

# Title VI Plan

*Prepared by*

## **Rapides Area Planning Commission**

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<sup>1</sup> This plan is based upon the Rapides Area Planning Commission, FY2010-2011, Title VI Plan, originally adopted May 26, 2011.

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## **1.0 Title VI Policy Statement and Authorities**

### **1.1 Policy Statement**

The Rapides Area Planning Commission assures that no person shall, on the grounds of race, color, national origin, income, gender, age, and disability, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (PL 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity.

More specifically, RAPC assures that efforts will be made to prevent discrimination through the impacts of its programs, policies, and activities on minority and low-income populations. Additionally, RAPC will take reasonable steps to provide meaningful access to services for persons with Limited English Proficiency.

RAPC's Title VI Coordinator is responsible for initiating and monitoring Title VI activities, preparing required reports, and other RAPC responsibilities as required by Title 23 Code of Federal Regulations (CFR) Part 200, and Title 49 CFR Part 21.

This statement of policy is acknowledged by the RAPC chairman in the letter of transmittal for this document from the Rapides Area Planning Commission to the Louisiana Department of Transportation and Development (DOTD). The first page of this document is the letter of transmittal.

### **1.2 Authorities**

Title VI of the Civil Rights Act of 1964 created a foundation for future environmental justice regulations. Since the establishment of Title VI, environmental justice has been considered in local, state and federal transportation project. Section 42.104 of Title VI and related statutes require Federal agencies to ensure that no person is excluded from participation in, denied the benefit of, or subjected to discrimination under any program or activity receiving Federal financial assistance on the basis of race, color, national origin, income, gender, age, and disability.

The National Environmental Policy Act of 1969 (NEPA) addresses both social and economic impacts of environmental justice. NEPA stressed the importance of providing for Americans safe, healthful, productive and aesthetically pleasing surroundings and provides a requirement for taking a systematic, interdisciplinary approach to aid in considering environmental and community factors in decision making.

The Civil Rights Restoration Act of 1987 further expanded Title VI to include programs and activities of Federal aid recipients, sub-recipients and contractors whether those programs and activities are federally funded or not.

On February 11, 1994, President Clinton signed Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.

This executive order directed Federal agencies to make Environmental Justice part of its mission by indentifying and addressing programs, policies and activities that affect human health or the environment so as to identify and avoid disproportionately high and adverse effects on minority populations and low-income populations.

Rather than being reactive, Federal, State, local and tribal agencies must be proactive when it comes to determining better methods to serve the public, who rely on transportation systems and services to increase their quality of life.

In April 1997, as a reinforcement to Executive Order 12898, The United States Department of Transportation (DOT) issued an Order on Environmental Justice (DOT Order 5610.2), which summarized and expanded upon the requirements of Executive Order 12898 to include policies, programs and other activities that are undertaken, funded or approved by the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA) or other U.S. DOT components.

In December 1997, the FHWA issued the FHWA Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (DOT Order 6640.23), which mandated the FHWA and its subsidiaries to implement the principles of Executive Order 12898 and U.S. DOT Order 5610.2 into of its programs, policies and activities.

On October 7, 1999, the FHWA and the FTA issued a memorandum Implementing Title VI Requirements in Metropolitan and Statewide Planning. This memorandum provides clarification for field offices on how to ensure that environmental justice is considered during current and future planning certification reviews. The intent of this memorandum was for planning officials to understand that environmental justice is equally important during the planning stages as it is during the projects development stages.

## **2.0 What is the Rapides Area Planning Commission?**

The Rapides Area Planning Commission is a regional organization providing land use planning, development, technical assistance, geographical information, and other planning services for member governments. RAPC offers building code enforcement through permits and inspections to all of Central Louisiana. RAPC also houses The Metropolitan Planning Organization which provides transportation planning for the urbanized area of Rapides Parish and Transit Planning for all the Kisatchie-Delta Planning and Development District.

Through its professional staff of planners, transportation modeling specialist, building officials, demographers and cartographers, RAPC provides services related to several inter-related program areas:

- 1) Communications & Public Participation
- 2) Transportation Planning & Programming of Roadways
- 3) Environmental Affairs-e.g. Floodplain Management
- 4) Land Use Planning

- 5) Building Code Enforcement
- 6) Consultant Contracts
- 7) Education and Training

## **2.1 What is the Alexandria/Pineville Metropolitan Planning Organization (MPO)?**

The Alexandria/Pineville Metropolitan Planning Organization (MPO) is the transportation planning agency for the Alexandria/Pineville Urbanized Area, the geography as defined by the US Census. The MPO consists of representatives from local governments and transportation authorities that form two committees: the Technical Advisory Committee-a group of technical experts that generate and review plans and projects; and the Transportation Policy Committee-a group of elected officials that govern the official actions for the MPO. The main function of the MPO is the oversight of short and long-range transportation plans, the coordination of federal, state and local transportation programs and projects, and the allocation of federal, state and local funds for transportation projects and programs.

In 1962, the United States Congress passed legislation that required the formation of an MPO for any Urbanized Area (UZA) with a population greater than 50,000. Congress created MPOs in order to ensure that existing and future expenditures of federal funds for transportation projects and programs are based on a continuing, cooperative and comprehensive planning process. The MPO process was further defined by the 1991 Intermodal Surface Transportation Efficiency Act (ISTEA), the 2005 Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), and the 2012 Moving Ahead for Progress in the 21<sup>st</sup> Century federal transportation legislation (MAP-21).

The purpose of the MPO is to ensure that federal transportation funds are coordinated in the metropolitan region-wide plans developed through inter-governmental collaboration, rational analysis and consensus-based decision making. Congress has identified the following reasons why MPOs are essential:

- Transportation investment means allocating scarce federal, state, local and other transportation funding resources appropriately;
- Planning needs to reflect the region's shared vision for its future;
- Adequate transportation planning requires a comprehensive examination of the region's future and investment alternatives; and
- An MPO is needed to facilitate collaboration of governments, interested parties and residents in the planning process.

There are four core functions of an MPO:

- Establish a Setting: Manage a fair and impartial setting for effective regional decision-making in the metropolitan area.



- Evaluate Alternatives: Evaluate transportation alternatives, scaled to the size and complexity of the region, to the nature of its transportation issues, and to the realistically available options.
- Maintain a Long-Range Transportation Plan (LRTP): Develop and update a fiscally-constrained long-range transportation plan for the metropolitan area covering a planning horizon of at least 20 years that fosters:
  - Mobility and access for people and goods,
  - Efficient system performance and preservation, and
  - Quality of life.
- Develop a Transportation Improvement Program (TIP): Develop a fiscally-constrained program based on the long-range transportation plan designed to serve the area's goals using spending, regulating, operating, management and financial tools.

The MPO provides the following services to implement public services in these three program areas:

- 1) Communications & Public Participation
- 2) Transportation Planning & Programming of Roadways
- 3) Environmental Affairs

In order to provide public services in these three program areas, RAPC, acting through the MPO, has a planning process that is heavily invested in public participation.

## **2.2 What is the Kisatchie-Delta Regional Code Compliance Office (KDRCCO)?**

Another key element of RAPC is the Kisatchie-Delta Regional Code Compliance Office, a code enforcement agency created in lieu of ACT 12, which created the Louisiana State Uniform Construction Code (LSUCCC). The KDRCCO employs professionally certified building officials and floodplain managers as well as GIS personnel and permit technicians to aid in the permitting and development of property and to ensure that construction of structures complies with the LSUCCC. This is done through permitting, plan/plat reviews, and inspections by RAPC staff.

## **3.0 Purpose of This Document**

The purpose of this document is to communicate RAPC's plan for addressing the Federal and state non-discrimination requirements under Title VI, Federal Executive Order 12898 and other related regulations and statutes. This document has a companion document of equal importance: the Alexandria/Pineville MPO's Public Participation Plan (PPP). These two documents, together, describe the RAPC's plan and approach for addressing the requirements of Title VI. Although they are separate topics, Environmental Justice

and Public Participation are closely intertwined issues and complement one another in ensuring fair and equitable distribution of transportation services and facilities.

Public participation is essential to the success of any public planning program or project. Without the involvement of local citizens, it is difficult to design a program that meets the needs of the public or to gauge the project's success. Effective public participation not only provides transportation officials with new ideas, but it also alerts them to potential environmental justice concerns during the planning stage of a project. Perhaps the most important element of public participation is to engender a sense of ownership among the people, especially among those who are often at the mercy of their surroundings.

### **3.1 Objectives**

1. Comply with the public involvement and environmental justice requirements of the Federal and State regulations.
2. 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.
3. Provide specific opportunities for local citizens and citizen-based organizations to discuss their views and provide input on the subject areas addressed in plans, projects or policies of RAPC.
4. Ensure full and fair participation by potentially affected communities in the transportation decision-making process.
5. Inform and educate citizens and other interested parties about ongoing RAPC planning activities and their potential role in those activities.

### **4.0 Organization and Staffing of the MPO, Acting as an Agency of RAPC**

The MPO, acting as an Agency of the RAPC, has a diverse staff reflective of the diverse community in its service area. The staff is responsible for transportation planning and coordination. The current staff is listed in Appendix J.

### **5.0 General Responsibilities of the Title VI Coordinator under Title VI**

The Title VI Coordinator works within RAPC in which compliance with Title VI guidelines is distributed within all departments. However, the Title VI coordinator shall act as a champion for removing obstacles both to the letter as well as to the spirit of Title VI. The coordinator shall advocate compliance and report on the status of that compliance both the executive director of RAPC and to the public. Additionally, the coordinator shall file reports requested by DOTD and FHWA.

## **5.1 General Title VI Program Responsibilities**

The Title VI Coordinator is responsible for ensuring these elements of the plan are appropriately implemented, and maintained:

### **5.1.1 Data collection**

Demographic data on race, age, color, national origin, income level, language spoken, disability, and sex of the region's population is to be collected and maintained by MPO, as an agency of the RAPC. This demographic data will be used to develop public outreach efforts and to conduct environmental justice analyses, as needed.

### **5.1.2 Annual Title VI Report**

An Annual Title VI Report is to be submitted by the end of October each year to DOTD's Compliance Programs Director, the Federal Highway Administration (FHWA), and the Federal Transit Authority (FTA). The document is to include:

- 1) Title VI complaint procedures (complaints will be submitted to/filed with DOTD; the MPO, acting as a division of RAPC, will not process complaints for RAPC.);
- 2) Record of Title VI investigations, complaints or lawsuits (investigations will be conducted by DOTD with the MPO in a supporting role as a division of the RAPC);
- 3) Plan to involve persons with Limited English Proficiency (LEP);
- 4) Title VI notice to the public; and
- 5) A summary of public outreach and involvement activities and a description of steps taken to ensure that minority and disadvantaged persons had meaningful access to these activities.

A DOTD questionnaire is sent to RAPC each May and is to be submitted each year as of June 15.

### **5.1.3 Annual Review of Title VI program**

Each year, in preparing for the Annual Title VI Report, the Title VI Coordinator will review RAPC's Title VI program to assure compliance with Title VI. In addition, the Coordinator will review agency operational guidelines and publications, including those

for contractors, to ensure that Title VI language and provisions are incorporated, as appropriate.

The Title VI Plan and associated Appendices will be revised every five years or as appropriate, as policies and procedures change.

#### **5.1.4 Dissemination of Information Related to the Title VI program**

Information on the agency's Title VI program is to be disseminated to RAPC employees, contractors, and beneficiaries, as well as to the public, as described in the Program Area Responsibilities section of this document, and in other languages when required.

#### **5.1.5 Assist DOTD with Resolution of Complaints**

Any individual may exercise his or her right to file a complaint about RAPC policies, plans or practices, if that person believes that s/he or any other program beneficiaries have been subjected to unequal treatment or discrimination, in their receipt of benefits/services or on the grounds of race, color, national origin, income, gender, age, and disability. RAPC will work diligently in a supportive role to DOTD's Title VI Compliance Team to resolve complaints using the DOTD's Complaint Processing Procedures. The Title VI complaint process and Title VI Discrimination Complaint Form are presented in Appendix H.

### **5.2 General Responsibilities of the Title VI Coordinator**

The Title VI Coordinator is responsible for advocating the required action in implementing, monitoring, and reporting on RAPC's compliance with Title VI regulations. In support of this, the Title VI Coordinator will:

- 1) Be a Title VI champion and advocate the identification, investigation, and elimination of discrimination when found to exist.
- 2) Investigate complainants with assistance from DOTD's Compliance team. The Coordinator will supply phone numbers and email addresses to complainants for contacting the proper DOTD authorities adhering to the timeframes in the complaint process.<sup>2</sup>
- 3) Meet with other RAPC and MPO staff, as needed, to train, monitor and discuss progress, implementation, and compliance issues.

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<sup>2</sup> A complaint must be filed no later than 180 days after the alleged discrimination.

- 4) Periodically review the agency's Title VI program to assess if administrative procedures are effective, staffing is appropriate, and adequate resources are available to ensure compliance.
- 5) Work with other RAPC staff to develop and submit the Annual Title VI Report to DOTD, FHWA, and FTA by the end of October each year and complete a DOTD Title VI questionnaire sent in May for completion as of June 15 of each year.
- 6) Contact consultants who are under contract to RAPC to report and inquire on the status of compliance with Title VI.
- 7) Identify the deficiency status and develop a remedial action plan if necessary when a consultant under contract to RAPC is found to not be in compliance with Title VI.
- 8) Review important Title VI-related issues with the advisory committees of the RAPC and the MPO policy board, as well as the Administration.
- 9) Assess communications and public involvement strategies to determine the participation of impacted Title VI protected groups and address additional language needs, as appropriate.
- 10) Identify and report on the status of communications and public participation efforts to comply with Title VI.

## **6.0 Program Area Responsibilities**

The Alexandria/Pineville MPO, as a division of RAPC, has the following program areas in which Title VI affects the delivery of public services as indexed by their major section numbers:

- 6.1 Communications & Public Participation
- 6.2 Transportation Planning & Programming of Roadways
- 6.3 Environmental Affairs
- 6.4 Consultant Contracts
- 6.5 Educational Services

### **6.1 Communications & Public Participation**

The goal of the RAPC's communications and public participation program is to ensure early and continuous public notification about, and participation in, major actions and decisions by the MPO. In seeking public comment and review, the MPO, as a division of RAPC, makes a concerted effort to reach segments of the population, including people from minority and low-income communities, and organizations representing these and other protected classes.

The MPO utilizes a broad range of public information and participation opportunities, including dissemination of proposals and alternatives, process for written comments, public meetings after effective notice, settings for open discussion, communication programs, information services, and consideration of and response to public comments.

### **6.1.1 Operational Guidelines**

The MPO, acting as a division of RAPC, has a Public Participation Plan and a Limited English Proficiency (LEP) Policy which guides the implementation of the Title VI Plan.

### **6.1.2 Principles of RAPC's Communications & Public Participation Program**

The principles of the RAPC's Communications & Public Participation Program can be stated as follows:

- 1) Equal access is an essential part of the public participation process.
- 2) No major public policy decision is reached or large project implemented without significantly affecting someone.
- 3) Professionals do not have a monopoly on good solutions.
- 4) Even if a project or policy decision is sensible and beneficial, it must be arrived at properly to be acceptable.
- 5) People are much more willing to live with a decision that affects different interests unequally if the decision-making process is open, objective, and considers viewpoints.
- 6) If project or policy staff doesn't provide relevant information necessary for an informed decision, the public will rely on and trust others.
- 7) Interacting with an official representative of an organization or group is no substitute for interacting directly with the members of organization, group, or neighborhood.
- 8) Effective public notification and participation takes time and effort, and can be expensive, yet is essential to sound decision-making.

### **6.1.3 Elements of RAPC's Communications & Public Participation Program**

This section deals with the following subsections:

6.1.3.1 Web Site

6.1.3.2 Civic Functions and Information Request

6.1.3.3 Opportunities for Public Comments

6.1.3.4 Strategies for Engaging Title VI Protected Groups

6.1.3.5 Limited English Proficiency and Language Distribution in central Louisiana

**6.1.3.1 Web Sites**

RAPC maintains a website<sup>3</sup>, which is updated frequently to keep the public informed. The site contains information on the agenda, membership and operation of committees. Additionally, the website has the following major sections:

- 1) Home-about RAPC and Public Notices
- 2) Permitting and Development
  - a. Permitting
  - b. Permit Reports
  - c. BCE Portal
  - d. Building Code Login
  - e. Inspection Videos
- 3) Subdivision Development
- 4) Mapping/Address/GIS
  - a. Online GIS
  - b. Addresses
  - c. Road Name Changes
  - d. Downloadable Maps
  - e. Annexation Ordinance
  - f. School Attendance Zones
- 5) Transportation
- 6) Agendas
- 7) Contact

The Title VI Plan and complaint procedures (via links to DOTD) will be posted upon approval of the plan by the DOTD and RAPC, and coded and uploaded by the internet staff to a central area on the MPO website. The central Title VI area on the MPO website will be the central location for the Title VI and ADA communications.

The user may also contact members of the staff on specific topics of interest either by phone or by email.

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<sup>3</sup> <http://www.rapc.info>

The notices to be posted on the website are found in Appendix C, Sections C.1.0 General Title VI Notice to the Public and C.2.0 Abbreviated Title VI Notice to the Public; and in Appendix D, Section D.5.0 Limited English Proficiency (LEP) Policy and Plan and the French and Spanish notices listed in Section D.9.0 Outreach Techniques.

### **6.1.3.2 Civic Functions and Information Request**

The RAPC staff regularly answers questions and responds to requests for information from citizens, businesses, and staff from cities, agencies, and organizations throughout the rural and urbanized regions.

RAPC accommodates persons of limited English proficiency (LEP). Appendix D contains RAPC's LEP Plan and Policy.

The RAPC board meetings, Subdivision Technical Advisory Review (STAR) Committee meetings, and all MPO meetings are open to the public. Time for citizen comments is reserved at meetings and announced by the meeting chair. Meeting dates and times are posted well in advance on the MPO's website and in frequent MPO emails to which any citizen may subscribe.

All meeting agendas will contain the following statement upon approval of the plan by DOTD and RAPC, and integrated in the clerical processes of the RAPC's staff.

*ADA Notice: For special accommodations for this meeting, contact RAPC ADA Coordinator via XXX-XXX-XXXX<sup>4</sup> at least 72 hours in advance.*

RAPC routinely provides opportunities for public comment, and continues to work to find new and innovative ways to solicit public comments and involve segments of the population within its region. Comments are accepted by phone, fax, email, US mail, Internet, and in person at any of their meetings. Additionally, the MPO, acting as a division of RAPC, organizes neighborhoods in the urban central core for discussion and advice on the implementation of the Metropolitan Transportation Plan. Moreover, the MPO, under the direction of RAPC, sends out direct mail to persons being directly and adversely affected by transportation projects and hold meetings with persons affected by corridor projects.

Civic functions such as public meetings, public hearings, workshops and forums are held as needed for large transportation projects affecting the public and are advertised via the local newspaper, the Alexandria Daily Town Talk, with press releases sent to multiple media outlets via fax and email.

The MPO holds public hearings during major updates to the region's adopted transportation plans and the adopted regional growth and transportation strategy. Minor plan updates takes place several times a year. Major plan updates occur less often. The

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<sup>4</sup> The notice will be updated with the current contact phone number from the ADA and Title VI Coordinator as listed in Appendix J of this document.



MPO Policy Committee reviews transportation projects based on the MPO advisory committees' comments. Public hearings are held when the MPO acts on MPO actions, both in the form of resolutions when policy and plans are approved and ordinances when funds are allocated for projects. At that time, the public often comments on plans, policies and allocation of funds.

### **6.1.3.3 Opportunities for Public Comments**

RAPC routinely offers three different ways for people to comment on activities, programs, and decisions made at the agency.

- 1) Comments are accepted via phone, fax, email, U.S. mail, and in person at any board or committee meeting. Contact information for staff is provided on the agency website and RAPC staff responds to comments received.
- 2) All RAPC and MPO board and committee meetings are open to the public. The staff attends and presents at over 50 meetings per year. The meeting dates are posted well in advance on the agency's web site in compliance with state law requirements and in the MPO's frequent emails. Time for citizen comments is included on meeting agendas, and the meeting chair requests citizen comments at least once in every meeting. No advance notice is required to speak during the citizen comment period at any of the meetings. Public comments and responses made during these times are kept on record in the official meeting summaries. The MPO maintains a mailing list; anyone can request to be added to the mailing list. The RAPC and MPO uses voluntary Attendance/Sign-in Forms at agency meetings open to the public.
- 3) Formal public comment and review periods are used to solicit comments on major planning and programming activities, for example, major amendments to the Transportation Improvement Program (TIP), changes to important RAPC/MPO policies (such as the Public Participation Plan), and major updates to the Metropolitan Transportation Plan (MTP). The comment period is included in the RAPC/MPO public notices of the proposed meeting agenda and on the website. Comments can be made in person at any RAPC and MPO meeting, using a comment form on the agency's website, by email, by US mail, fax, or telephone. RAPC responds to comments received, and forwards comments to other agencies for a response as appropriate. Comments continue to be accepted until the close of the comment period, which is generally no less than two weeks prior to the item's schedule for action. Comments and responses received throughout the comment period are reviewed and considered, prior to action.

### **6.1.3.4 Strategies for Engaging Title VI Protected Groups**

RAPC uses postal and electronic mailing lists to disseminate information and give notice for public comment opportunities. Title VI groups are added to the agency's postal and electronic mailing lists as they are identified. Both mailing lists include community groups that represent Title VI protected groups throughout the region.

RAPC also issues press statements through ongoing relationships with the press who publish weekly and daily newspapers, read by Title VI protected groups.

As described in the next section, RAPC routinely assesses the need for providing information in languages other than English. The RAPC also evaluates the effectiveness of communications and public participation efforts and makes appropriate adjustments to its communication strategy.

#### **6.1.3.5 Limited English Proficiency and Language Distribution in Rapides Parish**

According to the Dept of Justice guidance, the MPO should consider providing materials in a different language if over 5% of the affected population speaks that language at home or 1,000 speakers of languages other than English exist. The next three tables contain a discussion of the absolute number of speakers and percentage of speakers other than English. The implication of these statistics is a statement of policies outlined in Appendix D, Subsection 5.0 which can be summarized as translators will be provided for French and Spanish speakers, who request those services.

The policy as defined in this document is to provide translators for monolingual speakers of languages other than English when needed. Spanish, French, and American Sign Language (ASL) can be requested if notice is given by the speaker or by an interested party within 24 hours of a request for public services or before a public meeting. For languages other than French, Spanish, and ASL, services should be requested three full days before a public meeting so that a translator in that community can be identified and their competence evaluated.

These policies and the statistical distribution of speakers of languages within Rapides Parish is based on an analysis of speakers in Louisiana of languages other than English and their absolute numbers as summarized in the three tables below based on upon 2008 Census Bureau figures for spoken language, 1995 Census Bureau figures for American Sign Language, and the 2000 Census figures by census blocks.

According to the Dept of Justice guidance, the RAPC should consider providing materials in a different language if over 5% of the affected population speaks that language at home.

As can be seen, a large number of speakers in Louisiana speak French and related dialects, of which 17.42 percent are monolingual speakers.

Language	Number of Speakers	Percent of Monolingual Speakers
French- Louisiana and Standard	144,358	17.42
Spanish	117,240	43.06
Vietnamese	22,995	56.52
Deaf <sup>5</sup>	15,590	52.00
Arabic	6,935	32.83
Chinese	6,247	56.55

The next table compares the number of Spanish speakers by age to other groups of languages including Indio-European, Asian, and other languages in Rapides parish. The parish only contains 1.49% Spanish-speaking and 0.7% Non-English speakers from Asia or the Pacific Islands. However, Rapides Parish does have a large population of speakers of other Indo-European languages to 2.63%. The largest proportion of these speakers are speakers of French and its Louisiana variations of Cajun, Creole, and Patois, taken together who comprise 1.9% of the total population as shown on Table 6.1.3.5-C.

Other Languages Spoken	Age	Speak Other Language; Speak English very well	Speak Other Language; Speak English well	Speak Other Language; Speak English not well	Speak Other Language; Speak English not at	Total Speak A Listed Language	Speak Only English in Age Group	Percent total
Spanish	5 to 17	296	77	64	5	491	24,559	1.99
Spanish	18 to 64	644	245	113	89	1091	71,819	1.51
Spanish	65 Plus	115	6	7	5	133	15,426	0.86
<b>Subtotal Spanish</b>		<b>1055</b>	<b>328</b>	<b>184</b>	<b>99</b>	<b>1666</b>	<b>111,804</b>	<b>1.49</b>
Other European Languages	5 to 17	287	59	14	0	360	24,559	1.46
Other European Languages	18 to 64	1,334	240	148	15	1,737	71,819	2.41
Other European Languages	65 Plus	562	189	87	6	844	15,426	5.47
<b>Subtotal Other European Languages</b>		<b>2,183</b>	<b>488</b>	<b>249</b>	<b>21</b>	<b>2,941</b>	<b>111,804</b>	<b>2.63</b>
Asian Languages	5 to 17	89	86	22	0	197	24,559	0.8
Asian Languages	18 to 64	261	168	122	8	559	71,819	0.77
Asian Languages	65 Plus	0	21	12	0	33	15,426	0.21
<b>Subtotal Asian Lang.</b>		<b>350</b>	<b>275</b>	<b>156</b>	<b>8</b>	<b>789</b>	<b>111,804</b>	<b>0.7</b>
All Other Languages	5 to 17	52	0	0	0	52	24,559	0.21
All Other Languages	18 to 64	169	41	16	0	226	71,819	0.31

<sup>5</sup> Estimates based on a study in 1995. See [http://library.gallaudet.edu/Library/Deaf\\_Research\\_Help/Frequently\\_Asked\\_Questions\\_\(FAQs\)/Statistics\\_on\\_Deafness/Deaf\\_Population\\_of\\_Individual\\_States\\_Territories\\_and\\_Localities.html](http://library.gallaudet.edu/Library/Deaf_Research_Help/Frequently_Asked_Questions_(FAQs)/Statistics_on_Deafness/Deaf_Population_of_Individual_States_Territories_and_Localities.html)

All Other Languages	65 Plus	0	0	21	16	37	15,426	2.3
<b>Subtotal Other Lang.</b>		<b>221</b>	<b>41</b>	<b>37</b>	<b>16</b>	<b>315</b>	<b>111,804</b>	<b>0.3</b>
		3,809	1,132	626	144	5,711	111,804	0.05

Table 6.1.3.5–C shows the number of speakers of languages in Rapides Parish between the over the age of 5 years old. The distribution shows that in, terms of absolute number, French and Spanish are spoken by more than 1,000 persons.

<b>Table 6.1.3.5 –C</b> <b>Rapides Area Planning Commission</b> <b>Rank Order List of the Most Frequent Languages Spoken in Rapides Parish ages 5 and up, Census 2000</b>		
<b>Language</b>	<b>Number of speakers</b>	<b>Percent Total (%)</b>
English only	111,804	95.1
French & Related Louisiana Dialects	2,195	1.9
Spanish	1,666	1.4
Arabic	293	0.2
Vietnamese	240	0.2
German	236	0.2
Tagalog	131	0.1
<b>Total</b>	<b>116,565</b>	<b>99.2</b>

Further discussion of language is found in Section Appendix D - Policy and Plan for Limited English Proficiency (LEP).

#### **6.1.4 Responsibilities of the Title VI Coordinator for Public Communications**

The Responsibilities of the Title VI Coordinator for Public Communications are:

- 1) Be a Title VI champion and advocate the development and distribution of information on Title VI and agency programs to the general public.
- 2) Provide information in languages other than English, as needed.
- 3) Disseminate information to minority media and ethnic/gender related organizations, to help ensure social, economic, and ethnic interest groups in the region are represented in the planning process.
- 4) Include the abbreviated Title VI Notice to the Public (see Appendix C) in press releases and on the website which includes a meeting schedule.

- 5) Notify affected, protected groups of public hearings regarding proposed actions, and make the hearings accessible to residents. This includes the use of interpreters when requested, or when a strong need for their use has been identified.

## **6.2 Transportation Planning & Programming of Roadways**

The MPO, acting as a division of RAPC, is responsible for developing long- and short-range transportation plans to provide efficient transportation services to the region. A comprehensive transportation planning process is used, which entails the monitoring and collection of data related to transportation issues. The MPO coordinates with DOTD for the residents of the Rapides Parish, and transportation providers, seeking public participation, and providing technical support when needed.

### **6.2.1 Key Planning and Programming Activities**

The MPO is mandated by state and federal law to maintain the region's transportation plans. The Transportation Improvement Program (TIP) is a four-year program of federally funded projects in the region and is maintained by the MPO. In addition the Metropolitan Transportation Plan (MTP), a 25 year plan of projects needed in the metro area, and the Transportation Planning Model are maintained by the MPO.

Moreover MPO, acting as a division of RAPC, conducts and supports numerous state and federal planning, compliance, and certification programs, which enable parishes, cities, transit agencies, and DOTD to obtain state and federal funding.

### **6.2.2 Major Programs**

RAPC has seven major programs.

#### **6.2.2.1 Transportation Improvement Program (TIP)**

The MPO maintains a TIP that incorporates projects using federal funds, including funds managed by MPO and the state and regionally significant projects, regardless of funding source; conduct ongoing analyses related to plan consistency and financing; and provide training and assistance to agencies in the region. Most of these projects are located in Rapides Parish and the majority of these are located within the governmental service area of RAPC.

#### **6.2.2.2 Travel Demand Management**

The MPO, acting as a division of RAPC, develops and implements the Travel Demand Management Program annually. TDM will probably be required by federal transportation law to monitor existing transportation system performance problems and identify

potential solutions to guide decisions on use of federal transportation funds. 2011 is the pilot year for Rapides Travel Demand Management.

### **6.2.2.3 Policy, Plan, and Project Review**

The MPO, acting as a division of the RAPC, ensures that local, regional, and state planning efforts are compatible and mutually reinforcing, and work with local governments, particularly RAPC and its divisions seeking parish-wide growth management planning groups in the unincorporated areas, and state agencies in the review of policies, plans, and projects for consistency with state and regional planning goals.

### **6.2.2.4 Technical Services and Regional System Data**

The MPO, acting as a division of RAPC, provides demographic, economic, travel, and geographic data to member jurisdictions, other agencies, businesses, and the public; assist in planning activities of member jurisdictions; collect, analyze, maintain, and improve data; and identify, monitor, and forecast trends. The demographic, economic, and transportation network are modeled to provide prediction on the size and need of future roadways.

### **6.2.2.5 Communications and Information Services**

The MPO, acting as a division of RAPC, develops and provides information materials on agency activities and services, assist agency staff in reaching out to, involving, and meeting the needs of other agencies, businesses, community organizations, and the public.

### **6.2.2.6 Safety Planning**

The MPO, acting as a division of RAPC, provides significant safety planning for the MPO service area in the form of building relationships with stakeholders who administer programmatic functions to reduce fatalities and crashes.

### **6.2.2.7 Grant Management Services**

The MPO provides grant management services for the funding of activities listed in this section. RAPC, DOTD, and local governments provide matching funds for the MPO activities (e.g. TIP projects).

### **6.2.3 Title VI Coordinator's Responsibilities for Transportation Planning**

The Title VI Coordinator is responsible for evaluating and monitoring compliance with Title VI requirements in aspects of the agency's planning process. In addition, the Coordinator seeks to:

- 1) Be a Title VI champion and advocate the identification of Title VI issues involved in the planning and programming process.
- 2) Report on the status Title VI issues involved in the planning and programming process.
- 3) Prepare and update a demographic profile of the region using the current and appropriate statistical information available on race, income, and other pertinent data.<sup>6</sup>
- 4) Develop a process for assessing the distributional effects of transportation investments in the region as part of actions on plan and programming documents.

### **6.3 Environmental Affairs**

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

When the MPO, acting as a division of RAPC, adopts new planning documents, or substantively amends existing documents, the agency is required to comply with federal environmental justice requirements. When this occurs, a systematic process is used to study and evaluate necessary environmental aspects of the proposed action(s). Depending on the scope, complexity, and impacts of the project, the agency's Title VI Coordinator oversees the process, and ensures federal and state requirements are met, and that the public has been involved as appropriate.<sup>7</sup>

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<sup>6</sup> The coordinator makes the document available to the public and member agencies on MPO's website and in the Information Center. Appendix A contains an abbreviated Environmental Justice demographic profile for the region.

<sup>7</sup> The reader should refer to Section 6.1. for a description of how interaction with the public is handled in regards to this Environmental affairs and within the MPO in general.

### **6.3.1 Title VI Coordinator's Responsibilities for Environmental Affairs**

The Title VI Coordinator is responsible for Title VI environmental justice compliance in aspects of work that triggers environmental review requirements. The Coordinator seeks to:

- 1) Be a Title VI champion and advocate the identification and report on the status of Title VI issues involved in the environmental planning process.
- 2) Participate in the drafting of Title VI environmental justice compliance of Environmental Impact Statements (EIS) and Environmental Assessments (EA) prepared by MPO, MPO Consultants, and/or RAPC consultants.
- 3) Participate in the analysis of transportation projects regarding the population affected by the action.
- 4) Participate in the analysis of transportation projects regarding the impacts on protected Title VI groups, and determine if there will be a disproportionately high and adverse impact on these groups.
- 5) Disseminate information to the public in accordance with agency public participation procedures. This includes the use of public comment periods and public hearings, interpreters, and materials in other languages, as needed.

### **6.4 Consultant Contracts**

RAPC is responsible for selection, negotiation, and administration of its consultant contracts. RAPC operates under its internal contract procedures and relevant federal and state laws.

#### **6.4.1 Contract Procedures**

The RAPC seeks to follow the following procedures:

- 1) Title VI text is included in RAPC Requests for Proposals (RFP) and contracts.
- 2) The Disadvantaged Business Enterprises (DBE) Program is referenced in contract documents.
- 3) RAPC includes DBE text in RFPs and contracts with consultants and as part of this plan, RAPC proposes to document its DBE program on the RAPC website.<sup>8</sup>
- 4) RAPC provides links to DOTD's list of certified DBEs on its website.

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<sup>8</sup> <http://www.rapc.info>



#### **6.4.2 Title VI Coordinator's Responsibilities**

The Title VI Coordinator is responsible for evaluating and monitoring compliance with Title VI requirements in aspects of the agency's consultant contracts process. The Coordinator facilitates the inclusion of Title VI language in contracts and Requests for Proposals (RFP) so as to:

- 1) Be a Title VI champion and advocate compliance with Title VI guidelines and collaborate with the agencies and individuals responsible for the inclusion of the appropriate text in Appendix B and F in agency contracts.
- 2) Notify contractors that the text in Appendix B and F should be included in subcontracts.
- 3) Advocate and report on the status of the inclusion of the Title VI Notice to the public is included in RAPC's RFPs.
- 4) Advocate and report on the status of the inclusion of the abbreviated Title VI Notice to the Public in published announcements of RAPC's RFPs (such as those published in newspapers).
- 5) Advocate and report on the status of the inclusion text in the Title VI Assurances (Appendix B) is included in RAPC's RFPs.
- 6) Work with the Rapides Area Planning Commission Purchasing Department so that the Disadvantaged Business Enterprise (DBE) Program continues to:
  - a) Monitor, update, and maintain the agency's DBE Program.
  - b) Submit annual reports on DBE activities in the Title VI Annual Report.
  - c) Advocate and collaborate with the administrators of the DBE program to modify the program, as appropriate to comply with Title VI guidelines.
  - d) Review and evaluate DBE participation annually, and continue efforts to create a level playing field for DBE and non-DBE consultants.

##### **6.4.2.1 Remedial Action Related to Consultant Reviews**

The RAPC actively pursues the prevention of Title VI deficiencies and violations and takes the necessary steps to ensure compliance with this Title VI program, both within RAPC and with RAPC's contractors. In conducting reviews of sub recipients, if a sub recipient is found to not be compliance with Title VI, the Title VI coordinator will work with the sub recipient to resolve the identified issues.

If the issues cannot be resolved, RAPC will issue a notification of deficiency status and remedial action for the sub recipient, as agreed upon by the RAPC and DOTD, within a period not to exceed 90 calendar days. RAPC will seek the cooperation of the sub recipient in correcting deficiencies, and will provide the technical assistance and guidance needed for the sub recipient to comply voluntarily. Sub recipients placed in a deficiency status will be given a reasonable time, not to exceed 90 calendar days after receipt of the deficiency letter and remedial action, to voluntarily correct deficiencies. If a sub recipient fails or refuses to voluntarily comply with requirements within the allotted time frame, RAPC will submit to DOTD, FHWA, and FTA two copies of the case file and a recommendation that the sub recipient be found in noncompliance.

A follow-up review will be conducted within 180 days of the initial review to ensure the sub recipient has complied with the Title VI Program requirements in correcting deficiencies previously identified. If the sub recipient refuses to comply, RAPC may, with DOTD's, FHWA's, and FTA's concurrence, initiate sanctions per 49 CFR 21.<sup>9</sup>

## **6.5 Education & Training**

Minorities, women, individuals with a disability, and other individuals protected by Title VI and federal and state anti-discrimination laws are provided with equal opportunity and fair treatment in employment-related decisions, including opportunities for education and training. See Appendix I for examples.

### **6.5.1 Employees Encouraged to Participate in Training**

RAPC employees are encouraged to participate in professional development and training. Materials received by the agency on training and education opportunities are made available to employees, which includes information on federally funded training, such as courses provided by the National Highway Institute (NHI), the National Transit Institute (NTI), the American Planning Institute of Certified Planner (AICP), the American Planning Association (APA), the American Institute of Architects (AIA), and the American Society of Civil Engineers (ASCE), the Department of Transportation and Development (DOTD), and the Federal Highway Administration (FHWA). In addition, the MPO and RAPC provide opportunity and training with in house power users and third part developers for training in the use of software such as ARC Map, and TransCAD. Moreover, the staff participates in a series of conversations sponsored by these professional associations so as to increase their professional development.

### **6.5.2 Title VI Coordinator's Responsibilities**

The Title VI Coordinator is responsible for evaluating and monitoring compliance with Title VI requirements in aspects of the education and training program. DOTD will

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<sup>9</sup> Part 21 -- Nondiscrimination In Federally-Assisted Programs of The Department of Transportation -- Effectuation of Title Vi of The Civil Rights Act Of 1964 as posted on the website: <http://www.fhwa.dot.gov/hep/49cfr21.htm> as of the date of this plan.

provide information on training opportunities open to RAPC staff and sub recipients, including information on training. The Coordinator seeks to:

- 1) Assist DOTD in the distribution of information to RAPC staff on training programs regarding Title VI and related statutes.
- 2) Advocate equal access and participation of RAPC employees and interested public participant in the planning process in courses sponsored by the National Highway Institute (NHI), National Transportation Institute (NTI), American Planning Association (APA), ethics courses sponsored by the Louisiana Chapter of the APA, and American Institute of Certified Planners (AICP).

## **7.0 Questions**

For questions on RAPC's Title VI Plan, the LEP Plan or any related policies and procedures, please contact RAPC's Title VI and ADA Coordinator using the contact information listed in Appendix J of this document.

For information on RAPC's work program or publications, including reports, data forecasting, maps, or other information available for use, contact RAPC using the contact information listed in Appendix J of this document.

For information on any of the above, including current public comment periods and meetings open to the public, visit the following RAPC website:

The general website of Rapides Area Planning Commission (RAPC)  
<http://www.rapc.info>

**A.0.0 INDEX TO APPENDICES**

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Appendix B - Title VI Assurances

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## **APPENDIX A - TITLE VI METHODOLOGY FOR IDENTIFICATION OF TARGET POPULATIONS & SPATIAL CONCENTRATIONS OF TARGETED POPULATIONS**

### **A.1.0 Introduction**

The geographic basis for Title VI analysis is based on the latest U.S. Census data. For purposes of Title VI analysis, it is desirable to make the analysis on the smallest geographic unit available for which information is obtainable for relevant groups. Census data is available at different levels, including political jurisdictions, urban area, place, census tract, block group and block. The Census Bureau does not calculate its data on each of these areas. The smallest geographic area that the Census Bureau calculates the appropriate information on each relevant group is the block group level. Therefore, the block group was chosen to analyze Title VI issues. RAPC further displays U.S. Census data by Traffic Analysis Zone (TAZ) for planning purposes.

RAPC identifies seven relevant groups for Title VI analysis as described below.

- 1) Low-income;
- 2) Federal Assistance Recipients;
- 3) Minority;
- 4) Elderly;
- 5) Limited English Proficiency (LEP) or English spoken as a second language;
- 6) Disabled populations; and
- 7) Zero car households.

Following the identifications of the relevant groups for analysis, the next step undertaken is to identify the general distribution of each Title VI population group throughout the Parish and then define where each group is most concentrated.

### **A.2.0 Target Groups**

For the purposes of mapping, the following definitions are used:

**Low Income** – a person whose household income (or in the case of a community or group, whose median household income) is at or below the U.S. Department of Health and Human Services poverty guidelines. Persons living in group quarters are not included within this category.<sup>10</sup>

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<sup>10</sup> The national poverty guidelines are issued annually by the Department of Health and Human Services. <http://aspe.hhs.gov/poverty/poverty.shtml>. National poverty guidelines vary based on family size and increases each year due to the Consumer Price Index. <http://www.bls.gov/new.release/cip.toc.htm>. The Consumer Price Index is a measure of the average change over time in the prices paid by urban consumers for a market basket of consumer goods and services.

**Federal Assistance Recipients** – People who receive grants or federal funds. The assistance might be in the form of public housing, food stamps, support services or persons receiving Temporary Assistance for Needy Families (TANF) funds.

**Minority Populations** – Persons considered being minorities are identified in the census as people of African, Hispanic, Asian, American Indian or Alaskan Native origin (U.S. Census, STF301/Tb1008 and Tb1011; 1990). Executive Order 12898 and the DOT and FHWA Orders on Environmental Justice consider minority persons as persons to any of the following groups:

**Black** - Persons having origins in any of the black racial groups of Africa.

**Hispanic** - Persons of Mexican, Puerto Rican, Cuban Central or South American or other Spanish culture or origin, regardless of race.

**Asian American** - Persons having origins in the Far East, Southeast Asia or the Indian subcontinent.

**American Indian and Alaskan Native** – Person having origins in North America and who maintains cultural identification through tribal affiliation or community recognition.

**Elderly** – Persons over the age of 65.

**Limited English Proficiency (LEP)** – Households with a primary or home language other than English.<sup>11</sup>

**People with Disabilities** – Persons who have mobility and/or self-care limitations as defined by the Census.<sup>12</sup>

**Zero car households** – Households without cars or access to one.

### **A.3.0 Monitoring**

One technique used to minimize the potential adverse effects on affected populations is to identify and then create demographic profile maps of low-income and minority populations for the MPO area. These maps aid planners in understanding which communities are prone to environmental justice infractions. Once planners have an understanding where communities are located, future transportation plans and projects can include these communities in the planning process.

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<sup>11</sup> This is an indirect measure of group of persons whose ability to read, write and speak English and compute and solve problems has not reached levels of proficiency necessary to function on the job and in society, to achieve one's goals and develop one's knowledge and potential.

<sup>12</sup> The disability may be physical or mental (people with a health condition that lasts six or more months that make it difficult to go outside the home alone or difficult to take care of their own person needs). The geographic unit of analysis may not be census blocks due to data collection procedures used by the Census Bureau. See <http://www.census.gov/hhes/www/disability/microdata.html>

Planning studies outlined in the Unified Planning Work Program (UPWP) can utilize these maps and focus on the equitable distribution of transportation benefits and potentially adverse impacts caused by future projects. In addition to the benefits, such as added capacity, safety and mobility of a roadway along new rights-of-ways can often negatively impact certain populations because of increased noise, air pollution and reduced safety. Also, new road projects have a potential to split or isolate neighborhoods in whole or in part. Road projects along existing rights-of-ways are primarily reconstruction projects and not capacity expansions. Such projects do not tend to greatly increase noise or pollution, but do add safety to the facility and may feature enhanced passenger and freight transportation.

These same demographic profile maps can also be used to verify past compliance with Title VI. Identifying prior MPO and RAPC projects and mapping them against demographic profile maps will let the MPO and RAPC know if fair and equitable distribution of services, facilities and resources within the MPO planning area has been met.

## **Appendix B - Assurances**

### **B.1-0 Title VI Assurances**

The Rapides Area Planning Commission (RAPC) (hereinafter referred to as the Recipient), HEREBY AGREES THAT as a condition to receiving any federal financial assistance from the U.S. Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d—42 USC 2000d—4 (hereinafter referred to as the Act), and requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations), and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, national origin, income, gender, age, and disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives federal financial assistance from the Department of Transportation, including the Federal Highway Administration, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This Assurance is required by Subsection 21.7(a)(1) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances to its Federal Aid Highway Program:

1. That the Recipient agrees that each program and each facility, as defined in Subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a program) conducted or will be (with regard to a facility) operated in compliance with requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in solicitations for bids for work or material subject to the Regulations made in connection with the Federal Aid Highway Program, and in adapted form in proposals for negotiated agreements:  
Rapides Area Planning Commission in accordance with Title VI of the Civil Rights Act of 1964 and 78 Stat. 252, 42 USC 2000d—42 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21: Nondiscrimination in Federally Assisted Programs of the Department of Transportation Issued Pursuant to Such Act, hereby notifies bidders that it will affirmatively ensure that any contract entered pursuant to this advertisement will afford minority business enterprises full opportunity to submit bids in response to this invitation, and will not discriminate on the grounds of race, color, national origin, income, gender, age, and disability in consideration for an award.
3. That the Recipient shall insert the clauses of Part 1 of this Assurance in every contract subject to the Act and the Regulations.



4. That the Recipient shall insert the clauses of Part 2 of this Assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where the Recipient receives federal financial assistance to construct a facility, or part of a facility, the Assurance shall extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient received federal financial assistance in the form, or for the acquisition of real property, or an interest in real property, the Assurance shall extend rights to space on, over, or under such property.
7. That the Recipient shall include the appropriate clauses set forth in Part 3 of this Assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements acquired or improved under the Federal Aid Highway Program; and (b) for the construction or use of, or access to space on, over, or under, real property acquired or improved under the Federal Aid Highway Program.
8. That this Assurance obligates the Recipient for the period during which federal financial assistance is extended to the program, 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 shall provide for such methods of administration for the program, as are found by the State Secretary of Transportation or the official to whom s/he delegates specific authority, to give reasonable guarantee that it, other recipients, sub grantees, contractors, subcontractors, transferees, successors in interest, and other participants of federal financial assistance under such program will comply with requirements imposed or pursuant to the Act, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial endorsement with regard to any matter arising under the Act, the Regulations, and this Assurance. THIS ASSURANCE is given in consideration of, and for the purpose of obtaining, any and federal grants, loans, contracts, property, discounts, or other federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under the Federal Aid Highway Program and is binding on it, other recipients, sub grantees, contractors, subcontractors, transferees, successors in interest, and other participants in the Federal Aid Highway Program. The person or persons whose signatures appear below are authorized to sign this Assurance on behalf of the Recipient.

This statement of policy is acknowledged by the RAPC Chairman in the letter of transmittal for this document from the Rapides Area Planning Commission to the Louisiana Department of Transportation and Development (DOTD). The first page of this document is the letter of transmittal.

## **B.2.0 Title VI Required Language**

### **B.2.1 Part 1 – Contractual Provisions**

The text below, in its entirety, is to be included in contracts entered into by RAPC. The final section, entitled “Incorporation of Provisions,” should be included in contracts entered into by RAPC consultants.

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the Contractor), agree as follows:

#### **1. Compliance with Regulations**

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

#### **2. Nondiscrimination**

The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, national origin, income, gender, age, and disability, in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

#### **3. Solicitations for Subcontracts, Including Procurement of Materials and Equipment**

In solicitations either by competitive bidding or negotiations made by the Contractor for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the Contractor of the Contractor’s obligations under this contract and the Regulations relative to nondiscrimination on the ground of race, color, national origin, income, gender, age, and disability,.

#### **4. Information and Reports**

The Contractor shall provide information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information and its facilities as may be determined by the Rapides Area Planning Commission (RAPC) or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations, orders, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the Contractor shall so certify to RAPC, or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.

#### 5. Sanctions for Noncompliance

In the event of the Contractor's noncompliance with the nondiscrimination provisions of this contract, the Rapides Area Planning Commission (RAPC) shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

Withholding of payments to the Contractor under the contract until the Contractor complies; and/or

Cancellation, termination, or suspension of the contract, in whole or in part.

#### 6. Incorporation of Provisions

The Contractor shall include the provisions of paragraphs (1) through (5) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The Contractor shall take such action with respect to any subcontractor or procurement as Rapides Area Planning Commission (RAPC) or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event a Contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Contractor may request the Rapides Area Planning Commission (RAPC) enter into such litigation to protect the interests of the state and, in addition, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

#### **B.2.2 Part 2 - Deeds**

The following clauses shall be included in any and deeds affecting or recording the transfer of real property, structures, or improvements thereon, or interest therein from the United States.

#### **B.2.2.1 Granting Clause**

NOW, THEREFORE, the Rapides Area Planning Commission (RAPC) —as authorized by law, and upon the condition that the state of Louisiana will accept title to the lands and maintain the project constructed thereon, in accordance with and in compliance with Title 23, United States Code, the Regulations for the Administration of Federal Aid for Highways; the policies and procedures prescribed by the Federal Highway Administration of the Department of Transportation; and requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252: 42 USC 2000d to 2000d-4)—does hereby remise, release, quitclaim, and convey unto the state of Louisiana the right, title, and interest of RAPC in and to said land described in Exhibit A attached hereto and made a part thereof.

#### **B.2.2.2 Habendum Clause**

TO HAVE AND TO HOLD said lands and interests therein unto the state of Louisiana 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 the federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on the state of Louisiana, its successors, and assigns.

The state of Louisiana, 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 shall, on the grounds of race, color, national origin, income, gender, age, and disability, 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, (2) that the state of Louisiana shall use the lands, and interests in lands so conveyed, in compliance with requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination of Federally Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended, (3) that in the event of breach of any of the above mentioned nondiscrimination conditions, the agency shall have a right to reenter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in, and become the absolute property of, RAPC and its assigns as such interest existed prior to this instruction.

#### **B.2.3 Part 3 - Leases**

The following clauses shall be included in deeds, licenses, leases, permits, or similar instruments entered into by RAPC pursuant to the regulations cited in this document.

The LESSEE, for himself or herself, his or her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land, that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this lease, for a purpose for which a RAPC program or activity is extended, or for another purpose involving the provision of similar services or benefits, the LESSEE shall maintain and operate such facilities and services in compliance with other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964, as said Regulations may be amended.

That in the event of breach of any of the above nondiscrimination covenants, the STATE shall have the right to terminate the lease, and to reenter and repossess said land and the facilities thereon, and hold the same as if said lease had never been made or issued.

The following shall be included in deeds, licenses, leases, permits, or similar agreements entered into by RAPC pursuant to the regulations cited in this document.

The LESSEE, for himself or herself, his or her personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant, and agree as a covenant running with the land, that (1) no person, on the grounds of race, color, national origin, income, gender, age, and disability, shall be excluded from participation in, be 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 furnishing of services thereon, no person on the grounds of race, color, national origin, income, gender, age, and disability, shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the LESSEE shall use the premises in compliance with requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

That in the event of breach of any of the above nondiscrimination covenants, the STATE shall have the right to terminate the lease and to reenter and repossess said land and the facilities thereon, and hold the same as if said lease had never been made or issued.

## **APPENDIX C -- TITLE VI PUBLIC NOTICE**

The paragraph below will be inserted in significant publications that are distributed to the public, such as future versions and updates of the MPO's transportation plans and RAPC's comprehensive plans.

The version below is the preferred text, but where space is limited or in publications where cost is an issue, the abbreviated version can be used in its place.

### **C.1.0 General Title VI Notice to the Public**

Title VI Notice: Rapides Area Planning Commission (RAPC) and its operating agencies including the Metropolitan Planning Organization (MPO) and Kisatchie-Delta Regional Code Compliance Office (KDRCCO) fully comply with Title VI of the Civil Rights Act of 1964 and related statutes, executive orders, and regulations in programs and activities. RAPC operates without regard to race, color, national origin, income, gender, age, and disability. Any person who believes him/herself or any specific class of persons, to be subjected to discrimination prohibited by Title VI may by him/herself or by representative file a written complaint with the Louisiana Department of Transportation and Development (DOTD). DOTD's Title VI Program Manager may be reached via phone at XXX-XXX-XXX.<sup>13</sup> A complaint must be filed no later than 180 days after the date of the alleged discrimination.

Rapides Area Planning Commission (RAPC) and its operating agencies hold meetings, which are conducted in accessible locations and materials can be provided in accessible formats and in languages other than English. If you would like accessibility or language accommodation, please contact the Title VI Coordinator XXX-XXX-XXXX (voice), YYY-YYY-YYYY (fax).<sup>14</sup> If you wish to attend a RAPC or MPO function and require special accommodations, please give RAPC at least 72 hours notice in advance.

### **C.2.0 Abbreviated Title VI Notice to the Public**

The following shortened version of the above paragraph can be used in publications where space or cost is an issue as in classified newspaper announcements.

The Rapides Area Planning Commission (RAPC) and its operating agencies fully comply with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in programs and activities. For more information, or to obtain a Title VI Complaint Form, see <http://www.rapc.info> or call our Title VI Coordinator at XXX-XXX-XXXX.<sup>15</sup>

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<sup>13</sup> In publications with this statement, the DOTD Title VI Compliance Manager's contact information will be listed as discussed in Appendix H of this document.

<sup>14</sup> In publications with this statement, the ADA and Title VI Coordinator's contact information will be listed as discussed in Appendix J of this document.

<sup>15</sup> In publications with this statement, the ADA and Title VI Coordinator's contact information will be listed as discussed in Appendix J of this document.

## **APPENDIX D -- POLICY AND PLAN FOR ENGAGING INDIVIDUALS WITH LIMITED ENGLISH PROFICIENCY (LEP)**

### **D.1.0 Limited English Proficiency Policy**

The Rapides Area Planning Commission's policy for engaging individuals with limited English proficiency is to provide translation services to certain persons who request them, if reasonable accommodation can be made.

Linguistic data of populations residing in Rapides Parish is discussed in Section 6.1.3.5 Limited English Proficiency and Language Distribution in Rapides Parish. The reader is directed to the tables in that section which show the number and percentages of individuals speaking languages other than English. The tables are discussed in the following sections. Additionally maps are provided for the distribution of linguistic groups.

### **D.2.0 Certification**

RAPC has followed U.S. Department of Justice guidance using a four-factor analysis process to determine the number and proportion of LEP individuals in the region and how to cost effectively provide information services to these individuals. The guidance also offers a safe harbor of 5% of the effected population or 1,000 people in the effected neighborhood.

The four-factor analysis process includes determining the number and proportion of LEP individuals within the population, the frequency with which LEP individuals will come in contact with the program, the importance of the program to people's lives, and the resources available to provide translation services.<sup>16</sup>

According to the Census 2000, the top two languages (other than English) spoken in Rapides Parish are French and Spanish. Overall, French is spoken by 1.9% of population in Rapides Parish while Spanish is spoken by 1.4 %.

The frequency and extent with which LEP individuals come into contact with RAPC programs is estimated to be low. As an association of cities, towns, parishes, and state agencies that serves as a forum for developing policies and making decisions about regional growth and transportation issues, RAPC encourages public comment on its policies, programs, and funding cycles, and therefore would like to increase opportunities for public comment, particularly by historically underserved populations including LEP individuals.

RAPC remains committed to providing translation services to people who request them and have come up with creative solutions to assist LEP individuals and show the

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<sup>16</sup> This language was taken directly from the U.S. Government's Limited English Proficiency Web site, <http://www.lep.gov/recipbroch.html>.

agency's interest in providing translation services including the use of new technologies to aid in this endeavor.

This statement of policy is acknowledged by the RAPC Chairman in the letter of transmittal for this document from the Rapides Area Planning Commission to the Louisiana Department of Transportation and Development (DOTD). The first page of this document is the letter of transmittal.

### **D.3.0 Limited English Proficiency Plan**

The LEP Plan is based on federal guidelines using a four factor test to identify areas in which a language policy should be implemented.

#### **D.3.1 Federal Guidelines**

The purpose of this limited English proficiency policy guidance is to clarify the responsibilities of recipients of federal financial assistance from the U.S. Department of Transportation (DOT) and assist them in fulfilling their responsibilities to limited English proficient (LEP) persons, pursuant to Title VI of the Civil Rights Act of 1964 and implementing regulations. It was prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq., and its implementing regulations provide that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives federal financial assistance, and; Executive Order 13166

Executive Order 13166 Improving Access to Services for Persons With Limited English Proficiency," reprinted at 65 FR 50121 (August 16, 2000), directs each Federal agency that is subject to the requirements of Title VI to publish guidance for its respective recipients clarifying that obligation. Executive Order 13166 further directs that such guidance documents be consistent with the compliance standards and framework detailed in the Department of Justice's (DOJ's) Policy Guidance entitled Enforcement of Title VI of the Civil Rights Act of 1964--National Origin Discrimination Against Persons With Limited English Proficiency." (See 65 FR 50123, August 16, 2000 DOJ's General LEP Guidance). Different treatment based upon a person's inability to speak, read, write, or understand English may be a type of national origin discrimination.

Executive Order 13166 applies to federal agencies and programs and operations of entities that receive funding from the federal government, including state agencies, local agencies and governments such as the MPO, private and non-profit entities, and sub recipients.

#### **D.3.2 Population Analysis: The Four Factor Test**

The Rapides Area Planning Commission has developed a Limited English Proficiency Plan (LEP) and Methodology to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to MPO services as required by



Executive Order 13166. A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English.

In developing the plan while determining the extent of obligation to provide LEP services, RAPC undertook the U.S. Department of Transportation four factor LEP analysis which considers the following:

- 1) The number or proportion of LEP persons eligible in the RAPC service area or likely to encounter a RAPC program, activity, or service;
- 2) The frequency with which LEP individuals come in contact with RAPC service;
- 3) The nature and importance of the program, activity or service provided by RAPC to the LEP population; and
- 4) The resources available to RAPC and overall cost to provide LEP assistance.

#### **D.3.2.1 Number and Proportion of LEP Persons**

In order to determine the number or proportion of LEP persons eligible to be served or likely to encounter a RAPC program, activity, or service, RAPC examined the US Census Bureau's data for the 2000 year census.

The table below shows the number of speakers of languages in Rapides Parish over the age of 5 years old. The distribution shows that in terms of absolute number, only French and Spanish exceed 1,000 speakers.

<b>Table D.3.2.1</b> <b>Rapides Area Planning Commission</b> <b>Rank Order List of the Most Frequent Languages Spoken</b> <b>in Rapides Parish ages 5 and up, Census 2000</b>		
<b>Language</b>	<b>Number of speakers</b>	<b>Percent Total (%)</b>
English only	111,804	95.1
French & Related Louisiana Dialects	2,195	1.9
Spanish	1,666	1.4
Arabic	293	0.2
Vietnamese	240	0.2
German	236	0.2
Tagalog	131	0.1
<b>Total</b>	<b>116,565</b>	<b>99.2</b>

#### **D.3.2.2 Frequency of Contact with LEP individuals**

The frequency and extent with which LEP individuals come into contact with RAPC programs is estimated to be low.

#### **D.3.2.3 Nature and Importance of the Program**

While essential to the long-term livability and economic vitality of the region, long-range transportation and growth management planning may not be as important of a service to LEP individuals as health care, employment or financial assistance. However, any opportunity to increase public comment on long-range decision-making is a worthwhile investment.

#### **D.3.2.4 Resources and Overall Costs**

RAPC may hire an otherwise qualified planner who may also speak a foreign language, especially French or Spanish.

#### **D.4.0 Safe Harbor Stipulation**

Federal law provides a “safe harbor” stipulation so recipients of federal funding can ensure compliance with their obligation to provide written translations in languages other than English with greater certainty. A “safe harbor” means that as long as a recipient (RAPC) has created a plan for the provision of written translations under a specific set of circumstances, such action will be considered strong evidence of compliance with written translation obligations under Title VI.

However, failure to provide written translations under the circumstances does not mean there is noncompliance, but rather provides for recipients a guide for greater certainty of compliance in accordance with the four factor analysis.

Evidence of compliance with the recipient's written translation obligations under "safe harbor" includes providing written translations of vital documents for each eligible LEP language group that constitutes 5% or 1,000 persons, whichever is less of eligible persons served or likely to be affected. Translation can also be provided orally. This is particularly important for Louisiana French which is by and large unwritten language with most speakers not being able to read French.

The "safe harbor" provision applies to the translation of written document only. It does not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and reasonable to provide.

#### **D.5.0 Limited English Proficiency (LEP) Policy and Plan**

RAPC has established the following policy for providing information to individuals with Limited English Proficiency (LEP):

RAPC will obtain French, Spanish, and Vietnamese translators from within our community. Translations may provided by the staffs of the Rapides Area Planning Commission, Louisiana State University at Alexandria, Louisiana College, the Diocese of Alexandria which has Spanish and Vietnamese translators, and Court Reporters possessing the needed language. Translations may also be volunteers from a language community or may be a paid professional.

RAPC will first provide oral translations of English documents into the following languages (based upon the above statistical analysis): Spanish and French.

RAPC, in order to provide a safe harbor, will also provide written translations of English documents to the persons who have previously requested oral translation in the following language (spoken by more than 1,000 persons in the Parish): French and its Louisiana dialects; and Spanish (spoken by more than 1,000 person in the Parish).

Notice of this service will be placed on the MPO website and links from the other RAPC's websites will be provided. Written procedures will be developed as needed to produce consistent service delivery.

#### **D.6.0 Identification of a LEP Person**

Listed below are tools to help identify persons who may need language assistance:

- 1) Examine record requests for language assistance from past meetings and events to anticipate the possible need for assistance at upcoming meetings;

- 2) When RAPC sponsored workshops or conferences are held, set up a sign-in sheet table, a staff member greets and briefly speaks to each attendee. To gauge informally the attendee's ability to speak and understand English, ask a question that requires a full sentence reply.

### **D.7.0 Language Assistance Measures**

When an interpreter is needed, in person or on the telephone, first determine what language is required. If RAPC staff cannot provide verbal interpretation and if a formal interpretation is required, staff shall use the institutions listed in Section D.5.0 Limited English Proficiency (LEP) Policy and Plan or from a language community.

### **D.8.0 Staff Training**

RAPC staff will be provided with the LEP Plan and will be educated on procedures and services available. This information will also be part of the RAPC staff orientation process for new employees. Training questions are listed below:

- 1) What are Title VI LEP responsibilities?
- 2) What language assistance services are offered by the RAPC?
- 3) How to access an interpreter?
- 4) What documentation of language assistance is required?
- 5) How does the RAPC handle a LEP complaint?
- 6) How does the RAPC providing Notice of Available Language Service to LEP Persons?
- 7) Where are signs posted that language assistance is available?

### **D.9.0 Outreach Techniques**

If staff know that they will be presenting a topic that could be of potential importance to a LEP person or if staff will be hosting a meeting or a workshop in a geographic location with a known concentration of LEP persons, the RAPC will have meeting notices, fliers, advertisements, and agendas printed in an alternative language, such as Spanish and French.<sup>17</sup>

When publishing a general public meeting notice, staff should insert the Spanish clause:

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<sup>17</sup> The current ADA and Title VI Coordinator's name will be listed as X's and the phone number as Y's in the statements in Spanish and French below. The contact information of the current ADA and Title VI Coordinator is listed in Appendix J.

Si usted necesita la ayuda de un traductor del idioma español, por favor comuníquese con la XXXXXX al teléfono YYY-YYY-YYYY, cuando menos 72 horas antes de la junta.”

Similarly, when running a general public meeting notice, the staff may (because of the unwritten nature of Cajun, Creole and other French Dialects) insert the French clause:

Si c'est nécessaire d'avoir quelqu'un qui parle le Français, téléphonez si vous plait à XXXXXXX à téléphone YYY-YYY-YYYY plus que 72 heures avant le meeting.

The phrase translates generally that if it is necessary for Spanish or French language assistance, then the person should call and arrangements with RAPC more than 72 hours before the meeting.

#### **D.10.0 Monitoring and Updating the LEP Plan**

This plan is designed to be flexible and is one that can be easily updated. At a minimum, RAPC will follow the Title VI Program update schedule for the LEP Plan. Each update examines plan seeks to answer the follow questions:

- 1) How many LEP persons were encountered?
- 2) Were their needs met?
- 3) What is the current LEP population in the parishes comprising the urbanized area?
- 4) Has there been a change in the types of languages where translation services are needed?
- 5) Is there still a need for continued language assistance for previously identified RAPC services?
- 6) Are there other programs that should be included?
- 7) Have RAPC's available resources, such as technology, staff, and financial costs changed?
- 8) Has RAPC fulfilled the goals of the LEP Plan?
- 9) Were any complaints received (and forwarded/referred to DOTD) ?

#### **D.11. Dissemination of the RAPC Limited English Proficiency Plan**

RAPC will post the LEP Plan on its website at <http://www.rapc.info>

Any person, including social service, non-profit, law enforcement agencies and other community members with internet access will be able to access the plan. For those without personal internet service, parish libraries offer free internet access. Copies of the LEP Plan will be provided to the any person or agency requesting a copy. LEP persons may obtain copies/translations of the plan upon request.

Any questions or comments regarding this plan should be directed to the RAPC Title VI Coordinator using the contact information in Appendix J.

**APPENDIX E -- ADA NOTICES  
NOTICE OF NONDISCRIMINATION ON THE BASIS OF DISABILITY  
(AMERICANS WITH DISABILITIES ACT OF 1990)**

**E.1.0 Certification**

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990, the Rapides Area Planning Commission (RAPC) will not discriminate against qualified individuals with disabilities on the basis of disability in the RAPC's services, programs, or activities.

**E.2.0 Modifications to Policies & Procedures**

The Rapides Area Planning Commission (RAPC) will make reasonable modifications to policies and procedures to ensure that people with disabilities have an equal opportunity to attend the RAPC public meetings. For example, individuals with service animals are welcomed in RAPC public meetings, even where animals are generally prohibited.

**E.2.1 Effective Communication**

Rapides Area Planning Commission (RAPC) will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the RAPC's public meetings.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a RAPC public meeting should contact the RAPC's ADA Coordinator via phone as soon as possible but no later than 72 hours before a scheduled meeting.

The ADA requirements do not require RAPC to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden. RAPC will strive to provide its services, programs and activities in the most accessible manner that is feasible.

Notification that a RAPC meeting is not accessible to persons with disabilities should be directed the current Title VI & ADA Coordinator listed in Appendix J.

**E.2.2 ADA Notice to Be Posted At the Bottom of RAPC Meeting Notices**

For special accommodations for this meeting, contact our ADA Coordinator, XXXXXXXX, via phone YYY-YYY-YYYY<sup>18</sup> at least 72 hours in advance of the meeting.

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<sup>18</sup> The current ADA and Title VI Coordinator's name will be listed as X's and the phone number as Y's. The contact information of the current ADA and Title VI Coordinator is listed in Appendix J.

## **APPENDIX F - DBE POLICY PARTICIPATION BY DISADVANTAGED BUSINESS ENTERPRISES IN RAPIDES AREA PLANNING COMMISSION PROGRAMS**

It is the policy of the Rapides Area Planning Commission (RAPC) that disadvantaged businesses, as defined by 49 Code of Federal Regulations, Part 26, shall have an opportunity to participate in the performance of RAPC contracts in a nondiscriminatory environment. The objectives of RAPC's Disadvantaged Business Enterprise (DBE) Program are to ensure non-discrimination in the award and administration of contracts, ensure firms fully meet eligibility standards, help remove barriers to participation, create a level playing field, assist in development of a firm so it can compete successfully outside of the program, provide flexibility, and ensure narrow tailoring of the program.

RAPC, its staff, and its consultants and sub consultants shall take necessary and reasonable steps to ensure that disadvantaged businesses have an opportunity to compete for and perform the contract work of RAPC in a non-discriminatory environment.

RAPC requires that its consultants not discriminate on the basis of race, color, national origin, income, gender, age, and disability in the award and performance of its contracts.

RAPC participates in the Louisiana Unified Certification Program as administered by DOTD for Disadvantaged Business Enterprise (DBE) Program and as such complies with current applicable guidelines.

This statement of policy is acknowledged by the RAPC Chairman in the letter of transmittal for this document from the Rapides Area Planning Commission to the Louisiana Department of Transportation and Development (DOTD). The first page of this document is the letter of transmittal.

### **F.1.0 DBE Clause to Be Included Within the Body of Future Contracts Issued by RAPC**

Participation By Disadvantaged Business Enterprises In Rapides Area Planning Commission (RAPC) Programs - It is the policy of the Rapides Area Planning Commission (RAPC) that disadvantaged businesses, as defined by 49 Code of Federal Regulations, Part 26, shall have an opportunity to participate in the performance of RAPC contracts in a nondiscriminatory environment.

The contractor or subcontractor shall not discriminate on the basis of race, color, national origin, income, gender, age, and disability in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR part 26 in the award and administration of USDOT/FTA assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as RAPC deems appropriate.



**APPENDIX G -- ALEXANDRIA/PINEVILLE METROPOLITAN PLANNING ORGANIZATION (MPO) COMMITTEES AND MEMBERS**

**Alexandria/Pineville Metropolitan Planning Organization (MPO)  
Technical Advisory Committee (TAC)**

<u>Name</u>	<u>Representing</u>
Mr. Tom David, Jr.	Pan American Engineers City of Pineville, Town of Ball
Mr. John Gagnard	Pan American Engineers City of Pineville, Town of Ball
Mr. Mike Wilkinson	City of Alexandria
Mr. James Branch	City of Alexandria
Mr. Dennis Woodward	Rapides Parish
Mr. Murphy Ledoux	LADOTD District No. 08
Mr. Keith Sayer	LADOTD District No. 08
Ms. Karen Kelly	ATRANS
Mr. Matt Johns	RAPC
Mr. Sooraz Patro	RAPC
Ms. Teresa Coplen	Fit Families for Cenla/ Bike-Ped Interests
Mr. Dan Broussard	LADOTD
Ms. Dawn Sholmire	LADOTD

**Alexandria/Pineville Metropolitan Planning Organization (MPO)  
Transportation Policy Committee**

Name	Appointing Authority
Mayor Jacques Roy	City of Alexandria
Mitzi Gibbs	City of Alexandria
Harry Silver	City of Alexandria
Mayor Clarence Fields	City of Pineville
Nathan Martin	City of Pineville
President Joe Bishop	Rapides Parish Police Jury
Richard Vanderlick	Rapides Parish Police Jury
Mayor Jonathan Dean	Town of Ball
Murphy Ledoux	LADOTD District 08
William Barron	England Authority
John Marzullo	Alexandria Regional Port Authority
Brandon Buckner (ex officio)	Federal Highway Administration
Laura Wallace	Federal Transit Administration

## **APPENDIX H -- DISCRIMINATION COMPLAINT PROCESS AND FORM COMPLAINT PROCESS**

All written or verbal complaints of discrimination will be forwarded immediately to the Compliance Programs Office of DOTD for handling in accordance with 23 CFR 200.9 (b)(3). In cases where the complainant is unable or incapable of providing a written statement, the complainant will be assisted in converting the verbal complaint into a written complaint. Complaints, however, must be signed by the complainant.

All Title VI and related statute complaints are considered formal as there is no informal process. Therefore, the complainant will be contacted according to DOTD's formal complaint process. Complaints filed under Title VI against sub-recipients or contractors/consultants will be investigated by RAPC with assistance of DOTD's Title VI Program Manager. RAPC shall maintain a confidential log of complaints for the purpose of assisting DOTD.

### **H.1.0 Complaint Log**

The log will include the following information:

- a) Name of Complainant;
- b) Name of Respondent;
- c) Basis of Complaint: race, color, national origin, income, gender, age, and disability or retaliation;
- d) Date complaint received by RAPC;
- e) Date RAPC forwarded the complaint to DOTD's Title VI Program Manager;
- f) A statement of the complaint, including specific details, relevant facts and documentation;
- g) The final disposition of the complaint; and
- h) The complaint log will maintain the above information for the last five years from the current date.

### **H.2.0 Intimidation and Retaliation**

Any individual having filed a complaint or participated in the investigation of a complaint shall not be subjected to any form of intimidation or retaliation. Individuals who have cause to think that they have been subjected to intimidation or retaliation can

file a complaint of retaliation following the same procedure for filing a discrimination complaint.

### **H.3.0 Time Frames**

There are different time frames depending on the agency and complainant.

#### **H.3.1 DOTD Time Frames**

The time frames of that DOTD shall respond upon receiving a complaint are listed below:

1. 45 days to conduct an investigation;
2. 15 days to complete investigative report and submit to the administrative supervisor of DOTD Complaint Section with copies to FHWA, FTA and RAPC.

The total time allotted is 60 days.

#### **H.3.2 Complainant**

A complaint must be filed no later than 180 days after the following:

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

### **H.4. Contact Information for DOTD Title VI and ADA Compliance**

The current contact information for DOTD compliance staff is listed in Appendix J.

### **H.5. Title VI Discrimination Complain Form (on the next page)**

**Rapides Area Planning Commission (RAPC)<sup>19</sup>**

**Title VI Discrimination Complaint Form**

Your Name	Phone	Name of Person(s) who discriminated Against You
Your Address (Street No., P.O. Box, Etc.)		Location and Position of Person (if known)
Your City, State Zip		City, State, Zip of Alleged Incident
Discrimination Because of: __ Race/Color __ Sex __ Disability __ Age __ National Origin __ Income Status __ Retaliation		Date of Alleged Incident
Explain as briefly and clearly as possible what happened and how you were discriminated against. Indicate who was involved and witnessed the discrimination. Be sure to include how other persons were treated differently than you. Attach any written material pertaining to your case.		
Signature:		Date:
Please return this form to: Title VI & ADA Coordinator Rapides Area Planning Commission 1405 Frank Andrews Blvd Alexandria, LA 71303		Ph : Fx :

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<sup>19</sup> This form will be printed and distributed to reflect the name and contact information of the current Title VI & ADA Coordinator as listed in Appendix J of this plan.

## **APPENDIX I - TITLE VI TRAINING OPPORTUNITIES**

### **I.1.1 One-Day Course**

Title VI Nondiscrimination in the Federal Aid Program  
Presented by FHWA, Instructed by Mohamed Sulaima Dumbuya

Kathy Powell, Title VI and ADA Coordinator for RAPC, completed the above training in Shreveport on July 22, 2010 and received certification on September 1, 2010.

### **I.1.2 One-Day Course**

ADA/Section 504 Compliance Training  
Presented by FHWA, Instructed by Toney Dixon

Matt Johns, Director of Operations for RAPC, completed the above training in Alexandria (via webcast from Baton Rouge) and received certification on April 14, 2011.

### **I.1.3 Two-Day Course**

Transit Equity Considerations developed by National Transit Institute

<http://www.ntionline.com/CourseInfo.aspCourseNumber=TCR07>

### **I.1.4 Two-Day Course**

Fundamentals of Environmental Justice developed by FHWA and FTA -sponsored by National Highway Institute

[http://www.nhi.fhwa.dot.gov/training/train\\_catalog.aspx](http://www.nhi.fhwa.dot.gov/training/train_catalog.aspx)

### **I.1.5 Two-Day Course**

Title VI Training developed by LA Department of Transportation and Development

Contact: (225) 379-1363, Title VI Programs Manager, DOTD

### **I.1.6 Online Training Materials**

US Department of Justice Civil Rights Division

<http://www.usdoj.gov/crt/cor/coord/train.php>

FHWA Resource Center for Training

<http://www.fhwa.dot.gov/resourcecenter/teams/civilrights/index.cfm>

### **I.2.0 Training Completed**

Matt Johns, Director of Operations, attended a Title VI workshop in New Orleans in December of 2009 as part of the Annual Transit Planning Conference.

In the 2008, 2009, 2010 and 2011, the Louisiana Chapter of the American Planning association held mandatory meetings for members of the planning staff and for members of planning commissions. The meeting agendas covered ethical principles involved in the planning process. Among the material covered were three requirements from the Statement of Principles:

1. Strive to increase the opportunities for women and members of recognized minorities to become professional planners.
2. Respect the rights of all persons and do not discriminate against or harass others based on characteristics that are protected under civil rights laws and regulations.
3. Recognize the rights of citizens to participate in planning decisions.

Kathy Powell, Title VI and ADA Coordinator for RAPC, completed the Title VI Nondiscrimination in the Federal Aid Program Training in Shreveport on July 22, 2010 and received certification on September 1, 2010.

Matt Johns, Director of Operations for RAPC, completed the ADA/Section 504 Compliance Training in Alexandria (via webcast from Baton Rouge) and received certification on April 14, 2011.

**APPENDIX J - CURRENT STAFF AND ORGANIZATION**

The staff and organization of RAPC may change from time to time as need arises and personnel changes occur in order to respond to the needs of the service area population. In addition, DOTD may change the contact information for the Compliance Programs Section as shown in Section J-3-0.

**J-1.0 Title VI & ADA Coordinator**

Kathy Powell,  
 Title VI & ADA Coordinator/Office Manager  
 Rapides Area Planning Commission  
 1405 Frank Andrews Blvd  
 Alexandria, LA 71303

Title VI & ADA Coordinator  
 RAPC  
 PO Box 7586  
 Alexandria, LA 71306

Ph: 318-487-5401  
 Fx: 318-487-5406

Email: [kathy@rapc.info](mailto:kathy@rapc.info)

**J-2.0 Supervision, Position, Race, Gender and National Origin of Staff**

The supervision, position, race, gender and national original of RAPC staff are listed in table below.

<b>Table J-2</b>				
<b>Rapides Area Planning Commission</b>				
<b>Name, Position, Race, Gender and National Origin of Staff</b>				
<b>Name</b>	<b>Position</b>	<b>Race</b>	<b>Gender</b>	<b>Nat origin</b>
John C. Miller, Jr.	Executive Director	White	Male	Anglo-Am
Kathy Powell	Office Manager	Black	Female	Afro-Am
Melissa Becker	Floodplain Administrator	White	Female	Anglo-Am
Matt Johns	Director of Operations	White	Male	Anglo-Am
Sooraz Patro	Transportation Director	Asian	Male	Indian
Yue Zhou	Transportation Planner	Asian	Female	Chinese
Yuwen Hou	Transportation Planner	Asian	Female	Chinese
Carrie Robinette	Grants Administrator	White	Female	Anglo-Am
Jamie Wallace	GIS/IT Specialist	White	Male	Anglo-Am



<b>Table J-2</b> <b>Rapides Area Planning Commission</b> <b>Name, Position, Race, Gender and National Origin of Staff</b>				
Britni Culbert	Permit Technician	Black	Female	Afro-Am
Sondria Edwards	Receptionist	White	Female	Anglo-Am
Blake Powell	GIS Developer	White	Male	Anglo-Am
Jonathan Lafitte	IT Technician	White	Male	Anglo-Am
Fred White	Building Official	White	Male	Anglo-Am
Kenny Andrews	Building Official	White	Male	Anglo-Am
Chuck Sandifer	Building Official	White	Male	Anglo-Am
James Deason	Building Official	White	Male	Anglo-Am

**J-3.0 DOTD Compliance Staff**

Katherine Copeland, Title VI/ADA Programs Manager  
 LA DOTD - Compliance Programs Section  
 P.O. Box 94245  
 Baton Rouge, LA 70804-9245

Office (225)379-1923  
 Fax (225)379-1385

katherine.copeland@LA.GOV