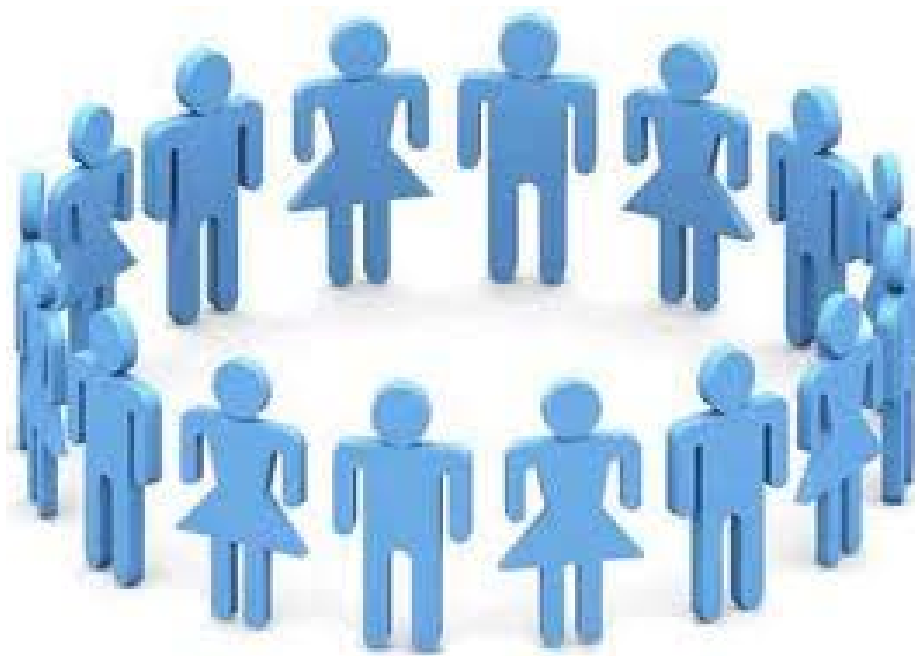


Baton Rouge Area Capital Region Planning Commission

FY2011

Title VI Plan



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Capital Region Planning Commission (CRPC)

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Disclaimer

The Capital Region Planning Commission does not discriminate on the basis of race, color, national origin, income, gender, age, and disability in access to, or operation of its programs, services, activities or in its hiring or employment practices. ADA and Title VI inquiries should be forwarded to:

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I. Title VI Policy Statement and Authorities

Policy Statement

The Capital Region Planning Commission (CRPC) 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, CRPC assures that every effort will be made to prevent discrimination through the impacts of its programs, policies, and activities on minority and low-income populations. Additionally, CRPC will take reasonable steps to provide meaningful access to services for persons with Limited English Proficiency.

CRPC further assures that every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

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

Huey P. Dugas
Executive Director
Capital Region Planning Commission

Date

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 “all 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 all 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 piece of legislation directed every Federal agency to make Environmental Justice part of its mission by indentifying and addressing all 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 all 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 all its subsidiaries to implement the principles of **Executive Order 12898** and **U.S. DOT Order 5610.2** into all 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.



II. What is CRPC?

The Capital Region Planning Commission (CRPC) is a council of governments. It is a public, non-profit organization of government council serving municipalities and public service agencies in the Capital Region. CRPC's members currently include the following parishes: Ascension, East Baton Rouge, East Feliciana, Iberville, Livingston, Pointe Coupee, St. Helena, Tangipahoa, Washington, West Baton Rouge, and West Feliciana. Through its professional staff of planners, cartographers, economic development specialists and others, CRPC offers a range of services in the following areas:

- Transportation and land use planning and programming
- Economic and community development
- Data center
- Mapping and aerial photography

The CRPC strengthens local government by providing a unity in dealing with state and federal agencies and legislative bodies. It has provided technical assistance to local governments on regional concerns such as air, water, transportation priorities and goals. It has, throughout its tenure, produced studies or plans in the areas of transportation, community facilities, socioeconomic and codes. In many instances, local membership dues are utilized to match state and federal funds to complete these activities.

Of equal importance, the CRPC has provided a forum for the region's elected officials to discuss mutual problems face to face. This degree of cooperation and mutual support is unprecedented, and transpires a minimum of four times a year when the commission meets, hosted by its member governments.

The CRPC also maintains a library and information service for any and everyone interested in the capital region of Louisiana. As such, we are a regional data center and depository on state of the art planning practices, requisite data, and information. It is our pledge to our local governments to stay on the cutting edge of knowledge and to make that knowledge available to them as an ongoing function.



III. Introduction and Purpose of This Document

The purpose of this document is to communicate the Capital Region Planning Commission's (CRPC) 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: CRPC's Public Participation Plan. These two documents, together, describe the CRPC'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.

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 CRPC - the Baton Rouge Metropolitan Planning Organization (MPO).
4. Ensure full and fair participation by all potentially affected communities in the transportation decision-making process.
5. Inform and educate citizens and other interested parties about ongoing CRPC and MPO planning activities and their potential role in those activities.

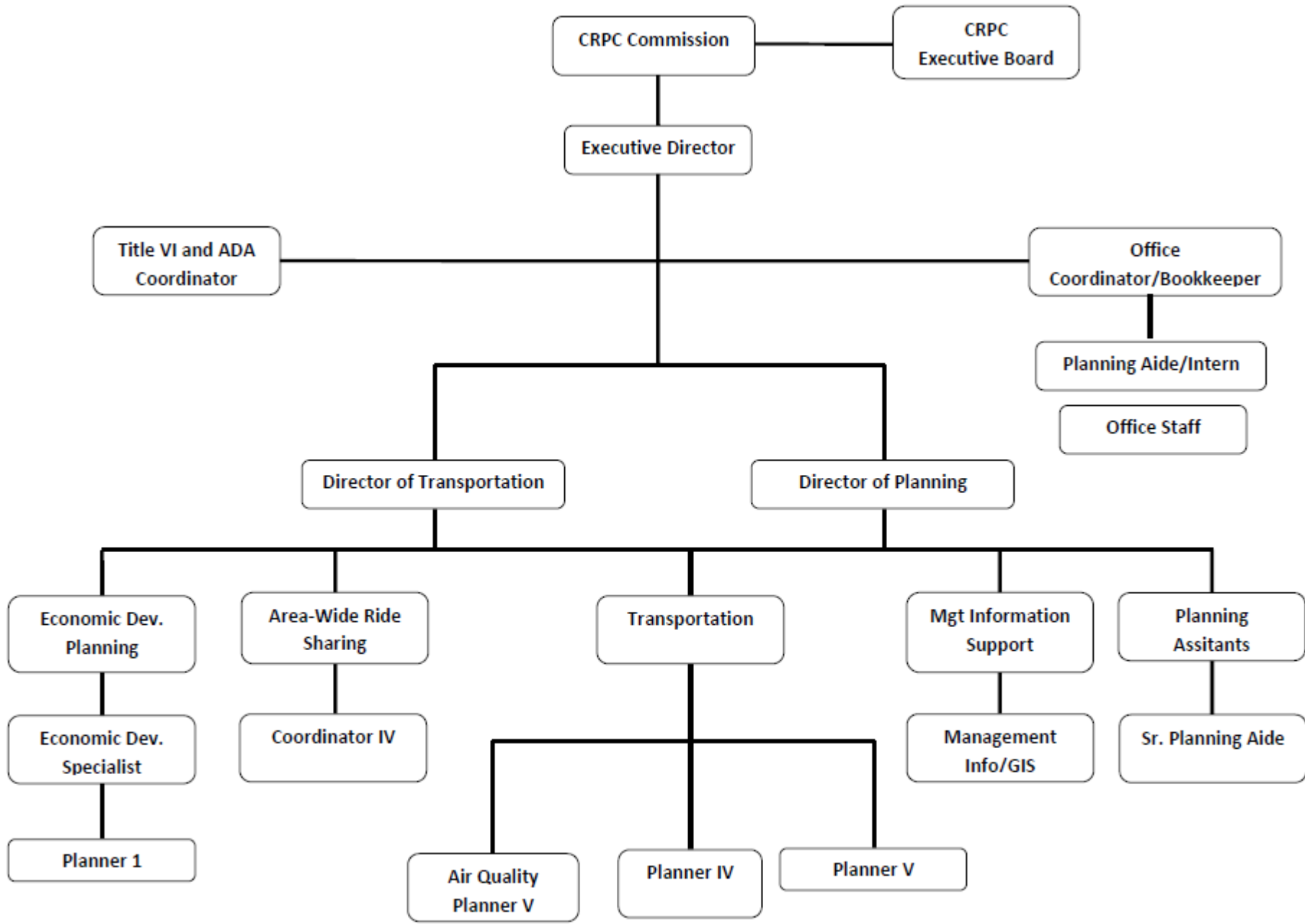


IV. Organization and Staffing of CRPC

Figure IV-1, an Organization Chart for the CRPC, is shown on the following page. The Executive Director of CRPC is responsible for ensuring implementation of the agency's Title VI program. CRPC's Title VI Coordinator is responsible for coordinating the overall day-to-day administration of the Title VI program, plan, and assurances (See Appendix B). This same individual is also responsible for administration of CRPC's LEP and ADA programs.

As shown on the organization chart, CRPC is headed by Executive Director, Huey Dugas. CRPC's Chris Tullier, when serving in his role as Title VI, ADA and LEP Coordinator, is in a direct reporting function to the Executive Director. Other direct reports to Huey Dugas include Director of Planning, R. J. Goebel and Office Director, Charla Hunt.





CRPC Organization Chart

V. General Responsibilities under Title VI

General Title VI Program Responsibilities

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

1. Data collection

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

2. Annual Title VI Report

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

- Title VI complaint procedures (complaints will be submitted to/filed with LADOTD; CRPC will not process complaints.)
- Record of Title VI investigations, complaints or lawsuits (investigations will be conducted by LADOTD with CRPC in a supporting role)
- Plan to involve persons with Limited English Proficiency (LEP)
- Title VI notice to the public
- 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.

3. Annual Review of Title VI program

Each year, in preparing for the Annual Title VI Report, the Title VI Coordinator will review CRPC'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 annually or as appropriate, as policies and procedures change and members of the TAC and TPC committees change.

4. **Dissemination of information related to the Title VI program**

Information on the agency's Title VI program is to be disseminated to CRPC 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. **Assist LADOTD with resolution of complaints**

Any individual may exercise his or her right to file a complaint about CRPC 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. CRPC will work diligently in a supportive role to LADOTD's Title VI Compliance Team to resolve complaints using the LADOTD's Complaint Processing Procedures. The Title VI complaint process and Title VI Discrimination Complaint Form are presented in Appendix H.

General Responsibilities of the Title VI Coordinator

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

- Identify, investigate, and eliminate discrimination when found to exist.
- Refer any complainants to LADOTD's Compliance team and website immediately. The Coordinator will supply phone numbers and email addresses to complainants for contacting the proper LADOTD authorities adhering to the timeframes in the complaint process.

Note: A complaint must be filed no later than 180 days after the alleged discrimination.

- Meet with other CRPC staff, as needed, to train, monitor and discuss progress, implementation, and compliance issues.
- 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.
- Work with other CRPC staff to develop and submit the Annual Title VI Report to LADOTD, FHWA, and FTA by the end of October each year.
- Meet annually with consultants under contract to CRPC to make sure they maintain compliance with Title VI.
 - If a consultant under contract to CRPC is found to not be in compliance with Title VI, Coordinator will work with the Consultant to resolve the deficiency status and develop a remedial action plan if necessary.



- Review important Title VI-related issues with the Executive Director of CRPC, as needed.
- Assess communications and public involvement strategies to ensure adequate participation of impacted Title VI protected groups and address additional language needs, as appropriate.



VI. Program Area Responsibilities

Program Area 1: Communications & Public Participation

Note: The Communications & Public Participation Program Area applies to and affects the CRPC work program as a whole, particularly agency efforts and responsibilities related to the Planning & Programming and Environmental Affairs Program Areas. It has been treated as a separate program area for purposes of clarity. (See CRPC's Public Participation Plan for more details.)

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

CRPC 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.

Operational Guidelines

- CRPC's Public Participation Plan
- CRPC's Limited English Proficiency (LEP) Policy

Principles of CRPC's Communications & Public Participation Program

- Equal access is an essential part of the public participation process.
- No major public policy decision is reached or large project implemented without significantly affecting someone.
- Professionals do not have a monopoly on good solutions.
- Even if a project or policy decision is sensible and beneficial, it must be arrived at properly to be acceptable.
- 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 all viewpoints.
- If project or policy staff doesn't provide all relevant information necessary for an informed decision, the public will rely on, and trust, others.
- Interacting with an official representative of an organization or group is no substitute for interacting directly with that organization or group.

- Effective public notification and participation takes time and effort, and can be expensive, yet is essential to sound decision-making.

Elements of CRPC’s Communications & Public Participation Program

- **Website** – CRPC maintains a website, www.CRPC-LA.org, which is updated frequently to keep the public informed. The site contains information on the agency’s responsibilities, programs, publications, and press releases; contact information for staff; a search function; the Title VI Plan, complaint procedures (via links to LADOTD); and a comment form so visitors may comment directly to CRPC on any subject.

There is also a “Get Involved” page to encourage people to participate by signing up to receive the agency’s email announcements of events and meetings, attending meetings, requesting a speaker, or contacting CRPC for copies of plans, reports, or other information.

- **Information Center** – CRPC maintains a comprehensive library of local and regional transportation documents. Any document(s) can be made available to the public, with one week’s advance notice. CRPC staff can be reached by phone or e-mail, and contact information is included in every publication produced by CRPC. CRPC staff regularly answers questions and respond to requests for information from citizens, businesses, and staff from cities, agencies, and organizations throughout the rural and urbanized regions.

CRPC will gladly accommodate persons of limited English proficiency (LEP). Appendix D contains CRPC’s LEP Plan and Policy.

- **Publications** – Each year, CRPC issues a multitude of publications, reports, and maps as part of the agency’s work program, and responds to and processes a large number of data requests. The information is used by planning and public works departments throughout the region, and can be accessed by the public through the CRPC website.

CRPC will gladly accommodate persons of limited English proficiency (LEP). Appendix D contains CRPC’s LEP Plan and Policy.

- **Press releases** – Press releases, when sent, will include the abbreviated Title VI and ADA Notices to the public and contact information for agency staff.
- **Meetings open to the public** – All CRPC board and committee meetings are open to the public. Time for citizen comments is reserved at all meetings and announced by the meeting chair. Meeting dates and times are posted well in advance on the agency’s website and in frequent CRPC emails to which any citizen may subscribe. All meeting agendas contain the following statement:

***ADA Notice:** For special accommodations for this meeting, contact CRPC’s ADA Coordinator via phone (225-383-5203) at least one week in advance.*



- **Opportunities for public comment** – CRPC routinely provides opportunities for public comment, and continues to work to find new and innovative ways to solicit public comments and involve all 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.
- **Staff is accessible** – Staff is accessible in person, on the phone, by mail, by fax, by email, or by online comment forms. Contact information for all staff is provided on CRPC’s website.
- **Mailings** – CRPC routinely uses direct mail to keep the public informed of the agency’s programs, public comment periods, meetings, and publications. See the next section for details.
- **Events** – Events such as workshops and forums are held regularly, as needed, for large projects affecting the public.

Opportunities for Public Comments

CRPC routinely offers four different ways for people to comment on activities, programs, and decisions made at the agency. As follows:

- **Comments are accepted at any time** – Comments are accepted via an online comment form, by phone, fax, email, U.S. mail, and in person at any board or committee meeting. Contact information for all staff is provided on the agency website, and contact information for the agency is included in every publication produced by the CRPC. CRPC responds to all comments received.
- **Citizen comments are requested at agency meetings** – All CRPC board and committee meetings are open to the public. CRPC generally holds 15-20 of these meetings per year. The meeting dates are posted well in advance on the agency’s Web site and in the CRPC’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. CRPC maintains a mailing list; anyone can request to be added to the mailing list. CRPC uses voluntary Attendance/Sign-in Forms at agency meetings open to the public.
- **Formal public comment periods for major activities** – 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 CRPC policies (such as the Public Participation Plan), and major updates to the UPWP. Generally, information is reviewed and released by one of the policy boards at a monthly meeting for a formal public comment period. The comment period is included in CRPC emails containing the proposed meeting agenda and on the website.



Comments can be made in person at any CRPC meeting, using a comment form on the agency's website, by email, by US mail, fax, or telephone. CRPC responds to all 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 – two weeks prior to the item's schedule for action. All comments and responses received throughout the comment period are reviewed and considered, prior to action by the Board.

- **Public Hearings** – CRPC holds public hearings during major updates to the region's adopted transportation plans and the adopted regional growth and transportation strategy. Since major plan updates take place rarely and CRPC does not implement transportation projects, CRPC does not frequently hold public hearings separate and apart from regular committee/board meetings. Please refer to CRPC's Public Participation Plan for further information.

Strategies for Engaging Title VI Protected Groups

CRPC uses U.S. and electronic mailing lists to disseminate information and give notice for public comment opportunities. Both mailing lists include community groups that represent Title VI protected groups throughout the region. CRPC also sends press releases to newspapers that are published by and for Title VI protected groups. Groups representing Title VI populations are added to the agency's U.S. and electronic mailing lists regularly, as they are identified.

As described in the next section, the CRPC routinely assesses the need for providing information in languages other than English. The CRPC also evaluates the effectiveness of all communications and public participation efforts and makes appropriate adjustments to its communication strategy. The CRPC also keeps a list of potential interpreters in the event that a need for translation services has been identified or requested.

Strategies for Engaging Individuals with Limited English Proficiency

According to the DOJ guidance, the agency should consider providing materials in a different language if over 5% of the affected population speaks that language at home. Since the 5-parish urbanized area only contains 2.1% Spanish-speaking and 1.1% Non-English speakers from Asia or the Pacific Islands, CRPC does not have a high demand for LEP services.

CRPC has come up with a creative solution to provide a starting place for Spanish-speaking individuals. The phrase "Translation Services Available" and that contact's phone number are now posted in Spanish on the home page of the website. CRPC also established a list of nearby Court Certified Interpreters and businesses/individuals that can provide translation services when the need arises.



Title VI Coordinator's Responsibilities

The Title VI Coordinator is responsible for evaluating and monitoring compliance with Title VI requirements in all aspects of the agency's public participation process. The Coordinator will:

- Ensure all communications and public participation efforts comply with Title VI.
- Develop and distribute information on Title VI and agency programs to the general public. Provide information in languages other than English, as needed.
- Disseminate information to minority media and ethnic/gender related organizations, to help ensure all social, economic, and ethnic interest groups in the region are represented in the planning process.
- Include the abbreviated Title VI Notice to the Public (see Appendix C) in all press releases and on the website which includes a meeting schedule.
- Notify affected, protected groups of public hearings regarding proposed actions, and make the hearings accessible to all residents. This includes the use of interpreters when requested, or when a strong need for their use has been identified.

Program Area 2: Planning & Programming

CRPC 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. CRPC coordinates with LADOTD, cities, parishes, and transportation providers, seeks public participation, and provides technical support when needed.

Key Planning and Programming Activities

CRPC is mandated by state and federal law to maintain the region's adopted, long-range, Metropolitan Transportation Plan (MTP); and the Regional Transportation Improvement Program (TIP), a four-year program of federally funded projects in the region. CRPC conducts and supports numerous state and federal planning, compliance, and certification programs, which enable parishes, cities, a transit agency, ports, and LADOTD to obtain state and federal funding.

Major Programs

- **Regional Transportation Improvement Program (TIP)** – Maintain a Regional TIP that incorporates all projects using federal funds, including funds managed by CRPC and the state and all regionally significant projects, regardless of funding source; conduct ongoing analyses related to plan consistency, air quality, and financing; and provide training and assistance to agencies in the region.



- **Transportation Management Systems** – Develop the Congestion Management Program 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. Provide information and guidelines to state and local agencies on national and regional Intelligent Transportation Systems (ITS) issues.
- **Policy, Plan, and Project Review** – Ensure that local, regional, and state planning efforts are compatible and mutually reinforcing, and work with local governments, parish-wide growth management planning groups, and state agencies in the review of policies, plans, and projects for consistency with state and regional planning goals.
- **Technical Services and Regional System Data** – Provide 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.
- **Communications and Information Services** – Develop and provide information materials on agency activities and services. Assist agency staff in reaching out to, involving, and meeting the needs of Regional Council members, other agencies, businesses, community organizations, and the public.

Consideration of Title VI

Considerations of Title VI legislation are made throughout CRPC’s planning and programming activities, for example:

- **Data collection** – A large part of the agency’s work program involves analyzing, and reporting on data for the five parish region. This includes information on population, housing, employment, poverty, income, wages, transportation, traffic, and growth. Member agencies and other groups use this data for activities such as planning and the distribution of funds.
- **Regional Transportation Improvement Program (TIP)** – Included in the program of projects are federal STP, CMAQ, and FTA formula funds managed by CRPC. CRPC’s Policy Committee selects projects to receive these funds. The criteria used to identify projects to receive funds includes how well the project provides access for transportation users identified in the President’s Order for Environmental Justice. The sponsors of all projects programmed in the TIP are required to submit an annual certification of compliance with Title VI and other applicable federal and state laws and regulations.

Title VI Coordinator’s Responsibilities

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



- Ensure all aspects of the planning and programming process operation comply with Title VI.
- Prepare and update a demographic profile of the region using the most current and appropriate statistical information available on race, income, and other pertinent data. Make the document available to the public and member agencies on CRPC’s website and in the Information Center. (Appendix A contains an abbreviated Environmental Justice demographic profile for the region.)
- Develop a process for assessing the distributional effects of transportation investments in the region as part of actions on plan and programming documents.

Program Area 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 CRPC 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 all 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 all federal and state requirements are met, and that the public has been involved as appropriate. Refer to “Program Area 1: Communications & Public Participation” for a description of how interaction with the public is handled in regards to this Program Area and within CRPC in general.

Title VI Coordinator’s Responsibilities

The Title VI Coordinator is responsible for Title VI environmental justice compliance in all aspects of CRPC’s work that triggers environmental review requirements. The Coordinator will:

- Ensure Title VI environmental justice compliance, of all Environmental Impact Statements (EIS) prepared by CRPC and/or CRPC consultants.
- Analyze the project regarding the population affected by the action.
- Analyze the project regarding the impacts of the project on protected Title VI groups, and determine if there will be a disproportionately high and adverse impact on these groups.
- Disseminate information to the public in accordance with all agency public participation procedures. This includes the use of public comment periods and public hearings, interpreters, and materials in other languages, as needed.



Program Area 4: Consultant Contracts

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

Contract Procedures

Title VI text is included in all CRPC Requests for Proposals (RFP) and contracts.

Disadvantaged Business Enterprises (DBE) Program

CRPC includes DBE text in all RFPs and contracts with consultants and notes its DBE policy on the CRPC website. CRPC provides links to LADOTD's list of certified DBEs on its website.

Title VI Coordinator's Responsibilities

The Title VI Coordinator is responsible for evaluating and monitoring compliance with Title VI requirements in all aspects of the agency's consultant contracts process. The Coordinator will:

- Include Title VI language in contracts and Requests for Proposals (RFP) as described below:
 - Ensure the appropriate text in Appendix B and F is included in all agency contracts.
 - Notify all contractors that the text in Appendix B and F should be included in all subcontracts.
 - Ensure the Title VI Notice to the Public is included in all CRPC RFPs.
 - Ensure the abbreviated Title VI Notice to the Public is included in all published announcements of CRPC's RFPs (such as those published in newspapers).
 - Ensure the text in the Title VI Assurances (Appendix B) is included in all CRPC RFPs.
- Maintain the Disadvantaged Business Enterprise (DBE) Program as described below:
 - Monitor, update, and maintain the agency's DBE Program.
 - Submit annual reports on DBE activities in the Title VI Annual Report
 - Adjust and modify the DBE program, as appropriate.
 - Annually review and evaluate DBE participation, and continue efforts to "create a level playing field" for DBE and non-DBE consultants.



Remedial Action Related to Consultant Reviews

CRPC will actively pursue the prevention of Title VI deficiencies and violations and will take the necessary steps to ensure compliance with this Title VI program, both within CRPC and with CRPC'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, CRPC will issue a notification of deficiency status and remedial action for the sub recipient, as agreed upon by CRPC and LADOTD, within a period not to exceed 90 calendar days. CRPC 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, CRPC will submit to LADOTD, 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, CRPC may, with LADOTD's, FHWA's, and FTA's concurrence, initiate sanctions per 49 CFR 21.

Program Area 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 all employment-related decisions, including opportunities for education and training. See Appendix I for examples.

Employees Encouraged to Participate in Training

All CRPC employees are encouraged to participate in professional development and training. All materials received by the agency on training and education opportunities are made available to all employees, which includes all information on federally funded training, such as courses provided by the National Highway Institute (NHI) and the National Transit Institute (NTI).



Title VI Coordinator's Responsibilities

The Title VI Coordinator is responsible for evaluating and monitoring compliance with Title VI requirements in all aspects of the education and training program. LADOTD will provide information on training opportunities open to CRPC staff and sub recipients, including information on training provided by NHI and NTI. The Coordinator will:

- Assist LADOTD in the distribution of information to CRPC staff on training programs regarding Title VI and related statutes.
- Ensure equal access to, and participation in, applicable NHI and NTI courses for qualified CRPC employees



Questions

For questions on the CRPC's Title VI Plan, ADA Plan, the LEP Plan or any related policies and procedures, or for information on CRPC's work program or publications, including reports, data forecasting, maps, or other information available for use, please contact CRPC at (225) 383-5203. For information on all of the above, including current public comment periods and meetings open to the public, visit CRPC's website at www.crpc-la.org.



Appendices

- Appendix A - Title VI Methodology for Identification of Target Populations (Demographics) & Spatial Concentrations of Targeted Populations
- Appendix B - Title VI Assurances
- Appendix C- Title VI Public Notice
- Appendix D - Policy and Plan for Engaging Individuals with Limited English Proficiency (LEP)
- Appendix E - ADA Notices
- Appendix F - DBE Policy
- Appendix G - Committee Notification Lists
- Appendix H - Discrimination Complaint Process and Form
- Appendix I - Title VI Training Opportunities

Appendix A

Title VI Methodology for Identification of Target Populations (Demographics) & Spatial Concentrations of Targeted Populations

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 all 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 all of 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. CRPC further displays U.S. Census data by Traffic Analysis Zone (TAZ) for planning purposes.

CRPC has identified seven relevant groups for Title VI analysis as described below.

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

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

Target Groups

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.”

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.”

*Persons not part of households are not included in the Total Populations; the US Census does not count individuals who reside in group living situations.

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** - a person having origins in any of the black racial groups of Africa.
- **Hispanic** - a person of Mexican, Puerto Rican, Cuban Central or South American or other Spanish culture or origin, regardless of race.
- **Asian American** - a person having origins in the Far East, Southeast Asia or the Indian subcontinent.
- **American Indian and Alaskan Native** – a person having origins in North America and who maintains cultural identification through tribal affiliation or community recognition.

Elderly – Any persons over the age of 65.

Limited English Proficiency (LEP) – Any readily identifiable 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.

Households with a primary or home language other than English, who must, due to limited fluency in English, communicate in that primary or home language.

People with Disabilities – Persons who have mobility and/or self-care limitations as defined by the Census. 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).

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



Monitoring

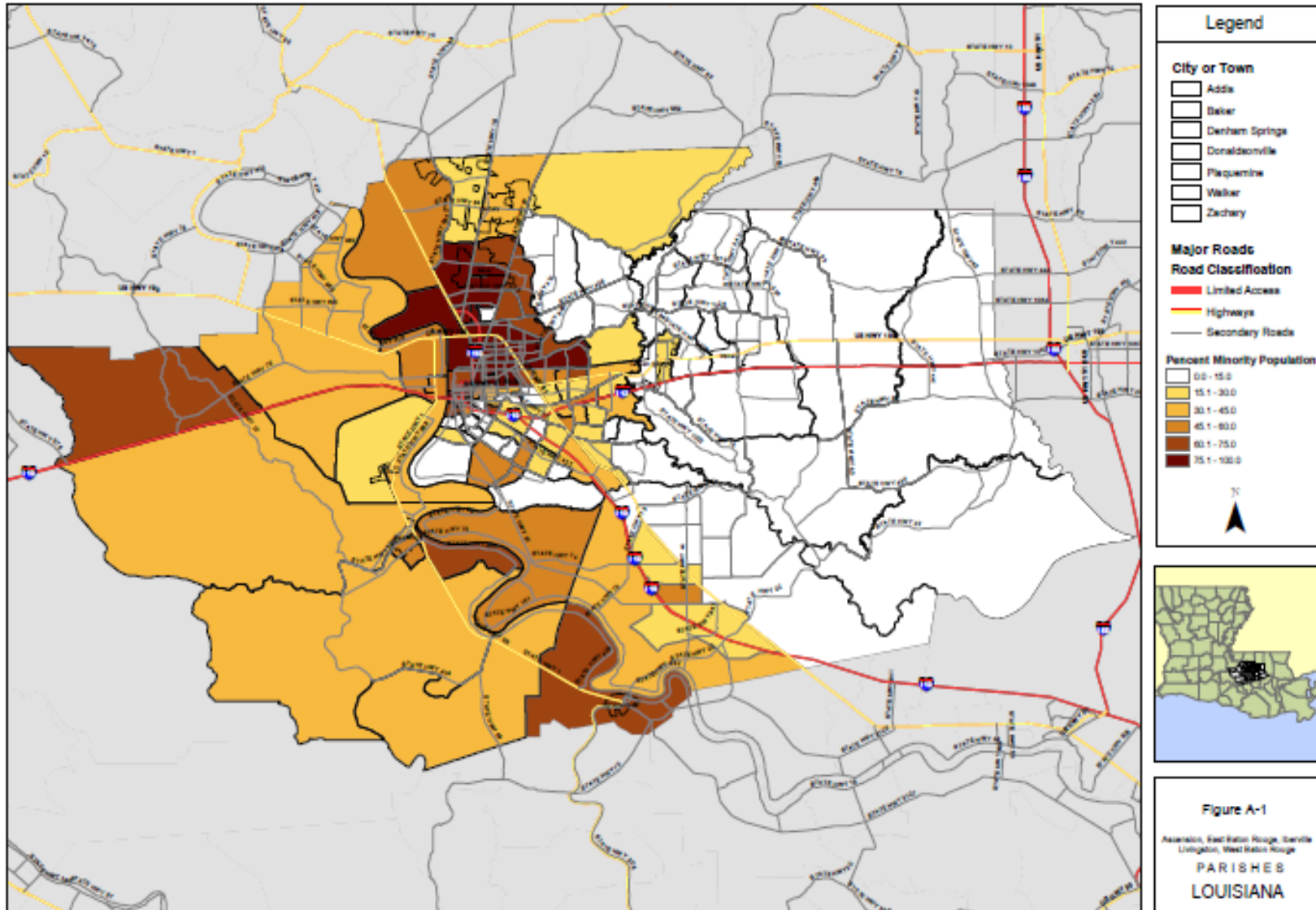
One technique used to minimize the potential adverse effects on affected populations is to identify and then create demographic profile maps of low-income and minority populations for the CRPC MPO area. These maps aid planners in understanding which communities are prone to environmental justice infractions.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

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.

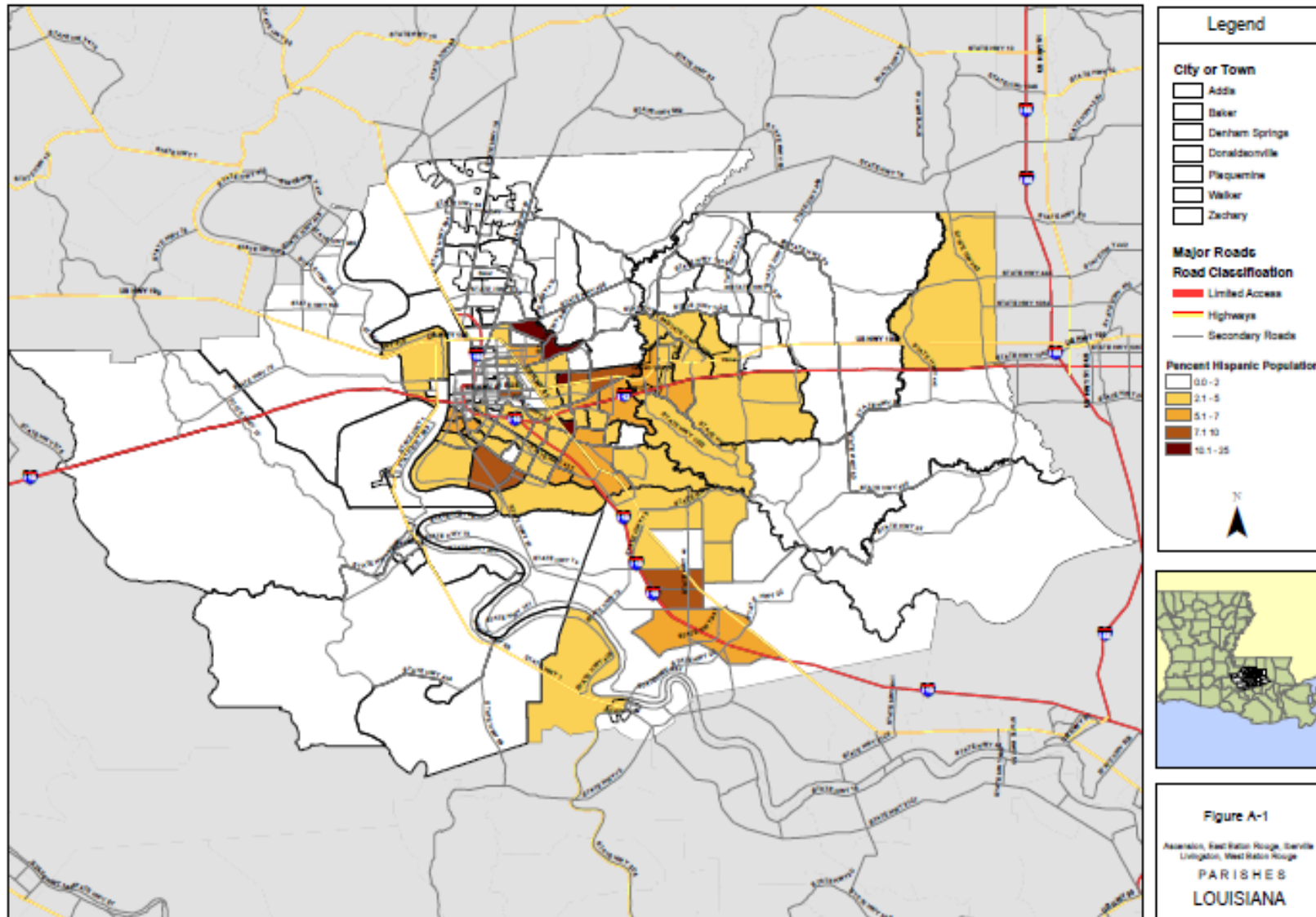
These same demographic profile maps can also be used to verify past compliance with Title VI. Identifying prior MPO projects and mapping them against demographic profile maps will let the MPO know if fair and equitable distribution of services, facilities and resources within the MPO planning area has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



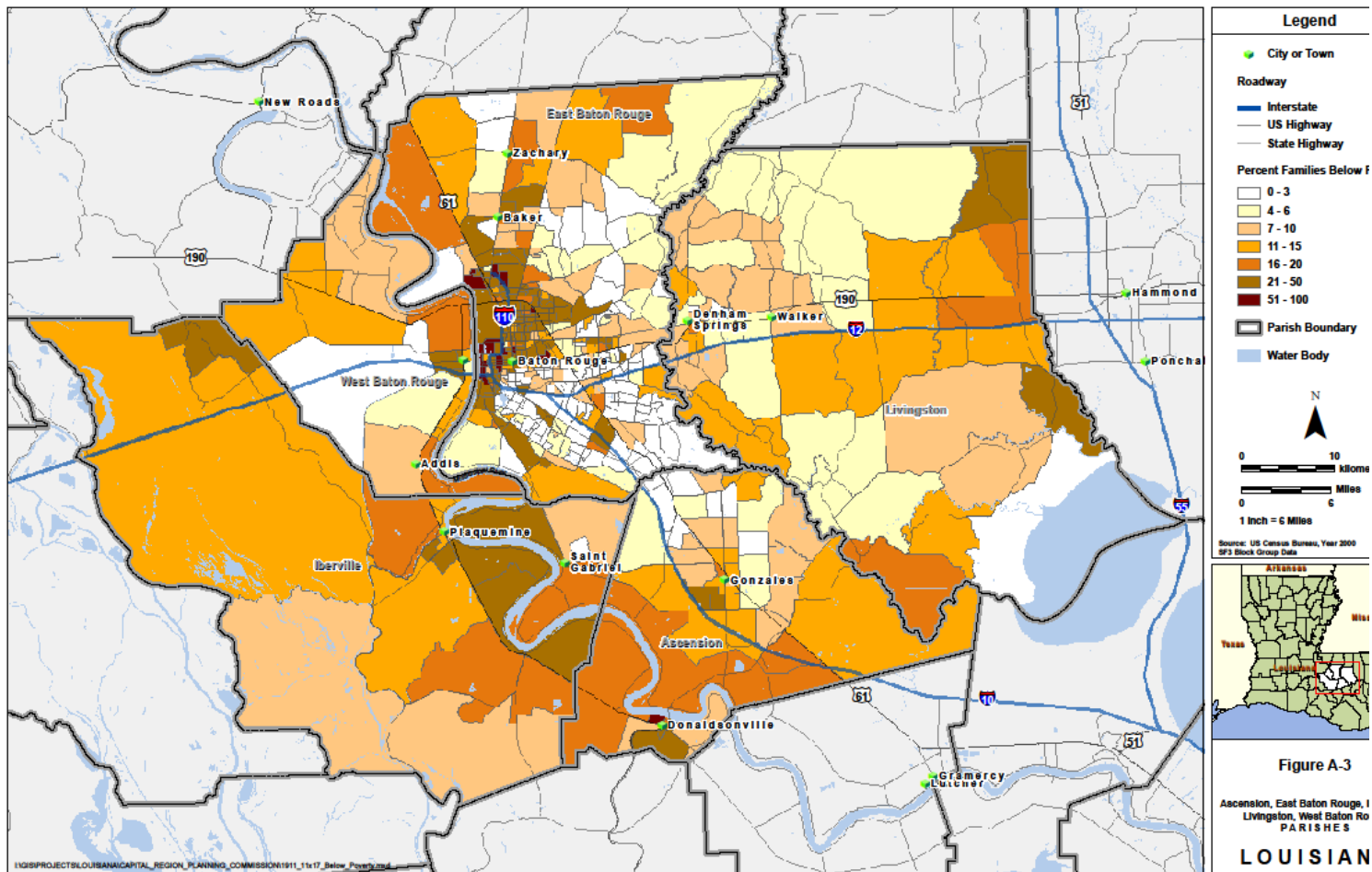
Percent Minority Population - Census 2010



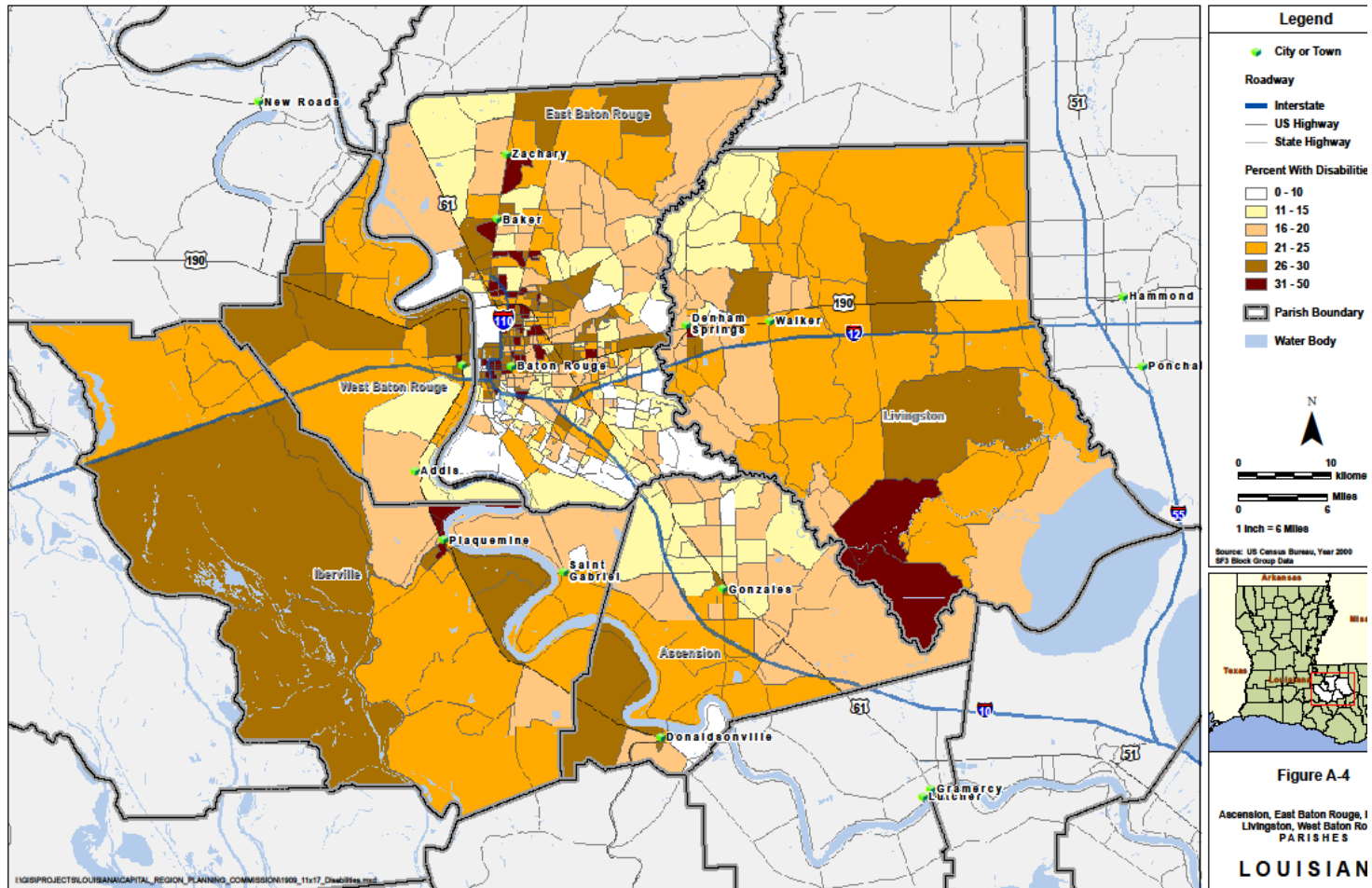
Percent Hispanic Population - Census 2010



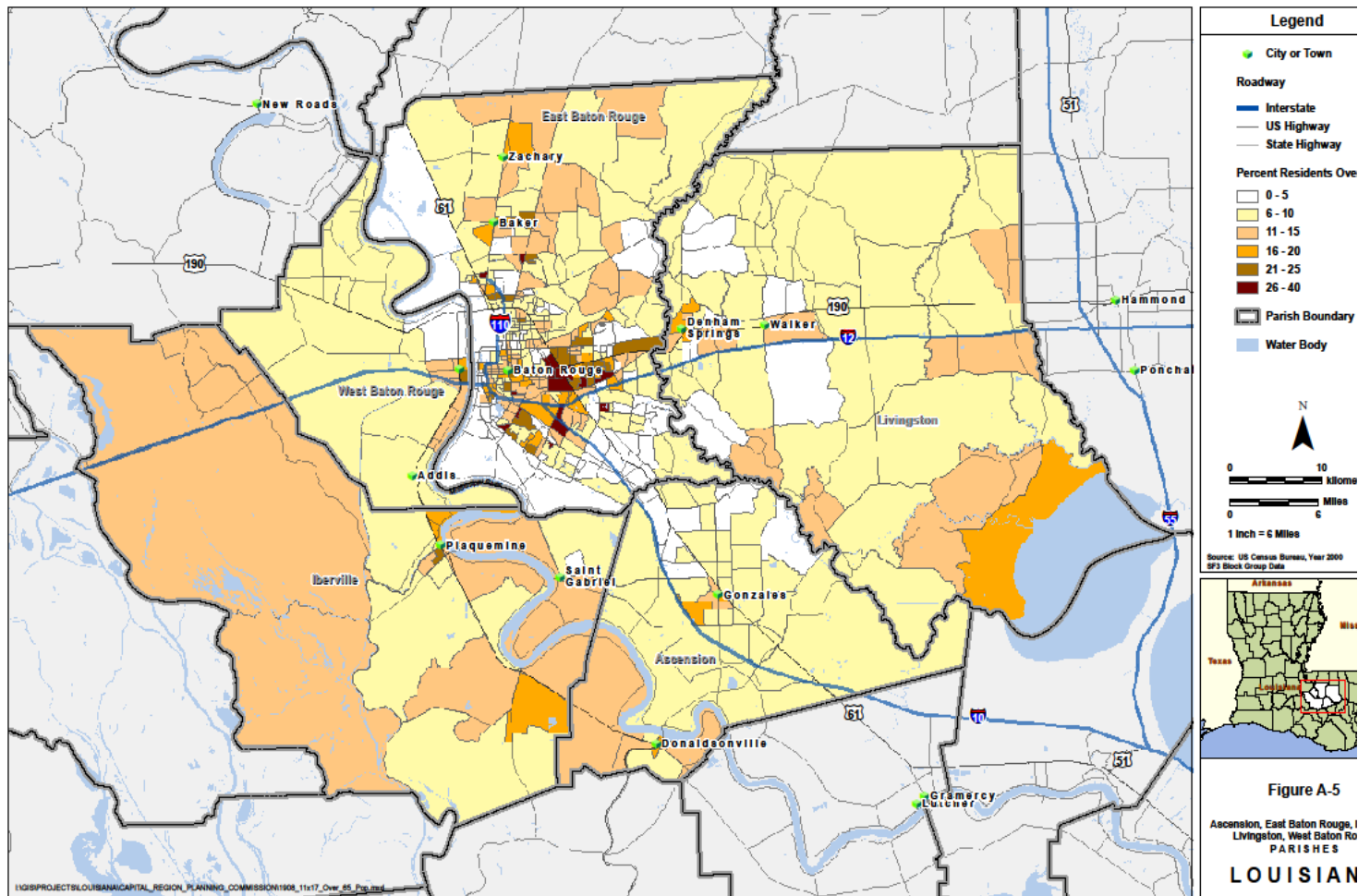
Percent Families Below Poverty



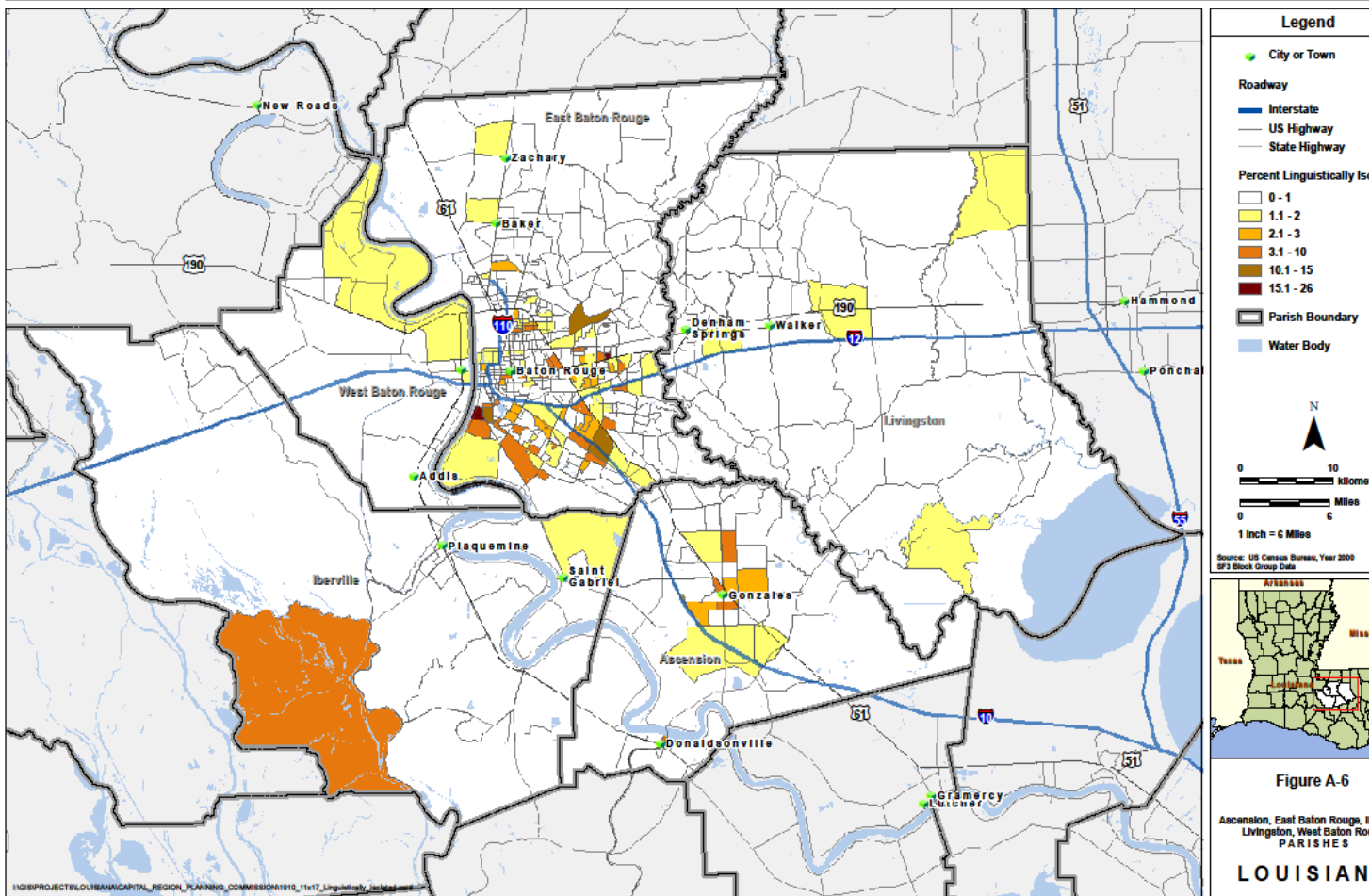
Percent Individuals With Disabilities



Percent Residents Over 65 Years Of Age



Percent Households Linguistically Isolated



Appendix B

Title VI Assurances

The Capital Region Planning Commission (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 all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the “Regulations”), and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, 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 all requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations made in connection with the Federal Aid Highway Program, and in adapted form in all proposals for negotiated agreements:

“The Capital Region 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 all 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 all 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 all federal grants, loans, contracts, property, discounts, or other federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under the Federal Aid 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.

Huey P. Dugas
Executive Director
Capital Region Planning Commission

Date

Part 1

The text below, in its entirety, is in all contracts entered into by CRPC. All of the text except the final section, entitled “Incorporation of Provisions,” should be included in any contract entered into by any CRPC consultant.

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 all 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 all 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 Capital Region Planning Commission 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 the Capital Region Planning Commission, 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 Capital Region Planning Commission 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 the Capital Region Planning Commission 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 Capital Region Planning Commission 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.

Part 2

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

Granting Clause

NOW, THEREFORE, the Capital Region Planning Commission (CRPC)—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 all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation (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 all the right, title, and interest of the CRPC in and to said land described in Exhibit A attached hereto and made a part thereof.

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 all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination 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, CRPC and its assigns as such interest existed prior to this instruction.

Part 3

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by CRPC pursuant to the provisions of Assurance 7.

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 CRPC 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 all 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 all deeds, licenses, leases, permits, or similar agreements entered into by CRPC pursuant to the provisions of Assurance 7.

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 all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964, 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 all significant publications that are distributed to the public, such as future versions and updates of the Metropolitan Transportation Plan; and Regional Transportation Improvement Program for the CRPC region. The text will remain permanently on the agency's website, www.crpc-la.org, and intranet (available to all employees). 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.

Title VI Notice: The Capital Region Planning Commission (CRPC) fully complies with Title VI of the Civil Rights Act of 1964 and related statutes, executive orders, and regulations in all programs and activities. CRPC 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 (LADOTD). LADOTD's Title VI Program Manager may be reached via phone at 225-379-1382. A complaint must be filed no later than 180 days after the date of the alleged discrimination.

CRPC meetings 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 at CRPC at 225-383-5203 (voice), 225-383-3804 (fax). If you wish to attend a CRPC function and require special accommodations, please give CRPC one week's notice in advance.

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.

CRPC fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. For more information, or to obtain a Title VI Complaint Form, see www.crpc-la.org or call our Title VI Coordinator at (225)383-5203.

Appendix D

Policy and Plan for Engaging Individuals With Limited English Proficiency (LEP)

Limited English Proficiency Policy

The Capital Region Planning Commission's policy for engaging individuals with limited English proficiency is to provide translation services to anyone who requests them, if reasonable accommodation can be made.

Background Information:

CRPC 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.¹

The results of the "four-factor analysis" showed that there is not a great need for translation services. The Capital Region Planning Commission's urban service area is fairly large, covering the entire five parishes of East Baton Rouge, West Baton Rouge, Ascension, Livingston and Iberville. The entire area (both rural and urban) served by the CRPC encompasses: CRPC's members currently include the following parishes: Ascension, East Baton Rouge, East Feliciana, Iberville, Livingston, Pointe Coupee, St. Helena, Tangipahoa, Washington, West Baton Rouge, and West Feliciana.

CRPC does not provide project level service, therefore all of its materials and communications are based on the entire region.

A large number of languages are spoken within the five parish urban area, but proportionally the percentages of people speaking a language other than English at home was relatively low. The number of people reporting that they also speak English "very well" or "well" offset this even more.

According to the Census 2000, the top two languages spoken at home in the region are Spanish and Chinese. Spanish is spoken at home by 1.63% of the region's population.

¹ This language was taken directly from the U.S. Government's Limited English Proficiency Web site, <http://www.lep.gov/recipbroch.html>.

More than half of this group reported that they speak English “very well” or “well.” Chinese is spoken at home by 1.28% of the region’s population.

CRPC does not provide any neighborhood specific programs or projects, therefore the team reviewed language characteristics for the region as a whole and the 5% safe harbor was used.

The frequency and extent with which LEP individuals come into contact with CRPC programs is estimated to be quite low. As an association of cities, towns, parishes, ports, and state agencies that serves as a forum for developing policies and making decisions about regional growth and transportation issues, the CRPC does not provide any direct projects or services to the population of the region. However, CRPC 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.

CRPC 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 agency’s interest in providing translation services.

Adopted:

Huey P. Dugas
Executive Director
Capital Region Planning Commission

Date

Limited English Proficiency Plan

Introduction

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 all 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 all federal agencies and all 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.

Plan Summary

Capital Region Planning Commission (CRPC) has developed this Limited English Proficiency Plan (LEP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to CRPC 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.

This plan details procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training staff, how to notify LEP persons that assistance is available, and information for future plan updates.

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

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

Four Factor Analyses

1. The number or proportion of LEP persons eligible to be served or likely to encounter a CRPC program, activity, or service

CRPC examined the US Census Bureau's data for the 2000 year census. and was able to determine that approximately 6.7% of the East Baton Rouge parish population age 5 and older spoke a language other than English at home and 0.9% reported that they do not speak English "very well" or "Not at All." Hispanics (2.1%) and Asians (1.1%) comprised the largest non-English speaking language groups.

| Table 1 - Five-Parish Urbanized Area – Languages Spoken In The Home | | | | |
|---|---------------|-------------|---------------|--------------|
| Language Spoken At Home By Ability To Speak English And Nativity | | | | |
| Universe: Population 5 years and over ; Louisiana Census 2000, Summary File 3, Language Profile | | | | |
| | Total | % of Total | Native | Foreign Born |
| Total Population 5 Years and Over: | 590,415 | 100.0% | 572,650 | 17,765 |
| | | | | |
| Speak only English | 550,826 | 93.3% | 547,383 | 3,443 |
| Speak Spanish: | 12,606 | 2.1% | 8,293 | 4,313 |
| Speak English "very well" | 7,683 | 1.3% | 5,727 | 1,956 |
| Speak English "well" | - | - | 1,397 | 1,107 |
| Speak English "not well" | 1,943 | 0.3% | 1,111 | 832 |
| Speak English "not at all" | 476 | 0.1% | 58 | 418 |
| Speak other Indo-European langs. : | 716 | 0.1% | 14,630 | 3,198 |
| Speak English "very well" | 13,682 | 2.3% | 11,210 | 2,472 |
| Speak English "well" | 2,859 | 0.5% | 2,336 | 523 |
| Speak English "not well" | 1,202 | 0.2% | 1,071 | 131 |
| Speak English "not at all" | 85 | 0.0% | 13 | 72 |
| Speak Asian and Pac. Island langs. : | 6,637 | 1.1% | 1,514 | 5,123 |
| Speak English "very well" | 3,167 | 0.5% | 1,204 | 1,963 |
| Speak English "well" | 2,035 | 0.3% | 226 | 1,809 |
| Speak English "not well" | 1,167 | 0.2% | 73 | 1,094 |
| Speak English "not at all" | 268 | 0.0% | 11 | 257 |
| Speak other languages: | 2,518 | 0.4% | 830 | 1,688 |
| Speak English "very well" | 1,825 | 0.3% | 665 | 1,160 |
| Speak English "well" | 508 | 0.1% | 134 | 374 |
| Speak English "not well" | 163 | 0.0% | 31 | 132 |
| Speak English "not at all" | 22 | 0.0% | 0 | 22 |
| % Speaking English "Not Well or Not At All": | 5,326 | 0.9% | | |

2. The frequency with which LEP individuals come in contact with CRPC program, activity, or service

The frequency and extent with which LEP individuals come into contact with CRPC programs is estimated to be quite low. However, CRPC 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.

3. The nature and importance of the program, activity, or service provided by CRPC to LEP community

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.

4. The resources available to the CRPC and overall costs

CRPC has limited resources to pursue translation services; therefore an ideal solution would be to find a low cost point of access for LEP individuals. This gives LEP individuals a way to find out about activities and provides a method for CRPC to determine the demand for translation services.

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

“CRPC are always seeking opportunities to increase opportunities for public comment on its activities, including policies, programs and funding cycles. CRPC is particularly interested in increasing opportunities for historically underserved populations to provide input regarding its planning activities. The results of the “four-factor analysis” showed that there is not a great need for translation services, but that it is a good time to find a starting place for providing access to individuals with limited English proficiency. The analysis showed that the greatest benefits would be for people who speak Spanish at home (2.1% of the population).

CRPC will obtain a Spanish translator from within our staff, the local university, through a volunteer or a paid individual. Notice of this service will be placed on both CRPC websites. Written procedures will be developed as needed to ensure consistent service delivery.

How to Identify an LEP Person who Needs Language Assistance

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

- Examine record requests for language assistance from past meetings and events to anticipate the possible need for assistance at upcoming meetings; and
- When CRPC sponsored workshops or conferences are held, set up a sign-in sheet table, have a staff member greet and briefly speak to each attendee. To informally gauge the attendee's ability to speak and understand English, ask a question that requires a full sentence reply.

Language Assistance Measures

When an interpreter is needed, in person or on the telephone, first determine what language is required. If CRPC staff cannot provide verbal interpretation and if a formal interpretation is required, staff shall use the assistance from Louisiana State University or local Court Reporters possessing the needed language.

Staff Training

All CRPC 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 CRPC staff orientation process for new hires. Training topics are listed below:

- Understanding the Title VI LEP responsibilities;
- What language assistance services CRPC offers;
- How to access an interpreter;
- Documentation of language assistance requests;
- How to handle a complaint; and

Providing Notice of Available Language Service to LEP Persons

- Post signs that language assistance is available on the website, CRPC meeting notices, and press releases.

Outreach Techniques

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

- When running a general public meeting notice, staff should insert the clause:

“Un traductor del idioma español estará disponible”

This means “A Spanish translator will be available”. Or if not sure of the need, staff should insert this clause:

“Si usted necesita la ayuda de un traductor del idioma español, por favor comuníquese con la R.J. Goebel al teléfono (225) 383-5203, cuando menos 72 horas antes de la junta”

which asks persons who need Spanish language assistance to make arrangements with CRPC within three days of the publication notice.

- If notified in advance, Spanish speaking staff or a hired interpreter will be on hand at public meetings intended for gathering public input.

Monitoring and Updating the LEP Plan

This plan is designed to be flexible and is one that can be easily updated. At a minimum, CRPC will follow the Title VI Program update schedule for the LEP Plan.

Each update examines all plan components such as:

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

Dissemination of the CRPC Limited English Proficiency Plan

CRPC will post the LEP Plan on its website at www.CRPC-LA.org

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, all 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 CRPC Title VI Coordinator.

Appendix E

ADA Notices

Notice of Nondiscrimination on the Basis of Disability (Americans with Disabilities Act of 1990)

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

CRPC's Commitment

Modifications to Policies & Procedures

CRPC will make all reasonable modifications to policies and procedures to ensure that people with disabilities have an equal opportunity to attend all CRPC public meetings. For example, individuals with service animals are welcomed in CRPC public meetings, even where animals are generally prohibited.

Effective Communication

CRPC 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 CRPC'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 CRPC public meeting should contact the CRPC's ADA Coordinator via phone as soon as possible but no later than one week before a scheduled meeting.

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

Notification that a CRPC meeting is not accessible to persons with disabilities should be directed to:

**ADA Coordinator, Capital Region Planning Commission
333 North 19th Street, Post Office Box 3355, Baton Rouge, LA 70821
225-383-5203**

ADA Notice to Be Posted At the Bottom of All CRPC Meeting Notices

ADA Notice: For special accommodations for this meeting, contact our ADA Coordinator via phone (225-383-5203) at least one week in advance.

Appendix F

DBE Policy

DBE Policy - Participation By Disadvantaged Business Enterprises In Capital Region Planning Commission Programs - It is the policy of the Capital Region Planning Commission (CRPC) that disadvantaged businesses, as defined by 49 Code of Federal Regulations, Part 26, shall have an opportunity to participate in the performance of CRPC contracts in a nondiscriminatory environment. The objectives of CRPC'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.

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

The Capital Region Planning Commission requires 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.

Huey P. Dugas
Executive Director
Capital Region Planning Commission

Date

DBE Clause to Be Included Within the Body of All Future Contracts Issued by CRPC

Participation By Disadvantaged Business Enterprises In Capital Region Planning Commission Programs - It is the policy of the Capital Region Planning Commission (CRPC) that disadvantaged businesses, as defined by 49 Code of Federal Regulations, Part 26, shall have an opportunity to participate in the performance of CRPC 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 CRPC deems appropriate.

Appendix G

CAPITAL REGION PLANNING COMMISSION TRANSPORTATION POLICY COMMITTEE MEMBERS

January 19, 2012

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January 19, 2012

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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 LADOTD 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. All 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 LADOTD's formal complaint process. Complaints filed under Title VI against sub-recipients or contractors/consultants of CRPC will be investigated by LADOTD's Title VI Program Manager with assistance from CRPC. CRPC shall maintain a confidential log of complaints for the purpose of assisting LADOTD. The log will include the following information:

- a) Name of Complainant.
- b) Name of Respondent.
- c) Basis of Complaint (i.e., race, color, national origin, sex, age, disability, or retaliation.)
- d) Date complaint received by the MPO.
- e) Date the MPO forwarded the complaint to LADOTD'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.

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.

Time Frames of LADOTD Upon Receiving Complaint

1. 45 days to conduct an investigation,
2. 15 days to complete investigative report and submit to the administrative head, with copies to FHWA, FTA and CRPC.

Total time allotted: 60 days

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.



Louisiana Department of Transportation and Development

Title VI Discrimination Complaint Form

| | | | |
|---|-------|--|--------------------------|
| Name | Phone | Name of Person(s) Who Discriminated Against you. | |
| Address (Street No., P.O. Box, Etc.) | | Location and Position of Person (If known) | |
| City, State, Zip | | City, State, Zip | |
| Discrimination Because Of: <input type="checkbox"/> Race/Color <input type="checkbox"/> Sex <input type="checkbox"/> Disability <input type="checkbox"/> Age <input type="checkbox"/> National Origin <input type="checkbox"/> Income Status or 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: **Capital Region Planning Commission**
 P.O. Box 3355
 Baton Rouge, LA 70821-3355

Telephone Number : (225) 383-5203
Fax Number : (225) 383-3804



Appendix I

Title VI Training Opportunities Attended by CRPC Staff

- 1) **One-Day course-** Title VI Nondiscrimination in the Federal Aid Program
<http://www.fhwa.dot.gov/resourcecenter>
(attended July 22, 2010) Shreveport, La
- 2) **One-Day course-** National Title VI Forum developed by the Federal Highway Administration
http://www.fhwa.dot.gov/resourcecenter/teams/civilrights/flyer_exp_081909.pdf
(attended August 19, 2009)
- 3) **Two-Day course-** Civil Rights Training Symposium developed by Southern Transportation Civil Rights Executive Council
http://www.brgfl.com/BRG/Home/Entries/2009/4/20_2009_Southern_Transportation_Civil_Rights_Executive_Council_Training_Symposium.html
(attended August 18 & 20, 2009)

OTHER TRAINING OPPORTUNITIES

- 4) **Two-Day course-** Transit Equity Considerations developed by National Transit Institute
<http://www.ntionline.com/CourseInfo.asp?CourseNumber=TCR07>
- 5) **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
- 6) **Two-Day course-** Title VI Training developed by LA Department of Transportation and Development
Contact: (225) 379-1363, Title VI Programs Manager, LADOTD
- 7) **Online Training Materials-** developed by US Department of Justice Civil Rights Division
<http://www.usdoj.gov/crt/cor/coord/train.php>
- 8) **FHWA Resource Center for Training**
<http://www.fhwa.dot.gov/resourcecenter/teams/civilrights/index.cfm>

