs Committee Chairman will review the complaint to determine if it is applicable to the policies, planning processes, or work products of LACRPC.
3. If the complaint is determined to be applicable, copies of the complaint will be sent within 10 business days to the Ohio Department of Transportation (ODOT), Federal Highway Administration (FHWA), and Federal Transit Administration (FTA). The complainant will be notified in writing that the complaint is being processed. This notification will include copies of the correspondence with ODOT, FHWA, and FTA.
4. The LACRPC Administrative Affairs Committee will be advised of the complaint at their next scheduled meeting after receipt of the complaint.

5. The LACRPC staff will aid ODOT, FHWA, and FTA in resolving the complaint. Every attempt will be made to resolve the complaint at the state level before involving federal agencies.
6. Within five (5) business days of receiving a response from ODOT, FHWA, or FTA, the complainant will be notified in writing regarding the resolution of the complaint.
7. The LACRPC Administrative Affairs Committee will be advised of the complaint resolution at their next scheduled meeting after the response is received.
8. FHWA, Headquarters Civil Rights (FHWA, HCR), will be the final decision makers as it pertains to complaint issues and compliance in all civil rights related areas.

The complaint form is also located in Appendix 6.

Also, individuals may file a complaint directly with the Ohio Civil Rights Commission (OCRC), the U.S. Equal Employment Opportunity Commission (EEOC), or ODOT.

To date, LACRPC has received no specific Title VI complaints.

Complaints must be filed no later than 180 days after:

- The date of the alleged act of discrimination;
- The date when the person(s) became aware of the alleged discrimination; or
- Where there has been a continuing course of conduct, the date on which the conduct was discontinued.

All complaints are considered formal. Complaints must be submitted in writing and signed by the complainant. Complaint forms and additional information can be obtained by contacting LACRPC at:

Shane Coleman, Executive Director  
Lima-Allen County Regional Planning Commission  
419-228-1836 - Telephone  
419-228-3891 - Facsimile  
scoleman@lacrpc.com – Email

A log of complaints will be maintained by LACRPC and provided upon request.

### **Dissemination of Title VI Information**

LACRPC actively takes steps to ensure Title VI information is prepared for and disseminated to the general public in order to make the public aware of their rights under Title VI program authorities.

Specifically, LACRPC includes a Title VI Notice on its website that provides: "Title VI prohibits discrimination on the basis of race, color, or national origin in any program or activity that

receives Federal funds or other Federal financial assistance. Programs that receive Federal funds cannot distinguish among individuals on the basis of race, color, or national origin, either directly or indirectly, in the types, quantity, quality, or timeliness of program services, aids or benefits that they provide or the manner in which they provide them. This prohibition applies to intentional discrimination as well as to procedures, criteria, or methods of administration that appear neutral, but have a discriminatory effect on individuals because of their race, color, or national origin. Policies and practices that have such an effect must be eliminated unless a recipient can show that they were necessary to achieve a legitimate nondiscriminatory objective. Even if there is such a reason the practice cannot continue, if there are alternatives that would achieve the same objectives but that would exclude fewer minorities. Persons with limited English proficiency (LEP) must be afforded a meaningful opportunity to participate in programs that receive Federal funds. Policies and practices may not deny or have the effect of denying persons with limited English proficiency equal access to Federally-funded programs for which such persons qualify.”

LACRPC’s Title VI/Nondiscrimination Program information is available at:  
<https://www.lacrpc.com/title-vi/>

In accordance with LACRPC’s LEP Plan, Title VI information is translated and disseminated in languages other than English when appropriate, necessary or as requested.

The Title VI Coordinator ensures Title VI information is current and up-to-date. At a minimum, the information is reviewed on an annual basis and changes, as necessary, are made to the information.

## **Public Participation**

As outlined in LACRPC’s Public Involvement Policy, it is LACRPC’s policy and commitment to foster public involvement in all its projects. LACRPC welcomes everyone, regardless of age, race, color, gender, disability, or national origin (including LEP individuals), to participate in and benefit from its public involvement activities. Special efforts need to be made to engage and involve minority, low-income, and LEP stakeholders. Efforts to involve these affected stakeholders in public participation activities can include both general measures, such as placing public notices in public areas (e.g., libraries, transit stations, or vehicles), as well as targeted measures to address linguistic, institutional, cultural, economic, historical, or other barriers that may prevent such populations from effectively and meaningfully participating in the decision-making process. Some effective practices include:

- Scheduling meetings at times and locations that are convenient and accessible for minority, low-income, and LEP communities.
- Employing different meeting sizes and formats.
- Coordinating with community and faith-based organizations; educational institutions; and, other organizations to implement public engagement strategies that reach members of impacted minority, low-income, and LEP communities.
- Considering radio, television, or newspaper ads on stations and in publications that serve typically underserved communities. Outreach to these populations could also include audio programming available on podcasts. Page 36 of 81
- Providing opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral comments.

LACRPC’s Public Involvement Policy is available at: <https://www.lacrpc.com/wp-content/uploads/2021/04/PPP-2021.pdf>

## **Environmental Justice**

As noted, LACRPC extends special efforts to engage and involve minority and low-income stakeholders pursuant to environmental justice principles.

Environmental Justice (EJ) is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, directs agencies to develop strategies to address disproportionately high and adverse human health or environmental effects of their programs on minority and low-income populations. Concern for EJ has to be integrated into every transportation decision from the initial planning stages to construction and maintenance.

There are three fundamental environmental justice principles:

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

LACRPC is committed to integrating Title VI and EJ into its activities through:

- Developing the technical capability to assess the benefits and adverse effects of transportation activities among different population groups and use that capability to develop appropriate procedures, goals, and performance measures in all aspects of their mission;
- Ensuring that State Transportation Improvement Program (STIP) findings of statewide planning compliance and National Environmental Policy Act (NEPA) activities satisfy the letter and intent of Title VI requirements and EJ principles;
- Enhancing its public involvement activities to ensure the meaningful participation of minority and low-income populations; and,
- Working with federal, State, local, and transit planning partners to create and enhance intermodal systems and support projects that can improve the natural and human environments for low-income and minority communities.

## **Limited English Proficiency**

LACRPC and those receiving assistance from the federal government must take reasonable steps to ensure that LEP persons have meaningful access to the programs, services, and information entities provide. Doing so requires recipients to create solutions to address the needs of individuals for whom English is not their primary language.

An LEP person is someone who does not speak English as his or her primary language and who has a limited ability to read, speak, write, or understand English. These individuals may be entitled to language assistance with respect to a particular type of service, benefit, or encounter.

Examples of populations likely to include LEP persons and that need to be considered when planning language services include:

- Public transportation passengers
- Persons served by emergency transportation response programs

- Persons living in areas affected or potentially affected by transportation projects
- Business owners who apply to participate in ODOT's Disadvantaged Business Enterprise (DBE) program

All programs and operations of entities that receive assistance from the federal government must comply with LEP requirements including:

- State agencies (e.g., ODOT)
- Local agencies
- Private and nonprofit entities
- Sub-recipients
- All programs and operations of the federal government

### **The Safe Harbor Provision**

The U.S. Department of Transportation (U.S. DOT) has adopted the U.S. Department of Justice's Safe Harbor Provision. This provision outlines circumstances that can provide a "safe harbor" for U.S. DOT recipients (and sub-recipients) regarding translation of vital documents. Specifically, if a recipient provides written translation of vital documents for each LEP group that constitutes 1,000 persons or five percent (5%) of the total population eligible to be served or likely to be affected or encountered, such action is considered strong evidence of compliance with the recipient's written translation obligations.

A vital document is any document that is critical for ensuring meaningful access to the recipients' major activities and programs by beneficiaries generally and LEP persons specifically. Whether or not a document (or the information it solicits) is "vital" may depend upon the importance of the program, information, encounter, or service involved, and the consequence to the LEP person if the information in question is not provided accurately or in a timely manner.

The Safe Harbor Provision only applies to the translation of written documents. It does not affect the requirement to provide meaningful access to LEP individuals through oral language services.

Based on the results of its four-factor analysis, even if a language group meets the threshold specified by the Safe Harbor Provision, LACRPC may determine written translation is not the most effective way to provide language assistance. If oral interpretation would provide more meaningful access to a particular LEP group, interpretation services may be provided instead of translation services.

### **Four Factor Analysis**

LACRPC has an obligation to reduce language barriers that can preclude meaningful access by LEP persons to important transportation services. In doing so, LACRPC has assessed the following four factors:

#### **Factor 1: The number or proportion of LEP persons served or likely to be encountered in the eligible service population.**

LACRPC uses population data to identify potential LEP persons who may require language assistance services to ensure meaningful access to ODOT programs. According to the 2019 American Community Survey (ACS), the numbers of persons who "speak a language other than English at home" reached 308 persons.

**Factor 2: The frequency with which LEP individuals come in contact with LACRPC's programs, activities or services.**

The Commission works collaboratively and often with members of the general public, representatives of local political subdivisions, the Regional Transit Authority, local city/county engineers and LACRPC to facilitate the transportation planning process. Such activity may draw the participation of LEP persons.

LEP persons may come into contact with Commission activities, services and personnel in a variety of locations. The most common areas where the LEP population would come in contact with the Commission programs, activities or services would include: public meetings, public events, thru local newspapers, and/or the Commission's website or office.

Despite the infrequency of encounters with LEP individuals, LCRPC has and will continue to provide services as needed, and available, to enable effective communication with its beneficiaries. While LACRPC has not translated its vital documents, LACRPC will make information available in languages other than English upon receiving a request for such.

**Factor 3: The Nature and Importance programs, activities, or services provided by LACRPC.**

The LACRPC Public Participation Plan discusses how LACRPC's programs and services impact the lives of people within the community. LACRPC specifies the community organizations that serve LEP persons.

Public outreach efforts to LEP persons are conducted by the Commission; however, as discussed, the LEP community is relatively small. Unless requested, the Commission has not translated planning documents; however, documents will be translated into Braille or other language on request with advanced notice. There have been no requests for document translation to other languages; however, the Transportation Coordination Plan was translated into Braille as requested; and the Plan was printed in a large font format at the request of another resident. Upon advance request, sign-language or other appropriate translation will be provided at public meetings.

At public meetings, information is displayed utilizing appropriate visualization techniques, with graphs, photographs, drawings, and/or maps that can be interpreted with minimal language skills. Public comments can be submitted in person, or by telephone, email, U. S. Postal Service, or from the floor at public meetings. All comments become part of the public record. All public information or requests for public input are prepared with the intent to communicate clearly with a minimum of jargon and with clear, simple language.

**Factor 4: The resources available to recipient and costs**

The Commission recognizes that developing translated materials could provide a valuable tool to the LEP population. The Commission will work to provide Limited English Proficiency (LEP) persons in the community with appropriate translation services, in compliance with LEP requirements, within the confines of Federal Safe Harbor provision.

## Glossary of Terms

**Adverse Effects** – The totality of significant individual or cumulative human health or environmental effects, including interrelated social and economic effects, which may include, but are not limited to:

- Bodily impairment, infirmity, illness, or death
- Air, noise, and water pollution and soil contamination
- Destruction or disruption of man-made or natural resources
- Destruction or diminution of aesthetic values
- Destruction or disruption of community cohesion or a community's economic vitality
- Destruction or disruption of the availability of public and private facilities and services
- Adverse employment effects
- Displacement of persons, businesses, farms, or non-profit organizations
- Increased traffic congestion, isolation, exclusion, or separation of minority or low-income individuals within a given community or from the broader community
- Denial of, reduction in, or significant delay in the receipt of benefits of LACRPC programs, policies, or activities

**Affected Community** – A person or persons served or likely to be directly or indirectly affected by a program or activity receiving federal financial assistance from LACRPC.

**Affirmative Action** – A good faith effort to eliminate past and present discrimination in all federally assisted programs and to ensure future nondiscriminatory practices.

**Applicant** – A person who submits an application, request, or plan required to be approved by an LACRPC official, or by a primary recipient, as a condition to eligibility for federal financial assistance, and the term “application” means such an application, request, or plan.

**Assurance** – A written 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 persons (other than states) entitled to receive benefits, directly or indirectly, from any federally assisted program.

**Citizen 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, with an opportunity for them to be involved and to express their needs and goals.

**Compliance** – When a recipient has implemented all the Title VI requirements effectively and there is not any evidence of discrimination.

**Compliance Reviews** – Regular systematic inspections of agency programs conducted to determine regulatory compliance with civil rights laws and regulations. Compliance reviews determine compliance and non-compliance in the delivery of benefits and services in federally assisted programs. They identify problems, such as denial of full benefits; barriers to participation; different treatment; lack of selection to advisory

boards and planning committees; lack of information; and denial of the right to file a civil rights complaint. Compliance reviews are conducted on-site or through desk audits.

**Complaint** – A formal notification of alleged discrimination to the proper authority. The complaint should contain enough information to permit an investigation and is usually considered filed when it is delivered to the proper official or office.

**Contractor** – A person or entity that agrees to perform services at a specified price.

**Deficiency Status** – The interim period during which the recipient state has been notified of deficiencies and has not voluntarily complied with the Title VI Program guidelines but has not been declared in noncompliance by FHWA or FTA.

**Discrimination** – An act (action or inaction), whether intentional or unintentional, the effect of which is that a person, because of race, color, national origin, age, gender, or disability, has been excluded from participation in, denied the benefits of, or has been otherwise subjected to unequal treatment under any program or activity receiving financial assistance.

**Facility** – Includes all or any part of structures, equipment, or other real or personal property or interests therein and the provisions of facilities include the construction, expansion, renovation, remodeling, alteration, or acquisition of facilities.

**Federal Financial Assistance** – Financial assistance that includes the following:

- Grants and loans of federal funds
- Grant or donations of federal property and interests in property
- Detail of federal personnel
- Sale and lease of, or permission to use (on other than a casual or transient basis), federal property, or interest in such a property without consideration, or at a nominal consideration, or at a consideration which is reduced for the purpose of assisting the recipient, or is in recognition of the public interest to be served by such sales or lease to the recipient
- Federal agreement, arrangement, or other contract which has as one of its purposes the provision of assistance

**Limited English Proficiency (LEP)** – Individuals with a primary or home language other than English who must, due to limited fluency in English, communicate in that primary or home language if the individuals are to have an equal opportunity to participate effectively in or benefit from any aid, service, or benefit provided by LACRPC.

**Low-Income** – Refers to a person whose median household income is at or below the Department of Health and Human Services poverty guidelines (see <https://aspe.hhs.gov/poverty-guidelines> ).

**Low-Income Population** – Any readily identifiable group of low-income persons who live in geographic proximity and, if circumstances warrant, geographically dispersed or transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed LACRPC program, policy, or activity.



**Minority** – A person or groups of persons who are:

- Black (having origins in any of the black racial groups of Africa);
- Hispanic (of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race);
- Asian American (having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands); or,
- American Indian and Alaskan Native (having origins in any of the original people of North America and who maintain cultural identification through tribal affiliation or community recognition).

**Non-Compliance** – Failure or refusal to comply with Title VI, other applicable civil rights laws, and implementing departmental regulations.

**Primary Recipient** – Any recipient that is authorized or required to extend federal financial assistance to another recipient for the purpose of carrying out a program.

**Program** – Includes any highway project, or activity for the provision of services, financial aid, or other benefits to individuals. Programs include education and/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.

**Public Notification** – Process of publicizing information on the availability of programs, services, and benefits to affected groups and statements of nondiscrimination. Such notification is achieved through the use of newspapers, newsletters, and periodicals; radio, television, and the Internet; community organizations; grassroots and special needs directories; and, brochures, posters, and pamphlets.

**Recipient** – Any state, territory, possession, the District of Columbia, Puerto Rico, or any political subdivision, or instrumentality thereof, or any public or private agency, institution, or organization, or other entity, or any individual in any state, territory, possession, the District of Columbia, or Puerto Rico, 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.

**Title VI Program** – The system of requirements, procedures, actions and sanctions through which the Department of Transportation enforces Title VI of the Civil Rights Act of 1964 and the regulations effectuating it and ensures that discrimination does not occur in connection with programs and activities which receive federal financial assistance from LACRPC.

## TITLE VI POLICY STATEMENT

It is the policy of the Lima Allen County Regional Planning Commission that no person shall on the grounds of race, color, national origin, sex, age disability, low income status or limited English proficiency be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any Commission-sponsored program or activity.

The Commission further assures that every effort will be made to ensure non-discrimination in all its programs and activities, whether those programs and activities are federally funded or not. If the Commission distributes federal aid funds to another entity, the Commission will work to include Title VI language in all written agreements and will monitor for compliance as Title VI compliance is a condition of the receipt of federal funds. The Commission's Executive Director and Title VI Coordinator are authorized to ensure compliance with provisions of this policy and with the law, including the requirements of Title 23 Code of Federal Regulations (CFR) Part 200 and Title 49 CFR Part 21.

This policy shall be prominently posted on the LACRPC website and in the lobby area of the LACRPC office in both English and Spanish.

Signed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

Lima Allen County Regional Planning Commission  
(Recipient)

By \_\_\_\_\_

Shane A. Coleman, Executive Director  
(Signature of Authorized Official)

**RESOLUTION: APPROVING THE TITLE VI & NONDISCRIMINATION PLAN UPDATE**

WHEREAS, the Transportation Coordinating Committee (TCC) of the Lima-Allen County Regional Planning Commission, designated as the Metropolitan Planning Organization (MPO), has approved the preliminary TITLE VI & NONDISCRIMINATION PLAN UPDATE; and,

WHEREAS, the Funding Agencies have reviewed and commented on the preliminary TITLE VI & NONDISCRIMINATION PLAN; and,


WHEREAS, the Transportation Coordinating Committee has now incorporated the comments of the reviewing agencies; and,

WHEREAS, the Transportation Coordinating Committee believes that the TITLE VI & NONDISCRIMINATION PLAN is essential to carry on the planning process in Allen County;

NOW, THEREFORE, BE IT RESOLVED by the Transportation Coordinating Committee of the LACRPC that the TITLE VI & NONDISCRIMINATION PLAN be accepted and approved.

ADOPTED THIS 22<sup>nd</sup> DAY OF APRIL, 2021

  
\_\_\_\_\_  
Steve Ewing, Chair, Transportation Coordinating Committee, MPO  
Lima-Allen County Regional Planning Commission

  
\_\_\_\_\_  
Attest: Shane A. Coleman, Executive Director  
Lima-Allen County Regional Planning Commission

## **TITLE VI NOTIFICATION TO THE PUBLIC**

### **Lima Allen County Regional Planning Commission**

The Lima Allen County Regional Planning Commission (LACRPC) operates its programs and services without regard to race, color, national origin, religion, age and/or disability in accordance with Title VI of the Civil Rights Act. Any person who believes he or she has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with LACRPC.

For more information on LACRPC's civil rights program, and the procedures to file a complaint, contact Shane Coleman at [scoleman@lacrpc.com](mailto:scoleman@lacrpc.com) or 419-228-1836. Complainants may also visit LACRPC's offices at 130 W. North Street, Lima, Ohio 45801 during regular business hours or, visit the LACRPC website at [www.lacrpc.com](http://www.lacrpc.com).

If a complainant has a disability or requires information in another language, call the Ohio Relay Services at 800-750-0750.

<b>Lima-Allen County Regional Planning Commission</b> <b>Title VI Discrimination Complaint Form</b>	
NAME (Complainant):	PHONE: (    )
HOME ADDRESS (Include City, State & ZIP):	E-MAIL (If Applicable):
If applicable, name of persons who allegedly discriminated against you:	
Basis of Discriminatory Action(s): _____ Race    _____ Color    _____ National Origin    _____ Sex    _____ Age    _____ Disability	
Date of Alleged incident:	Location and position of person(s) who allegedly discriminated against you - if known:
Explain briefly and clearly as possible what happened and how you believe you were discriminated against. Indicate who was involved. Be sure to include how you feel other persons were treated differently than you. Please attach additional pages as needed or any additional written material about your complaint.	

<b>Lima-Allen County Regional Planning Commission Title VI Discrimination Complaint Form</b>	
Why do you believe these events occurred?	
What other information do you think is relevant to this complaint?	
How can this issue or issues be resolved to your satisfaction?	
Please list below the names, addresses, phone numbers and job titles of person(s) we may contact for additional information about your complaint (witnesses, fellow employees, supervisors, others):	
NAME	ADDRESS
PHONE NUMBER	JOB TITLE
Signature:	Date:



Lima/Allen County  
**REGIONAL PLANNING  
COMMISSION**

# **TITLE VI**

# **Language Assistance Plan**

**April 2021**

### **Introduction and Purpose**

The Lima Allen County Regional Planning Commission (LACRPC) is committed to compliance with civil rights laws, including Title VI of the Civil Rights Act of 1964 (Title VI), which prohibits discrimination based on race, color, and national origin in the programs and activities receiving federal financial assistance. Title VI requires ODOT to provide access to our programs and activities to individuals with limited English proficiency (LEP).

The purpose of this Language Assistance Plan is to ensure LEP persons have meaningful resources and access to LACRPC's programs and activities. LACRPC has assessed these needs by researching LEP populations within the planning area and utilizing that data to perform a four-factor analysis on how to best serve the LEP population encountering LACRPC funded programs.

### **LEP Populations to be Served or Encountered and the Frequency of Encounters**

LACRPC uses population data to identify potential LEP persons who may require language assistance services to ensure meaningful access to LACRPC programs and services.

In 2010, the U.S. Census reported there were 106,331 people living in Allen County. The 2019 American Community Survey estimated 96,854 of those are over the age of 5 years. Of that population, 93,877 or 96.92% reside in English-only speaking households leaving 2,977 or 3.08% residing in households where another language is spoken in the home. Of that population, 308 or 1.03% of individuals over the age of 5 years are estimated to speak English less than "very well."

### **Four Factor Analysis**

LACRPC has an obligation to reduce language barriers that can preclude meaningful access by LEP persons to important transportation services. In doing so, LACRPC has assessed the following four factors:

**Factor 1: The number or proportion of LEP persons served or likely to be encountered in the eligible service population.**

LACRPC uses population data to identify potential LEP persons who may require language assistance services to ensure meaningful access to ODOT programs. According to the 2019 American Community Survey (ACS), the numbers of persons who "speak a language other than English at home" reached 308 persons.

**Factor 2: The frequency with which LEP individuals come in contact with LACRPC's programs, activities or services.**

The Commission works collaboratively and often with members of the general public, representatives of local political subdivisions, the Regional Transit Authority, local city/county engineers and LACRPC to facilitate the transportation planning process. Such activity may draw the participation of LEP persons.



LEP persons may come into contact with Commission activities, services and personnel in a variety of locations. The most common areas where the LEP population would come in contact with the Commission programs, activities or services would include: public meetings, public events, thru local newspapers, and/or the Commission's website or office.

Despite the infrequency of encounters with LEP individuals, LCRPC has and will continue to provide services as needed, and available, to enable effective communication with its beneficiaries. While LACRPC has not translated its vital documents, LACRPC will make information available in languages other than English upon receiving a request for such.

**Factor 3: The Nature and Importance programs, activities, or services provided by LACRPC.**

The LACRPC Public Participation Plan discusses how LACRPC's programs and services impact the lives of people within the community. LACRPC specifies the community organizations that serve LEP persons.

Public outreach efforts to LEP persons are conducted by the Commission; however, as discussed, the LEP community is relatively small. Unless requested, the Commission has not translated planning documents; however, documents will be translated into Braille or other language on request with advanced notice. There have been no requests for document translation to other languages; however, the Transportation Coordination Plan was translated into Braille as requested; and the Plan was printed in a large font format at the request of another resident. Upon advance request, sign-language or other appropriate translation will be provided at public meetings.

At public meetings, information is displayed utilizing appropriate visualization techniques, with graphs, photographs, drawings, and/or maps that can be interpreted with minimal language skills. Public comments can be submitted in person, or by telephone, email, U. S. Postal Service, or from the floor at public meetings. All comments become part of the public record. All public information or requests for public input are prepared with the intent to communicate clearly with a minimum of jargon and with clear, simple language.

**Factor 4: The resources available to recipient and costs**

The Commission recognizes that developing translated materials could provide a valuable tool to the LEP population. The Commission will work to provide Limited English Proficiency (LEP) persons in the community with appropriate translation services, in compliance with LEP requirements, within the confines of Federal Safe Harbor provisions.

### **Training**

In furtherance of its goal to have Title VI considerations engrained in how LACRPC conducts business and how it provides its services, it will utilize training developed by ODOT's Office of Equal Opportunity which has partnered with the Local Technical Assistance Program (LTAP) to develop online Title VI and EJ Training for sub-recipients and anyone else interested in taking the courses. The Title VI training course is mandatory for Local Public Agencies (LPA) that request to participate in Ohio's local-let program. Notices of updates to training modules are disseminated and refresher training is required.

Information about LPA training requirements is available at:

<http://www.dot.state.oh.us/Divisions/Planning/LocalPrograms/Pages/LocalLetProcesses.aspx>.

LTAP e-learning courses are available at:

[http://www.dot.state.oh.us/Divisions/Planning/LocalPrograms/LTAP/Pages/Ohio\\_LTAP\\_eLearning.aspx](http://www.dot.state.oh.us/Divisions/Planning/LocalPrograms/LTAP/Pages/Ohio_LTAP_eLearning.aspx).

### **Additional Resources**

For more information about LEP, below are links to help with understanding more about the population, how to breakdown language barriers and other information related to Title VI.

<https://www.justice.gov/sites/default/files/open/legacy/2012/05/07/language>

<https://www.justice.gov/crt/file/885391/download>

<https://www.fhwa.dot.gov/civilrights/programs/lep.cfm>

### **How to Request Assistance**

Lima-Allen County Regional Planning Commission

419-228-1836 - Telephone

419-228-3891 - Facsimile

scoleman@lacrpc.com – Email

# I Speak...

## LANGUAGE IDENTIFICATION GUIDE

For more information on providing language assistance, contact the ODOT Division of Opportunity, Diversity and Inclusion at (614) 466-3264

A	D	I	M	R	T
Amharic አፄ አማርኛ ነው ምናንረው.	Danish Jeg taler dansk	Icelandic Ég tala íslensku	Mandarin 我講國語 (traditional) 我讲国语/普通话 (simplified)	Romanian Vorbesc românește	Tagalog Marunong akong mag-Tagalog
Arabic أنا أتحدث اللغة العربية	Dari من دری حرف می زنم	Ilocano Agsaonak ti Ilokano	Mam Bán chiyola tuj kiyol mam	Russian Я говорю по-русски	Tamil நான் தமிழ் பேசுவேன்
Armenian Ես խոսում եմ հայկերեն	Dutch Ik spreek het Nederlands	Indonesian saya bisa berbahsa Indonesia	Mon အဲပဲစီအကုန်လုံး	Serbian Ja govorim српски	Thai พูดภาษาไทย
B	E	J	N	S	Turkish Türkçe konuşurum
Bengali আমি বাংলা কথা বলতে পারি	Estonian Ma räägin eesti keelt	Japanese 私は日本語を話す	Norwegian Jeg snakker norsk	Sign Language (American)	Ukrainian Я розмовляю українською мовою
Bosnian Ja govorim bosanski	Finnish Puhun suomea	K	P	Slovak Hovorím po slovensky	Urdu میں اردو باتل
Bulgarian Аз говоря български	French Je parle français	Kachchiquel Quin chagüicá chabaf' nün' ri tzüün cächiquel	Persian من فارسی صحبت می کنم.	Slovenian Govorim slovensko	Vietnamese Tôi nói tiếng Việt
Burmese ကျွန်းုပ်တို့က မြန်မာလို ချစ်တယ် ခံတယ်	G	Korean 한국어 합니다	Polish Mówię po polsku	Somali Waxaan ku hadlaa af-Soomaali	Welsh Dw'n siarad
C	German Ich spreche Deutsch	Kurdish man Kurdiî zaanim	Portuguese Eu falo português do Brasil (for Brazil) Eu falo português de Portugal (for Portugal)	Swahili Ninaongea Kiswahili	Xhosa Ndlithetha isiXhosa
Cambodian ខ្ញុំនិយាយភាសាខ្មែរ	Greek Μιλώ τα ελληνικά	Kurmanji man Kurmaanjiîi zaanim	Punjabi ਮੈਂ ਪੰਜਾਬੀ ਬੋਲਦਾ/ਬੋਲਦੀ ਹਾਂ।	Swedish Jag talar svenska	Yiddish אני רעד יידיש
Cantonese 我講廣東話 (traditional) 我讲广东话 (simplified)	H	Laotian ຂ້ອຍເວົ້າພາສາລາວ	Q	Yoruba Mo nso Yooba	Z
Catalan Parlo català	Haitian Creole M pale kreyòl ayisyen	Latvian Es runāju latviski	Qanjobal Ayin ti chi walq' anjob' al	Zulu Ngiyasikhuluma isiZulu	
Croatian Govorim hrvatski	Hebrew אני מדבר עברית	Lithuanian Aš kalbu lietuvių kal	Quiche In kinch'aw k'uin ch'e quiche		
Czech Miluji/m český	Hindi मैं हिंदी बोलता हूँ।				
	Hmong Kuv has lug Moob				
	Hungarian Beszélék magyarul				

Special thanks to the Department of Justice Bureau of Justice Assistance and the Ohio Office of Criminal Justice Services for inspiration and permission to use their I Speak guide

This poster assists literate individuals who are not proficient in English to identify a preferred language.