



**Kentuckiana
Regional Planning &
Development Agency**

**Kentucky
Member
Counties**

Bullitt

Henry

Jefferson

Oldham

Shelby

Spencer

Trimble

**Indiana
Member
Counties**

Clark

Floyd

Equal

Opportunity

Employer

TITLE VI PROGRAM PLAN

October 1, 2021 – September 30, 2022

Jarrett Haley, Executive Director

**Kelly Tyra Cecil, Director of Human Resources
& Administrative Services, Title VI and
ADA Coordinator**



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Louisville, KY 40299
Phone 502.266.6084
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KY TDD 1-800-648-6056
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Metropolitan Planning Organization Kentucky Designated Area Agency on Aging

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Glossary/Definitions

Area Development Districts (ADD): focus on developing and sustaining the fundamental building blocks for state, regions and local communities in today's rapidly changing global marketplace. Including but not limited to traditional emphasis on strategic planning and project funding for clean and safe drinking water systems, health care facilities, affordable housing, small business development and transportation improvements.

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

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

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

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

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

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

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

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

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

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

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

Discrimination: involves any act or inaction, whether intentional or unintentional in any program

or activity of a federal aid recipient, sub recipient, or contractor, which results in disparate treatment, disparate impact, or perpetuating the effects of prior discrimination based on race, color, sex, national origin, age, disability or in the case of disability, failing to make a reasonable accommodation.

Division: one of the administrative subdivisions of an office of KIPDA.

Executive Director: chief administrative official who has the authority to designate Title VI Coordinator for KIPDA.

Federal Assistance:

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

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

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

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

Indiana Department of Transportation or INDOT: the agency of Indiana charged by its laws with the responsibility for all modes of transportation.

Indo-European: of or relating to a group of languages which includes many of the languages spoken in Europe, in the parts of the world colonized by Europeans, and in parts of Asia

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

- Hiring bilingual staff

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

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

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

Metropolitan Planning Organization or MPO: policy board of an organization created and designated to carry out the metropolitan transportation planning process. MPOs are required to represent localities in all Urbanized Areas (UZA) of populations over 50,000, as determined by the US Census. MPOs are designated by agreement between the Governor and units of general-purpose local government that together represent at least 75 percent of the affected population (including the largest incorporated city, based on population, as named by the Bureau of the Census) or in accordance with procedures established by applicable State or local law. When submitting the transportation improvement program (described below), to the State for inclusion in the statewide program, MPOs self-certify that they have met all federal requirements.

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

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

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

Non-minority or non-minority group people: Caucasians

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

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

Primary recipient: KYTC, INDOT, KIPDA, or any department, division, or agency authorized to

request federal assistance on behalf of subrecipients and to distribute financial assistance to subrecipients' contracts for carrying out a program.

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

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

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

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

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

Title VI Coordinator: refers to the responsible KIPDA official in matters relating to Title VI. The Title VI Coordinator carries out the Title VI responsibilities of KIPDA.

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

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

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

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

Overview & Policy Statement

Title VI of the Civil Rights Act of 1964 is a non-discrimination statute. Specifically, Title VI provides that "no person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance" (42 U.S.C. Section 2000d). Each federal department and agency, which is empowered to extend Federal financial assistance to any program or activity, by way of grant, loan, federal personnel or any federal agreement contract is authorized and directed to make the provisions of Section 2000d of this title.

KIPDA Board of Directors is the governing body of KIPDA as an Area Development District, Metropolitan Planning Organization and Area Agency on Agency and Independent Living. As a recipient of federal funds through grant program(s), KIPDA is subject to Title VI of the Civil Rights Act of 1964. KIPDA works to ensure that nondiscriminatory services are offered throughout the region thereby enhancing both the quality of life and economic vitality.

A KYTC Title VI on-site review conducted in February 2016 included addressing the development and implementation of a comprehensive Title VI Program Plan, Subrecipient Monitoring Program, and the Title VI Program Training section of this plan. KIPDA continues commitment to a workplace compliant with Title VI of the Civil Rights Act of 1964 and incorporate suggestions by KYTC and INDOT.

Non-Discrimination Authorities

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



11520 Commonwealth Drive
Louisville, KY 40299


Title VI Policy Statement

It shall be the policy of the Kentuckiana Regional Planning and Development Agency (KIPDA) that all employees, sub-recipients and sub-contractors of KIPDA shall not exclude any person from participation, deny the benefits of, or subject to discrimination on the basis of race, color, national origin, sex, age, disability, religion, sexual orientation, gender identity, limited English proficiency, veteran or income status, under any program, activity or service receiving Federal financial assistance from the U.S. Department of Transportation, U.S. Department of Health and Human Services, U.S. Department of Housing and Urban Development, U.S. Department of Homeland Security, and the U.S. Department of Commerce.

Programs and activities to which this policy applies include, but are not limited to, the use of transportation funds in connection with federal-aid highway planning and construction, metropolitan transportation planning and state and non-metropolitan planning and research; the use of public administration funds in connection with community development block grants/state's program, economic development support for planning organizations; the use of social service funds in connection with special programs for the aging including Title II discretionary projects, Title III (Parts B, C, D, and E), Title IV, Title VII (Chapter 2 and 3), nutrition services incentive program, public health emergency preparedness, Centers for Medicare and Medicaid Services (CMS) research, demonstrations and evaluations, Affordable Care Act (Medicare Improvements for Patients and Providers (MIPPA)), injury prevention and control research and state and community based programs, national implementation and dissemination for chronic disease prevention, Prevention and Public Health Fund (PPHF) geriatric education centers.

This policy shall be prominently displayed in KIPDA offices and on KIPDA's website.


Jarrett K. Haley, KIPDA Executive Director


Date

APPROVED TO FORM AND LEGALITY:


Mitzi Wyrick, KIPDA Legal Counsel


Date




11520 Commonwealth Drive
Louisville, KY 40299

Declaración política del Título VI

Será la política de la Agencia Regional de Planificación y Desarrollo de Kentuckiana (KIPDA) que todos los empleados, subreceptores y subcontratistas de KIPDA no excluirán a ninguna persona de la participación, negar los beneficios de, o sujeto a discriminación por motivos de raza, color, origen nacional, sexo, edad, discapacidad, religión, orientación sexual, identidad de género, inglés limitado, veterano o estado de ingresos, bajo cualquier programa, actividad o servicio que reciba asistencia financiera federal del Departamento de Transporte de los Estados Unidos, Departamento de Salud y Servicios Humanos de los EE.UU, Departamento de Vivienda y Desarrollo Urbano de los EE.UU, Departamento de Seguridad Nacional de los EE.UU y el Departamento de Comercio de los EE.UU.

Los programas y las actividades que la política incluyen, pero no se limitan a, el uso de fondos de transporte en relación con la planificación y la construcción de carreteras de ayuda federal, la planificación del transporte metropolitano y la planificación e la investigación estatales y no metropolitanas; el uso de fondos de la administración pública en relación con los "Community Development Block Grants"/programa estatal, apoyo al desarrollo económico para organizaciones de planificación; el uso de fondos de servicios sociales en relación con programas especiales para los adultos mayores que incluye proyectos discrecionales Título II, Título III (Partes B, C, D y E), Título IV, Título VII (Capítulo 2 y 3), programa de incentivos a los servicios de nutrición, preparación para emergencias de salud pública, Centros de Medicare y Servicios de Medicaid (CMS), demostraciones y evaluaciones, Ley de Cuidado de Salud Asequible (Medicare Mejoras para Pacientes y Proveedores (MIPPA)), investigación de prevención y control de lesiones y programas estatales y comunitarios, implementación y difusión nacionales para la prevención de enfermedades crónicas, centros de educación geriátrica del Fondo de Prevención y Salud Pública (PPHF).

Esta política está disponible en las oficinas de KIPDA y el sitio web de KIPDA.


Jarrett K. Haley, KIPDA Director Ejecutivo

August 31, 2022
Fecha

APROBADO PARA FORMAR Y LEGALIDAD:


Mitzi Wyrick, KIPDA Asesora Legal

September 13, 2022
Fecha



PUBLIC NOTICE

Non-Discrimination - Your Rights Under Title VI of the Civil Rights Act of 1964

The Kentuckiana Regional Planning and Development Agency (KIPDA) hereby provides notice that it will ensure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and any other non-discrimination authorities in all its programs and activities. It shall be the policy of KIPDA that all employees, sub-recipients and sub-contractors of KIPDA shall not exclude any person from participation, deny the benefits of, or be subject to discrimination on the basis of race, color, national origin, sex, age, disability, religion, sexual orientation, gender identity, limited English proficiency, veteran or income status, under any program, activity or service receiving Federal financial assistance.

Any person who believes that KIPDA has violated his/her Title VI protections has a right to file a complaint within 180 calendar days of the alleged discrimination. At the complainant's discretion, the complaint can be filed with KIPDA, the Kentucky Transportation Cabinet, the Kentucky Commission on Human Rights, Indiana Department of Transportation, Indiana Civil Rights Commission, and/or the Secretary of the U.S. Department of Transportation.

KIPDA's Title VI policy, complaint procedures (including addresses of aforementioned agencies) and Limited English Proficiency Plan (LEP) are available at www.kipda.org and shall be made available upon request by contacting:

Kelly Tyra Cecil
KIPDA's Title VI Coordinator
11520 Commonwealth Drive
Louisville, KY 40299
502.266.6084
kellytyra.cecil@kipda.org

To file a discrimination complaint, the written complaint must be submitted to the address above within 180 days of the alleged discrimination. Written complaints may also be submitted to the U.S. Department of Transportation/Federal Highway Administration (FHWA) no later than 180 days after the date of the alleged discrimination, unless the time for filing is extended by the FHWA at the following address: Office of Civil Rights, Attention: Title VI Coordinator, Federal Highway Administration, 1200 New Jersey Avenue., SE, Washington, DC 20590 to accommodate limited English proficient individuals, oral complaints to be documented and/or translated may also be given at the above address.

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AVISO PÚBLICO

No Discriminación - Sus Derechos Bajo el Título VI de la Ley de Derechos Civiles de 1964

La Agencia Regional de Planificación y Desarrollo de Kentuckiana (KIPDA) notifica que garantizará el pleno cumplimiento del Título VI de la Ley de Derechos Civiles de 1964, la Ley de Restauración de Derechos Civiles de 1987 y cualquier otra autoridad de no discriminación en todos sus programas y actividades. Será la política del KIPDA que todos los empleados, subreceptores y subcontratistas del KIPDA no excluyan a ninguna persona de la participación, nieguen los beneficios de, o estén sujetos a discriminación por motivos de raza, color, origen nacional, sexo, edad, discapacidad, religión, orientación sexual, identidad de género, dominio limitado del inglés, estado de veterano o ingreso, bajo cualquier programa, actividad o servicio que reciba asistencia financiera federal.

Cualquier persona que crea que el KIPDA ha violado sus protecciones del Título VI tiene derecho a presentar una queja dentro de los 180 días calendario de la supuesta discriminación. A discreción del reclamante, la queja se puede presentar ante el KIPDA, el Gabinete de Transporte de Kentucky, la Comisión de Derechos Humanos de Kentucky, el Departamento de Transporte de Indiana, la Comisión de Derechos Civiles de Indiana y/o el Secretario del Departamento de Transporte de los Estados Unidos.

La política del Título VI de KIPDA, los procedimientos de reclamación (incluidas las direcciones de las agencias mencionadas anteriormente) y el Plan limitado de competencia en inglés (LEP) están disponibles en www.kipda.org y se pondrán a disposición bajo petición poniéndose en contacto con:

Kelly Tyra Cecil
Coordinador del Título VI del KIPDA
11520 Commonwealth Drive
Louisville, KY 40299
502.266.6084
kellytyra.cecil@kipda.org

Para presentar una queja por discriminación, la queja por escrito debe enviarse a la dirección antes mencionada dentro de los 180 días de la supuesta discriminación. Las quejas por escrito también pueden enviarse al Departamento de Transporte de EE. UU. / Administración Federal de Carreteras (FHWA) a más tardar 180 días después de la fecha de la supuesta discriminación, a menos que FHWA extienda el tiempo de presentación a la siguiente dirección: Oficina de Civil Derechos, Atención: Coordinador del Programa del Título VI, Administración Federal de Carreteras, 1200 New Jersey Avenue, SE, Washington, DC 20590 para dar cabida a personas con dominio limitado del inglés, las quejas orales documentadas y / o traducidas también pueden entregarse en la dirección anterior.

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Responsible Officials

The Executive Director of KIPDA is responsible for the total administration of the regional planning and development Agency. The Executive Director provides guidance, direction and authorization to carry out Title VI plans and programs and delegates authority to subordinate Directors regarding responsibility for implementation, compliance and reporting with respect to Title VI and their Divisions, including the management of sub-recipients.

Inquiries related to these activities should be directed to:

Jarrett Haley
Executive Director
11520 Commonwealth Drive
Louisville, KY 40299
502.266.6084
502.266.5047 fax
jarrett.haley@kipda.org

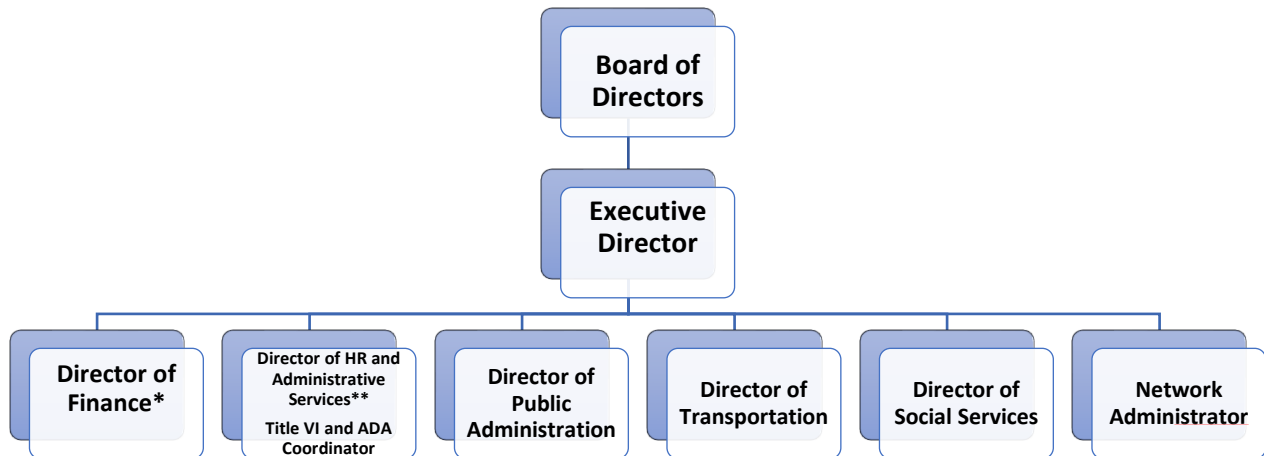
Kelly Tyra Cecil
Director of Human Resources and Administrative Services
Title VI Coordinator and ADA Coordinator
11520 Commonwealth Drive
Louisville, KY 40299
502.266.6084
502.266.5047 fax
kellytyra.cecil@kipda.org

The Title VI Program Coordinator is responsible for the oversight and coordination of KIPDA's compliance with Title VI and all related statutes, regulations, and directives. The Title VI Coordinator has direct access to the KIPDA's Executive Director. General responsibilities of the Title VI Program Coordinator include, but are not limited to the following:

- Coordinating Title VI program development with KIPDA Division Directors and Local Public Agencies (LPAs)
- Establishing procedures for processing Title VI program reviews and/or subrecipient reviews
- Coordinating training Title VI training for KIPDA staff, subrecipients, and stakeholders
- Preparing required reports
- Providing guidance and advice on the Title VI Program to KIPDA Division Directors, staff, and LPAs
- Participating in the design, development, and dissemination of Title VI information to the public
- Annually updating KIPDA's Title VI Program Plan

Kentuckiana Regional Planning and Development Agency

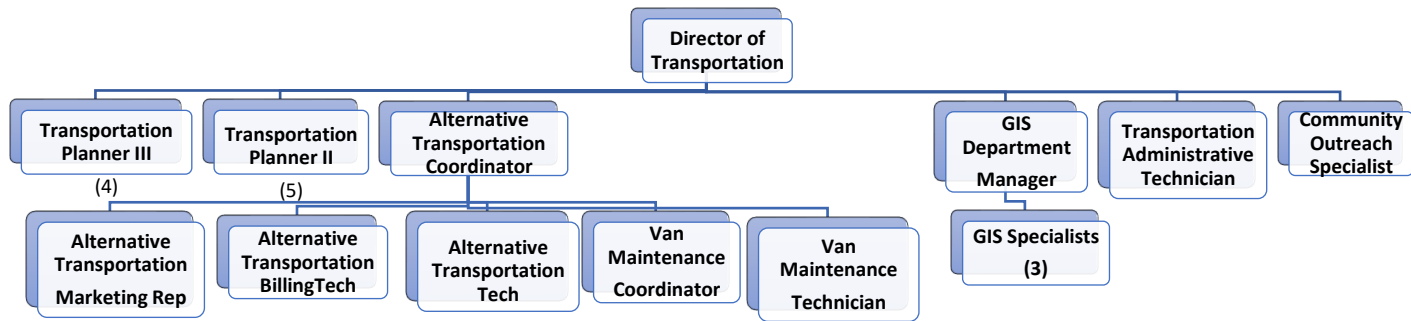
Organizational Chart



*The Director of Finance will serve as the Executive Director's designee when the Executive Director is out of the office.

** When the Executive Director and the Director of Finance are both out of the office the Director of Human Resources and Administrative Services will act as the Executive Director's designee.

Transportation Division





U.S. Department of Transportation Title VI Assurances

The Kentuckiana Regional Planning and Development Agency (KIPDA) and its staff, recipients, sub-recipients and sub-contractors agree that as a condition to receiving any Federal financial assistance from the Department of Transportation it will comply with Title VI of the Civil Rights Act of 1964 (42 U.S. C. § 2000d) 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 ("Regulations") and other pertinent directives, to the effect that no person shall, on the grounds of race, color, national origin, sex, age, disability, religion, sexual orientation, gender identity, limited English proficiency, veteran or income status, be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination under any program or activity for which KIPDA receives Federal financial assistance from the Department of Transportation, including the Kentucky Transportation Cabinet, 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 gives the following specific assurances with respect to its federally funded programs:

1. That KIPDA agrees that each "program" and each "facility" as defined in subsections 21.23(e) and 21.23(b) of the Regulations, will be conducted or operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with the Federal Aid Highway Program, and, in adapted form in all proposals for negotiated agreements.

KIPDA, in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d to 2000d-4 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 insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated


against on the grounds of race, color, national origin, sex, age, disability, religion, sexual orientation, gender identity, limited English proficiency, veteran or income status in consideration for an award.

Agreements for Other Services

Compliance with Regulations: The Consultant shall comply with the regulations of KIPDA relative to nondiscrimination in Federally Assisted Programs of KIPDA which are herein incorporated by reference and made a part of this contract.

3. That the Recipient shall insert the relevant nondiscrimination clauses of this assurance in every contract subject to the Act and the Regulations.
4. That the Recipient shall insert into every relevant contract the clause stating that contractor will not discriminate against any employee or applicant for employment on the basis of race, color, national origin, sex, age, disability, religion, sexual orientation, gender identity, limited English proficiency, or veteran status.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, these assurances shall extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form of, or for the acquisition of real property, or an interest in real property, these assurances shall extend to rights to space on, over or under such property.
7. That these assurances obligate the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which KIPDA retains ownership or possession of the property.
8. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he delegates specific authority to give reasonable guarantees 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 these assurances.
9. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and these assurances.

These assurances are 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 and is binding on it, other recipients, sub grantees, contractors, subcontractors, transferees, successors in interest and other participants in the relevant program. The person or persons whose signatures appear below are authorized to sign these assurances on behalf of the Recipient.



Jarrett Haley, Executive Director
KIPDA



Date

Program Review Procedures

KIPDA staff is responsible for the following under Title VI:

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

Programs or Activities Subject to Title VI

KIPDA funding sources with Title VI responsibilities include the following:

- U.S. Department of Housing and Urban Development
- U.S. Department of Commerce
- U.S. Department of Health and Human Services
- U.S. Department of Transportation
- Federal Transit Administration
- Kentucky Transportation Cabinet
- Indiana Department of Transportation

The above funding sources are designated for the following program areas with Title VI responsibilities:

- Housing
- Community Projects
- Economic Development
- Public Services
- Public Facilities
- Emergency Relief
- Education and Training
- Research
- Planning and Management
- Design
- Construction
- Contract Administration
- Right of Way
- Environmental Analysis
- Services for Elderly and Disabled

Special Emphasis Program Areas

KIPDA will review documents disseminated to the public by:

- Developing a network of Agency “Title VI Liaisons” from each Division at KIPDA
- KIPDA Division Liaisons will review and update, as necessary, documents which are disseminated to the public and have Title VI implications; these materials include program brochures, websites, meeting notices, request for proposals, newsletters, contracts, advertisements, annual reports, etc.

To address trends or patterns of discrimination in these areas, KIPDA would improve awareness and training through education, both informal and formal, via interactive training sessions (e.g.,

diversity and inclusion) and conversations with management. It would be important to make sure management is setting the example and being held accountable.

Subrecipient Review Procedures

KIPDA shall make every effort to regulate, monitor, review, and report on federal programs to ensure compliance using FHWA's Nondiscrimination/Title VI Guidelines. KIPDA's Title VI Coordinator will work with program staff (Title VI liaisons) to conduct periodic pre-grant and post-grant reviews of select subrecipients of FHWA funds or other federal funds to ensure adherence to Title VI requirements; reviews use a combination of desk and onsite audits. Appropriate program staff members will routinely update the Title VI guidelines provided to consultants, contractors and subrecipients including Title VI language, provisions, and other related requirements.

Upon a finding by KIPDA of noncompliance by a subrecipient, the Title VI Coordinator, or his/her designee shall immediately notify the Responsible Official in writing of the violations held to constitute noncompliance with Title VI and of the steps necessary to correct these violations. The Responsible Official shall implement corrective actions within thirty (30) days of receipt and acceptance of the notification of recommended corrective action.

If an attempt to secure voluntary compliance with Title VI does not occur within thirty (30) days, or a reasonable period of time, the Responsible Official may, in the case of grant subrecipients, face termination or suspension of the contractual relationship with KIPDA.

Data Collection/Reporting/Analysis

Statistical data on race, color, national origin, sex, age, disability, and LEP of participants in and beneficiaries of KIPDA's programs, (i.e., affected populations, and participants) will be gathered, analyzed, and maintained by KIPDA to determine the investment benefits and burdens to the population, including minority and low-income populations. Each of KIPDA's Program Areas will maintain data relative to their programs and activities. Data gathering procedures will be reviewed regularly to ensure sufficiency of the data in meeting the requirements of Title VI program administration. Analysis of the data collected by the program emphasis areas may include:

- The race, color, national origin, sex, age, disability, income and LEP of the population eligible to be served
- Socioeconomic Assessment to evaluate project's potential impacts to the human environment
- Persons to include in the decision-making process
- Percent of benefits allocated to persons below the poverty line vs. persons above the poverty line
- Distribution of benefits (dollars, facilities, systems, projects) to groups and communities

- Projected population increases versus planned facilities and types of facilities
- Language needs assessment
- Transportation needs of all persons within boundaries of plans or projects
- Strategies to address impacts
- The way services are or will be provided and the related data necessary for determining whether any persons are or will be denied such services based on prohibited discrimination
- The location of existing or proposed facilities connected with the program and related information for determining whether the location has or will have the effect of unnecessarily denying access to any persons based on prohibited discrimination
- The present or proposed membership, by race, color, national origin, sex, disability, and age, in any planning or advisory body which is an integral part of the program
- Strategies to disseminate information

Environmental Justice (EJ)

Executive Order (E.O. 12898) was issued to focus federal attention on the environmental and human health conditions in minority and low-income communities to promote non-discrimination in federal programs substantially affecting human health and the environment and to provide minority and low-income communities access to public information on and an opportunity for public participation in matters relating to human health or the environment.

KIPDA will utilize the US Census Bureau data, the American Community Survey (ACS) data, ARCMAP census boundary shape files, and the following to identify targeted populations:

- Potential demographic groups to consider for the region
- The required EJ populations defined by the Executive Order and supportive guidance
- Groups which are underrepresented in typical public involvement and transportation decision making processes, have limited access to the full benefits of the transportation system or have encountered disproportionate impacts from past transportation decisions
- Data sources to conduct a spatial demographic profile
- Engage leaders and representatives of demographic groups to identify target populations, spatially and non-spatially
- Online Resource Center (arcgis.com)

- Environmental Justice Resource Guide (<https://www.kipda.org/transportation/major-functions/environmental-justice>)

Agency Title VI Training

KIPDA will provide written notice to all current employees concerning KIPDA's commitment to assuring compliance with Title VI and a copy of KIPDA's Title VI Program Plan will be disseminated to all employees along with complaint procedures. Subrecipients of federal grants will be notified of the Title VI Program Plan and complaint procedures at the time of award.

A Title VI training (PowerPoint presentation and video) is required annual training for employees and provided to new employees during Orientation. In FY22, the following employees received Title VI training during Orientation:

September 30, 2021	January 28, 2022	April 22, 2022	May 27, 2022
Ginny Whitt	Jennifer Wilson	Asia Drake	Tricia Forbis
Spencer Williams	Susan Graves	Carolyn Brown	Jordan Champion
Valerie Mohr	Jeremeih Shaw	Alex Posorske	
Jackie Duke	Ryan Lloyd	Joseph Garcia	
Patrick Lynch		Arianna Delgado	

As a part of the Subrecipient Monitoring Program the Title VI Coordinator will provide materials and technical assistance to program staff to conduct reviews of the subrecipients to ensure their knowledge of, and compliance with, Title VI requirements.

To aid in these efforts KIPDA, will utilize KYTC's Title VI/Nondiscrimination Reference Guide for subrecipients. The guide serves as a point of reference and provides guidance for subrecipients to better comprehend and comply with Title VI and the related nondiscrimination laws and regulations which are applicable to federal financial assistance which is awarded to them.

Moving forward KIPDA will continue to provide in-person training to employees, subrecipients and stakeholders during FY23.

Complaint Procedures - English

Any person who believes that he or she, individually, or as a member of any specific class of persons, has been subjected to discrimination on the basis of race, color, national origin, sex, age, sexual orientation, income, LEP status, and disability has a right to file a complaint within 180 calendar days of the alleged discrimination. At the complainant's discretion, the complaint can be filed with KIPDA, the Kentucky Transportation Cabinet, the Kentucky Commission on Human Rights, Indiana Department of Transportation, Indiana Civil Rights Commission, and/or the Secretary of the US Department of Transportation.

Submission of Complaints

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

complaint is made shall reduce the complaint to writing. The complaint must be filed within 180 calendar days after the date of the alleged discrimination unless the time for filing is extended by the Secretary of the US Department of Transportation.

Complaints should be submitted in writing, signed, dated, and filed via mail, email, fax, or in-person to the contact below. Anyone who requires a reasonable accommodation should contact:

Kelly Tyra Cecil – Title VI Coordinator
Kentuckiana Regional Planning and Development Agency
11520 Commonwealth Drive Louisville, KY 40299
Phone: (502) 266-6084 Fax: (502) 266-5047 Email: kellytyra.cecil@kipda.org

Complaint Format

Complaints, whether written or later reduced to writing by a staff person, should contain the following information (see Complaint Form – Appendix F):

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

The Title VI Coordinator will maintain a record of all complaints on a Complaint Log (see Complaint Log - Appendix F). Currently, there are no investigations, complaints, or lawsuits

Determination and Investigation

Kelly Tyra Cecil, KIPDA's Director of Human Resources and Administrative Services, is the Title VI Coordinator; all complaints should be submitted to her and will be investigated by her. If technical assistance is needed to resolve the complaint, KIPDA may contact the Agency's Legal Counsel, the Kentucky Transportation Cabinet, the Indiana Department of Transportation, and/or the Secretary of the US Department of Transportation.

Request for Additional Information from Complainant

If necessary, additional information may be requested from the complainant. Meetings may be held with the complainant to resolve the complaint.

Notice of Disposition/Referral to Other Agencies

The complainant will be notified in writing of the disposition of the complaint. In cases where the complainant is dissatisfied with the resolution by KIPDA the complaint may be submitted to the Kentucky Transportation Cabinet, the Kentucky Commission on Human Rights, the Indiana

Department of Transportation, Indiana Civil Rights Commission, and/or the Secretary of the US Department of Transportation. See contact information below:

Kentucky Transportation Cabinet
Title VI Coordinator
200 Mero Street, W-6-01
Frankfort, Kentucky 40622
1-800-928-3079

Indiana Department of Transportation
Title VI Coordinator
100 N. Senate Ave., IGCN 904
Indianapolis, Indiana 46204
1-317-232-4005

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

Indiana Civil Rights Commission
100 N. Senate Ave., IGCN 103
Indianapolis, Indiana 46204
1-800-628-2909

Departmental Office of Civil Rights
US Department of Transportation
400 7th Street SW
Washington, DC 20590
202-366-4648

Processing Complaints

Complaints filed with KIPDA in which KIPDA or a sub-recipient that is named as a Respondent, shall be forwarded to Kelly Tyra Cecil, KIPDA's Title VI Coordinator. Complaints filed with a sub-recipient of KIPDA shall be forwarded to KIPDA within three days of receipt.

In special cases warranting intervention to ensure justice, KYTC may assume jurisdiction and either complete or obtain services to review or investigate a matter. Materials already obtained by KIPDA investigators may be relied upon or supplemented or the matter may be reinvestigated.

In accordance with the regulations at 23 CFR 200.9(b)(3), a copy of the complaint, together with a copy of KIPDA's report of the investigation, shall be forwarded to KYTC within 60 days of the date the complaint was received by KIPDA. An extension of an additional 60 days may be granted by KYTC for justifiable reasons. KIPDA will forward the complaint through KYTC's Office of Civil Rights and Small Business Development (OCRSBD) for review and issuance.

Acceptance and/or Dismissal of Complaints

When KIPDA receives an inquiry, comment, or complaint, which alleges or implies discrimination as addressed by Title VI of the Civil Rights Act of 1964, a copy is forwarded immediately to KIPDA's Executive Director and Title VI Coordinator. KIPDA's Title VI Coordinator is responsible for logging in the document and maintaining the required statistical data.

KIPDA's Executive Director and Title VI Director, in consultation with KIPDA Legal Counsel, will discuss the matter to determine if it constitutes a Title VI complaint. If it is determined that the issues do not meet a Title VI complaint, KIPDA's Executive Director will submit the appropriate response to KYTC through the KYTC's OCRSBD.

If it is determined that the issues constitute a Title VI complaint, the Executive Director or the Title VI Coordinator will determine responsibility and the need for additional information. KIPDA may request additional information and/or clarification and will maintain a log of complaints filed with and investigated by KIPDA.

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

1. The complaint filed in an untimely manner
2. The complaint does not allege a basis covered by the statutes for which KIPDA is responsible
3. The complaint does not allege any harm with regard to covered programs or statutes
4. The complainant requests the withdrawal of the complaint
5. The complainant fails to respond to repeated requests for additional information needed to process the complaint
6. The complainant cannot be located after reasonable attempts
7. The complainant fails to accept a reasonable resolution. Reasonableness to be determined by KIPDA via KYTC's OCSBD.
8. The complainant has filed a legal action in Federal District Court with the same basis and issue(s) involved in the complaint
9. The same complaint's allegations have been filed with another federal, state, or local agency

Acceptance of a complaint will be determined by the following:

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

All complaints received by KIPDA will be logged for tracking purposes.

Withdrawal of a Complaint

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

Title VI Coordinator
KIPDA
11520 Commonwealth Drive
Louisville, KY 40299

Appeal Process

If a complaint cannot be resolved by KIPDA to the satisfaction of the complainant, the complainant may appeal, in writing, to the following:

Federal Highway Administration
Kentucky Division Office of Civil Rights
P. O. Box 536 Frankfort, KY 40601

Discrimination complaints may be filed with KYTC and/or FHWA before, during or after the complaint has been filed with KIPDA.

This procedure does not deprive the complainant his or her right to file a complaint:

- The U.S. Department of Transportation: www.dot.gov
- The U.S. Department of Justice: www.usdoj.gov
- Federal Highway Administration: www.fhwa.dot.gov

Final Agency Reports

KIPDA will submit the investigative report, investigative file, and a recommended decision to KYTC's OCRSBD.

The Department of Justice's Civil Rights Division takes the position that a Title VI finding of violation or no violation is a federal decision that cannot be delegated. Although a state recipient can conduct a Title VI investigation of its sub-recipients or contractors and make a recommendation to the federal decision-making authority, KIPDA must submit its proposed dispositions to FHWA for a Final Agency Decision. The KYTC's OCRSBD may request that further investigation be undertaken if the record of evidence is incomplete.

Procedimientos de Reclamación – Español

Cualquier persona que crea que él o ella, individualmente, o como miembro de cualquier clase específica de personas, ha sido objeto de discriminación por motivos de raza, color, origen nacional, sexo, edad, orientación sexual, renta, condición de LEP, y discapacidad tiene derecho a presentar una queja dentro de los 180 días calendario de la supuesta discriminación. A discreción del reclamante, la queja se puede presentar ante el KIPDA, el Gabinete de Transporte de Kentucky, la Comisión de Derechos Humanos de Kentucky, el Departamento de Transporte de Indiana, la Comisión de Derechos Civiles de Indiana y/o el Secretario del Departamento de Transporte de los Estados Unidos.

Presentación de quejas

Todas las quejas, escritas o verbales, serán aceptadas. En el caso de que un reclamante exponga las alegaciones verbalmente y se niegue a reducir dichas alegaciones a la escritura, la persona a la que se presente la queja reducirá la reclamación a la escritura. La queja debe presentarse dentro de los 180 días calendario posteriores a la fecha de la supuesta discriminación, a menos que el Secretario del Departamento de Transporte de los Estados Unidos amplíe el tiempo de presentación.

Las quejas deben presentarse por escrito, firmadas, fechadas y presentadas por correo, correo electrónico, fax o en persona al siguiente contacto. Cualquier persona que requiera una adaptación razonable debe ponerse en contacto con:

Kelly Tyra Cecil – Coordinadora de Título VI
Agencia Regional de Planificación y Desarrollo de Kentuckiana
11520 Commonwealth Drive Louisville, KY 40299
Teléfono – (502) 266-6084 Fax – (502) 266-5047
Correo electrónico – kellytyra.cecil@kipda.org

Formato de queja

Las quejas, ya sean escritas o posteriores reducidas a la escritura por una persona del personal, deben contener la siguiente información (ver Formulario de Queja – Apéndice F):

1. Nombre, dirección y número de teléfono del reclamante, si se proporciona.
2. La base de la queja, es decir, raza, color u origen nacional.
3. La fecha o fechas en que se produjo el supuesto evento o eventos discriminatorios.
4. La naturaleza del incidente que llevó al denunciante a sentir discriminación fue un factor.
5. Nombres, direcciones y números de teléfono de las personas que pueden tener conocimiento del evento.
6. Otras agencias o tribunales donde se haya presentado una queja y un nombre de contacto.
7. Firma y fecha del demandante.

El Coordinador del Título VI mantendrá un registro de todas las quejas en un registro de quejas (ver Registro de Quejas - Apéndice F). Actualmente, no hay investigaciones, quejas, o demandas

Determinación e investigación

Kelly Tyra Cecil, Directora de Recursos Humanos y Servicios Administrativos del KIPDA, es la Coordinadora del Título VI; todas las quejas deben ser presentadas a ella y serán investigadas por ella. Si se necesita asistencia técnica para resolver la queja, KIPDA puede comunicarse con el Asesor Jurídico de la Agencia, el Gabinete de Transporte de Kentucky, el Departamento de Transporte de Indiana y/o el Secretario del Departamento de Transporte de los Estados Unidos.

Solicitud de información adicional del demandante

Si es necesario, se puede solicitar información adicional al reclamante. Se pueden celebrar reuniones con el reclamante para resolver la queja.

Aviso de disposición/referencia a otras agencias

El reclamante será notificado por escrito de la disposición de la queja. En los casos en que el reclamante no esté satisfecho con la resolución de la KIPDA, la queja pueda presentarse al Gabinete de Transporte de Kentucky, a la Comisión de Derechos Humanos de Kentucky, al Departamento de Transporte de la India, a la Comisión de Derechos Civiles de Indiana y/o al Secretario del Departamento de Transporte de los Estados Unidos. Vea la información de contacto a continuación:

Kentucky Transportation Cabinet
Title VI Coordinator
200 Mero Street, W-6-01
Frankfort, Kentucky 40622
1-800-928-3079

Indiana Department of Transportation
Title VI Coordinator
100 N. Senate Ave., IGCN 904
Indianapolis, Indiana 46204
1-317-232-4005

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

Indiana Civil Rights Commission
100 N. Senate Ave., IGCN 103
Indianapolis, Indiana 46204
1-800-628-2909

Departmental Office of Civil Rights
US Department of Transportation
400 7th Street SW
Washington, DC 20590
202-366-4648

Procesamiento de quejas

Las reclamaciones presentadas ante el KIPDA en las que el KIPDA o receptores indirectos nombrado demandado se remitirán a Kelly Tyra Cecil, Coordinadora del Título VI del KIPDA. Las reclamaciones presentadas ante un receptores indirectos del KIPDA se remitirán al KIPDA en un plazo de tres días a partir de la recepción.

En casos especiales que justifiquen la intervención para garantizar la justicia, KYTC puede asumir jurisdicción y completar u obtener servicios para revisar o investigar un asunto. Los materiales ya obtenidos por los investigadores del KIPDA pueden ser utilizados o complementados o el asunto puede ser investigado de nuevo.

De conformidad con la normativa de 23 CFR 200.9(b)(3), se remitirá a KYTC una copia de la reclamación, junto con una copia del informe de la investigación del KIPDA, en un plazo de 60

días a partir de la fecha en que la queja fue recibida por el KIPDA. KYTC puede conceder una prórroga de 60 días adicionales por razones justificables. El KIPDA remitirá la queja a través de la Oficina de Derechos Civiles y Desarrollo de Pequeñas Empresas (OCRSD) de KYTC para su revisión y emisión. 's

Aceptación y/o despido de quejas

Cuando el KIPDA recibe una consulta, comentario o queja, que alega o implica discriminación según lo abordado por el Título VI de la Ley de Derechos Civiles de 1964, una copia se remite inmediatamente al Director Ejecutivo y Coordinador del Título VI del KIPDA. El Coordinador del Título VI del KIPDA es responsable de iniciar sesión en el documento y mantener los datos estadísticos requeridos.

El Director Ejecutivo y Director del Título VI del KIPDA, en consulta con el Consejero Jurídico del KIPDA, discutirá el asunto para determinar si constituye una queja del Título VI. Si se determina que las cuestiones no satisfacen una queja del Título VI, el Director Ejecutivo del KIPDA presentará la respuesta apropiada a KYTC a través de la OCRSD de la KYTC.

Si se determina que las cuestiones constituyen una queja del Título VI, el Director Ejecutivo o el Coordinador del Título VI determinarán la responsabilidad y la necesidad de información adicional. El KIPDA podrá solicitar información y/o aclaraciones adicionales y mantendrá un registro de quejas presentadas e investigadas por el KIPDA.

El Director Ejecutivo del KIPDA responderá por escrito, reconociendo la recepción de la queja en un plazo de 10 días a partir de la fecha de recepción. Después de revisar la queja, el Director Ejecutivo puede recomendar la desestimación de una queja por cualquiera de las siguientes razones:

1. La queja presentada de manera intempestiva
2. La reclamación no alega una base cubierta por los estatutos de los que el KIPDA es responsable
3. La queja no alega ningún daño con respecto a los programas o estatutos cubiertos
4. El reclamante solicita la retirada de la queja
5. El reclamante no responde a las repetidas solicitudes de información adicional necesarias para procesar la queja
6. El reclamante no puede ser localizado después de intentos razonables
7. El reclamante no acepta una resolución razonable. La razonabilidad debe ser determinada por KIPDA a través de la OCRSD de KYTC.
8. El reclamante ha presentado una acción legal en el Tribunal Federal de Distrito con la misma base y emisión (s) involucrada(s) en la queja
9. Las denuncias de la misma queja se han presentado ante otra agencia federal, estatal o local

La aceptación de una queja se determinará por lo siguiente:

1. Presentación oportuna de la queja
2. Si las denuncias implican una base cubierta como raza, color, sexo, edad, origen

nacional, discapacidad o represalia

3. Si las acusaciones involucran un programa o actividad de un receptor de ayuda federal, receptores indirectos o contratista

Todas las quejas recibidas por KIPDA se registrarán con fines de seguimiento.

Retiro de una queja

El reclamante puede retirar su queja en cualquier momento después de la presentación y antes de la emisión de una determinación o resolución por parte del KIPDA. El reclamante debe presentar una retirada por escrito a lo siguiente:

KIPDA Title VI Coordinator
11520 Commonwealth Drive
Louisville, KY 40299

Proceso de apelación

Si una queja no puede ser resuelta por KIPDA a satisfacción del reclamante, el reclamante puede apelar, por escrito, a lo siguiente:

Federal Highway Administration
Kentucky Division Office of Civil Rights
P. O. Box 536 Frankfort, KY 40601

Las quejas por discriminación se pueden presentar ante KYTC y/o FHWA antes, durante o después de que la queja haya sido presentada ante KIDPA.

Este procedimiento no priva al denunciante de su derecho a presentar una queja:

1. Departamento de Transporte de los Estados Unidos: www.dot.gov
2. Departamento de Justicia de los Estados Unidos: www.usdoj.gov
3. Administración Federal de Carreteras: www.fhwa.dot.gov

Informes finales de la agencia

El KIPDA presentará el informe de investigación, el expediente de investigación y una decisión recomendada a la OCRSBD de KYTC.

La División de Derechos Civiles del Departamento de Justicia considera que una constatación del Título VI de violación o ninguna violación es una decisión federal que no se puede delegar. Aunque un receptor estatal puede llevar a cabo una investigación del Título VI de sus subreceptores o contratistas y hacer una recomendación a la autoridad federal de toma de decisiones, el KIPDA debe presentar sus disposiciones propuestas a la FHWA para una Decisión Final del Organismo. La OCRSBD de la KYTC podrá solicitar que se lleven a cabo más investigaciones si el expediente de las pruebas es incompleto.

Public Involvement

KIPDA will disseminate Title VI Program information to employees, contractors, sub-recipients, and beneficiaries, as well as to the public. A variety of public notification and participation procedures will be used to encourage the early and continuous involvement of citizens, communities, and others interested in the planning process and decisions of the KIPDA.

KIPDA will discuss and/or distribute Title VI information using mass media including, but not limited to, the following:

- Policy statements
- Inclusion of Title VI language in contracts
- New employee orientation
- Federal EEO posters
- KIPDA websites: www.kipda.org, <https://kipdatransportation.org/ck2050/>, <https://kipdatransportation.org/wp-content/uploads/2021/04/Public-Outreach-1-Report.pdf>, kipda.org/transportation/major-functions/environmental-justice, www.connectingkentuckiana.com/plan/
- Standard procedures manual
- Significant publications, i.e., newspapers, brochures, and written literature -
- Mailings
- Meetings open to the public and held virtually via Zoom and YouTube in FY22
- Events
- Social Media

Further notices informing the public and all employees that the KIPDA complies with Title VI of the Civil Rights Act of 1964 will be displayed in a prominent place and communicated in an accessible and inclusive manner (including foreign language translations, if necessary).

In FY22, KIPDA staff updated the Coordinated Human Services Transportation Plan and disseminated to the regional senior centers. Advertisements were procured in minority media for public comment on proposed amendments the Transportation Improvement Program and Metropolitan Transportation Plan.

Staff presented to One West and The Rubbertown Community Advisory Council to educate the public on the current update to KIPDA's Metropolitan Transportation Plan and participated in the following events:

1. Louisville Health Advisory Board's Community of Coordination of Care
2. Complete Streets Louisville
3. Age Friendly Louisville
4. California Neighborhood Day
5. Goodwill of Kentucky's Fall Festival
6. University of Louisville's Sustainability Day
7. Supports for Community Living Coalition
8. Public Open House at the Thrive Center
9. Louisville Metro Community Engagement

Staff continues to review and update its Participation Plan to improve outreach and collaboration with underserved populations.

Limited English Proficiency (LEP)

LEP populations according to USDOT guidance pertaining to Executive Order 13166, limited English-proficient persons are “individuals with a primary or home language other than English who must, due to limited fluency in English, communicate in the primary or home language if the individuals are to have an equal opportunity to participate effectively in or benefit from any aid, service, or benefit provided by the transportation provider or other DOT recipient.” It is important to be aware of the LEP population to garner their participation in the transportation planning process and provide them with transportation service options.

KIPDA 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. Therefore, in accordance with Executive Order 13166 – *Improving Access to Services for Persons with Limited English Proficiency*, KIPDA will take reasonable steps to provide meaningful access to services for persons with LEP.

KIPDA has an on-going commitment to ensure effective communication by developing and implementing policies and procedures for identifying and assessing the language needs of its LEP applicants/clients and provides for a range of language assistance options, which include, but are not limited to the following:

- Needs assessment
- Kentucky Relay Service – TDD/Voice Users
- “I Speak” cards
- Written language service
- Access to qualified interpreters
- Community-based organizations/volunteers
- Written assessment
- Monitoring and evaluation of access to language assistance

KIPDA is committed to reaching out to all members of the community for their input, including those who face challenges to getting involved in the metropolitan transportation planning process. To improve opportunities to voice their thoughts and ideas, greater outreach emphasis will be given to low income, minority, elderly, disabled, low literacy and non-English speaking individuals and the organizations that advocate and/or provide services on their behalf.

KIPDA’s diversity outreach efforts include the following:

Low-Income & Minority Populations Outreach Methods

- Presentations to neighborhood groups and community leaders
- Presentations to cultural, professional and religious organizations
- Presentations to advocacy groups and coalitions
- Participation in community events with MPO staff and materials
- Participation in community events hosted by elected officials
- Distribution of materials to public libraries

- Advertisements and features in targeted news media outlets
- Ensuring that meeting locations are transit accessible
- Distribution of materials to targeted businesses
- Posting information on TARC buses

Limited English Proficiency & Low Literacy Populations Outreach Methods

- Presentations to neighborhood groups and community leaders
- Development of visual materials to simplify the message
- Translation of materials into Spanish
- Translation of materials into additional languages when requested
- Presentations to ESL classes at community centers
- Distribution of materials to ESL coordinators in the public school system
- Distribution of materials to health and employment centers.

In addition to the general and targeted outreach efforts described in this section, KIPDA's Transportation Policy Committee created a Title VI/Environmental Justice Advisory Group to gather public feedback on the transportation wants and needs of a diverse group of citizens in the region. Those efforts are captured in the document, KIPDA Title VI/Environmental Justice Plan and can be found at <https://www.kipda.org/wp-content/uploads/2022/01/Environmental-Justice-Resource-Draft-1.pdf>

Complying with Limited English Proficiency – Four Factor Analysis

To determine if written or oral communication must be translated and what languages they must be translated to a four-factor analysis is used. The four-factor analysis considers the following:

1. The number or proportion of LEP persons served or encountered in the eligible service population
2. The frequency with which LEP individuals encounter the program, activity, or service
3. The nature and importance of the program, activity, or service provided by the program
4. The resources available to the recipient and costs

Factor 1: Determining the Number and Proportion of LEP Persons Served or Encountered in the Service Area.

KIPDA must determine the breadth and scope of language services that are needed and seek to examine demographic information regarding minority populations and foreign languages predominately spoken in the service area. **Appendix H and I** are maps indicating the Percentage of Persons with Limited English Proficiency in the seven Kentucky Counties in the KIPDA region. **Appendix J and K** indicate the numbers of LEP persons in the KIPDA region.

Factor 2: Determine the Frequency with Which LEP Individuals Come into Contact with KIPDA Programs, Activities, and Services.

KIPDA determines the frequency with which staff has or should have contact with LEP individuals from different language groups seeking assistance. This information would be gathered from KIPDA's staff who interact with customers daily. However, KIPDA Transportation does not provide direct assistance to individuals. All KIPDA Transportation funds are awarded to units of local government, contractors, or agencies. As a result, LEP persons do not often encounter federal grant programs at this level. However, during periods of public comment or outreach events, citizen participation may present KIPDA with LEP individuals, although minimal. KIPDA is committed to gain greater public participation an input, therefore, during public comment periods or outreach events, KIPDA provides a wide range of language assistance options.

Factor 3: Determine the Importance to LEP Persons of Your Program Activities and Services.

KIPDA identifies the programs, services, or activities that would have a serious consequence if language barriers prevented LEP person's access to federally funding assisted programs. A determination would be made as to the impact on actual and potential services to LEP beneficiaries. However, because KIPDA Transportation does not provide direct assistance to individuals, LEP persons rarely encounter federal grant programs at this level. However, as mentioned previously, during periods of public comment or outreach events, citizen participation may present KIPDA with LEP individuals. KIPDA provides a wide range of language assistance options.

Factor 4: Determine the Resource Available to the Recipient and Costs.

This last step in the four-factor analysis is for KIPDA to weigh the demand for language assistance against the organization's current and projected financial and personnel resources. This analysis determines if the language services KIPDA currently provides are cost effective and should help KIPDA plan future investments that will provide the most needed assistance to the greatest number of LEP persons within the limits of organization resources. Given the fact that the frequency of contact with LEP persons is not high, the current measures that KIPDA takes and the resources it uses to accommodate LEP persons is reasonable.

Safe Harbor Provisions

To ensure with greater certainty that KIPDA is compliant with written translation obligations:

- (a) KIPDA will provide written translations of vital documents for each eligible LEP language group which constitutes five percent (or 1,000, whichever is less) of the population of persons eligible to be served or likely to be affected or encountered. Translation of other documents, if needed, can be provided orally; or
- (b) If there are fewer than 50 persons in a language group which reaches the five percent trigger in (a) above, KIPDA does not translate vital written materials but provides written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

These safe harbor provisions apply to the translation of written documents only. They do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable.

Providing Language Assistance

KIPDA staff are trained on how to provide meaningful access to information and services for LEP persons. The following lists ways staff can obtain language assistance for LEP callers, written communication from LEP persons, and in-person contact with LEP persons:

- Kentucky Relay Service – TDD/Voice Users
- Staff are aware of people who may come in-person to KIPDA who need information and referral. The Census Bureau’s “I Speak Cards” can be used and will help track requests for language translations.
- Written translation language service is provided on a case-by-case basis based on the vital importance of documents with regards to the LEP person’s access to programs and services.
- Qualified interpreters – KIPDA contracts with Catholic Charities and Language Line
- Community-based organizations/volunteers such as Kentucky Refugee Ministries and the Americana Community Center.

Review of STA Directives

KIPDA’s Title VI Implementation Plan is designed to comply with the statutes and requirements under the law and as directed by KYTC and FHWA to accomplish the goals of the Title VI Act of 1964. The table below is a list documents with Title VI implications and are available at the KIPDA office or online at www.kipda.org.

DIVISION	RESOURCE
Human Resources	KIPDA Title VI Implementation Plan
Human Resources	KIPDA Employee Handbook

Transportation	Connecting Kentuckiana 2040 (MTP)
Transportation	Transportation Improvement Plan (TIP)
Transportation	Metropolitan Transportation Planning Participation Plan
Transportation	Coordinated Human Services Plan
Transportation	Community Assessment and Outreach Program for the Louisville (KY-IN) Metropolitan Planning Area (MPA)
Transportation	Environmental Justice Resource Document
Transportation	Metropolitan Planning Organization (MPO) Participation Plan
Transportation	Citizens Guide to Transportation Planning

Compliance/Noncompliance Reporting

The Title VI Coordinator meets with Division Directors of KIPDA to review the policies and procedures relative to Title VI. This includes, but is not limited to, a review of files, materials, mailings, printed literature, and complaints received for investigation of services offered to recipients and beneficiaries of KIPDA's services.

KIPDA's Divisions, who receive federal funds, continually collect program data. Self-surveys can be sent periodically to subrecipients. These self-surveys examine all facets of the programs offered by the agency surveyed. An investigation will be conducted by the Title VI Coordinator if an onsite review or self-survey reveals that the subrecipient or one or more of its programs is not in compliance with Title VI. Records of the self-survey and efforts put forth to bring the agency into compliance will be maintained. These will include correspondence, resolution, and corrective actions.

If in the event of noncompliance with Title VI, KIPDA will make every effort to attain full compliance. The Title VI Coordinator shall notify the appropriate Division Director which will state the condition of noncompliance, recommendations to correct the situation, and the period for the response and corrective action. The Title VI Coordinator may conduct an interview to consult with the Division Director regarding the correct approach to remedy noncompliance.

Impacts of State and Federal Funds on Public Transit

The Transit Authority of River City (TARC) is the designated recipient of FTA funds for public transit in the KIPDA MPO area. In FY 2022, it received \$14,731,862 in FTA Section 5307 funds, \$1,591,038 in Section 5539 funds, and \$1,591,038 for Section 5310 funds for a total of \$17,327,687.

The KIPDA MPO looked at demographic data and location of TARC’s bus stops to analyze the efforts to provide access to lower-income and/or higher-minority areas of the community. Maps found on subsequent pages show the locations of bus stops throughout the TARC service area in relation to Census data showing minority and low-income populations, as well as KIPDA’s Environmental Justice Study Areas.

The data shows that while the KIPDA region has a minority population of 28.1%, TARC has placed 1,313 of its 3,887 bus stops (33.8%) in the highest areas of minority residence.

KIPDA made a similar comparison regarding the percentage of area residents living in poverty to the percentage of TARC bus stops in areas of low-income residences. The data shows that 12.6% of KIPDA region residents live in low-income, TARC has placed 1,727 of its 3,887 bus stops (44.4%) in the highest areas of low-income residence.

Low-Income		Minority	
Regional Percent Low-Income Population	TARC Stops in Areas Exceeding Low-Income Average	Regional Percent Minority Population	TARC Stops in Areas Exceeding Minority Average
12.6%	44.4%	28.1%	33.8%

Additionally, TARC continually self-assesses the distribution of services, funds, and the impacts of fare and service changes on Title VI populations in the TARC Service Area. A detailed summary of their policy and analysis is available on [TARC’s website](#).

APPENDICES

Appendix A

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

1. Compliance with Regulations: The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally assisted programs of the U.S. Department of Transportation, Federal Highway Administration, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.

2. Nondiscrimination: The contractor regarding the work performed by it during the contract, will not discriminate on the grounds of race, color or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project or program set forth in Appendix B of 49 CFR Part 21.

3. Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment each potential subcontractor or supplier will be notified by the contractor of the contractor’s obligations under this contract and the Acts and the Regulations relative to nondiscrimination on the grounds of race, color or national origin.

4. Information and Reports: The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information and its facilities as may be determined by the Recipient or the Federal Highway Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the Federal Highway Administration, as appropriate and will set forth what efforts it has made to obtain the information.

5. Sanctions for Noncompliance: In the event of a contractor’s noncompliance with the nondiscrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

- a. withholding payments to the contractor under the contract until the contractor complies; and/or
- b. cancelling, terminating, or suspending a contract, in whole or in part.

6. Incorporation of Provisions: The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will act with respect to any subcontract or procurement as the Recipient or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter the litigation to protect the interests of the United States.

Appendix B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the Department of Transportation as authorized by law and upon the condition that the (Title of Recipient) will accept title to the lands and maintain the project constructed thereon in accordance with (Name of Appropriate Legislative Authority), the Regulations for the Administration of Federal Highway Program, and the policies and procedures prescribed by the Federal Highway Administration of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the (Title of Recipient) all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto (Title of Recipient) and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the (Title of Recipient), its successors and assigns.

The (Title of Recipient), in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color or national origin be excluded from participation in, be denied the benefits of or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over or under such lands hereby conveyed [,] [and] (2) that the (Title of Recipient) will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964 and as said Regulations and Acts may be amended [, and] (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].

Appendix C

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits or similar instruments entered into by the (*Title of Recipient*) pursuant to the provisions of Assurance 7(a):

The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add “as a covenant running with the land”] that:

In the event facilities are constructed, maintained or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color or national origin, will be excluded from participation in, denied the benefits of or be otherwise subjected to discrimination in the use of said facilities.

With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, (*Title of Recipient*) will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.

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

Appendix D

CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by (Title of Recipient) pursuant to the provisions of Assurance 7(b):

The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, “as a covenant running with the land”) that (1) no person on the ground of race, color or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.

With respect to (licenses, leases, permits, etc.) in the event of breach of any of the above nondiscrimination covenants, (Title of Recipient) will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.

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

Appendix E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the “contractor”) agrees to comply with the following non-discrimination statutes and authorities; including but not limited to the following:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin) and 49 CFR Part 21;
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the Federal-aid recipients, subrecipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation and certain testing entities (42 U.S.C. §§ 12131 -- 12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration’s Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with

disproportionately high and adverse human health or environmental effects on minority and low-income populations;

- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 ET seq).



Title II (ADA) and Title VI Complaint Form

Note: We are asking for the following information to assist in processing your complaint. If you need help in completing this form, please let us know using the contact information included at the bottom of the second page.

Complainant's Information:

Name _____

Address _____

City/State/Zip Code _____

Telephone Number (Daytime) _____ (Evening) _____

Person Discriminated Against (If someone other than Complainant):

Name _____

Address _____

City/State/Zip Code _____

Telephone Number (Daytime) _____ (Evening) _____

Which of the following best describes the reason you believe the discrimination took place?

Race/Color (Specify) _____ National Origin (Specify) _____

Disability _____

On what date(s) did the alleged discrimination take place? _____

Describe the alleged discrimination. Explain what happened and who you believe was responsible (if additional space is needed, add a sheet of paper).

List names and contact information of persons who may have knowledge of the alleged discrimination.

Have you filed this complaint with any other federal, state, or local agency, or with any federal or state court? Check all that apply.

Federal Agency_____

Federal Court_____

State Agency_____

State Court_____

Local Agency_____

Please provide information about a contact person at the agency/court where the complaint was filed.

Name _____

Address _____

City/State/Zip Code _____

Telephone Number _____

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

Complainant Signature

Date

Attachments: Yes _____ No _____

Submit form and any additional information to:

Kelly Tyra Cecil

Director of HR and Administrative Services

Title VI and ADA Coordinator

KIPDA

11520 Commonwealth Drive

Louisville, Kentucky 40299

Phone: 502-266-6084

Fax: 502-266-5047

Email: kellytyra.cecil@kipda.org

www.kipda.org



Formulario de Queja del Título II (ADA) y Titulo VI

Nota: Estamos pidiendo la siguiente información para ayudar en el procesamiento de su queja. Si necesita ayuda para completar este formulario, por favor háganoslo saber utilizando la información de contacto incluida en la parte inferior de la segunda página.

Su Información:

Nombre _____

Dirección _____

Ciudad/Estado/Código Postal _____

Número de teléfono (día) _____ (tarde) _____

Persona a la que se discrimino (si es alguien distinto de usted):

Nombre _____

Dirección _____

Ciudad/Estado/Código Postal _____

Número de teléfono (día) _____ (tarde) _____

¿Cuál de las siguientes opciones describe mejor la razón por la que cree que tuvo lugar la discriminación?

Raza/Color (Especificar) _____

Origen Nacional (Especificar) _____

Discapacidad _____

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

Describa la supuesta discriminación. Explique lo que sucedió y quién cree que fue responsable (si se necesita espacio adicional, agregue una hoja de papel).

Enumere los nombres y la información de contacto de las personas que puedan tener conocimiento de la supuesta discriminación.

¿Ha presentado esta queja ante cualquier otra agencia federal, estatal o local, o ante algún tribunal federal o estatal? Marque todo lo que corresponda.

Tribunal Federal de la Agencia Federal_____

Tribunal Estatal de La Agencia Estatal_____

Agencia Local_____

Proporcione información sobre una persona de contacto en la agencia/tribunal donde se presentó la queja.

Nombre_____

Dirección_____

Ciudad/Estado/Código Postal_____

Número de teléfono _____

Por favor, firme a continuación. Puede adjuntar cualquier material escrito u otra información que considere relevante para su queja.

Firma del demandante

Fecha

Adjuntos: Si _____ No _____

Envíe el formulario y cualquier información adicional a:

Kelly Tyra Cecil
Director de Recursos Humanos y
Servicios Administrativos
KIPDA
11520 Commonwealth Drive
Louisville, Kentucky 40299

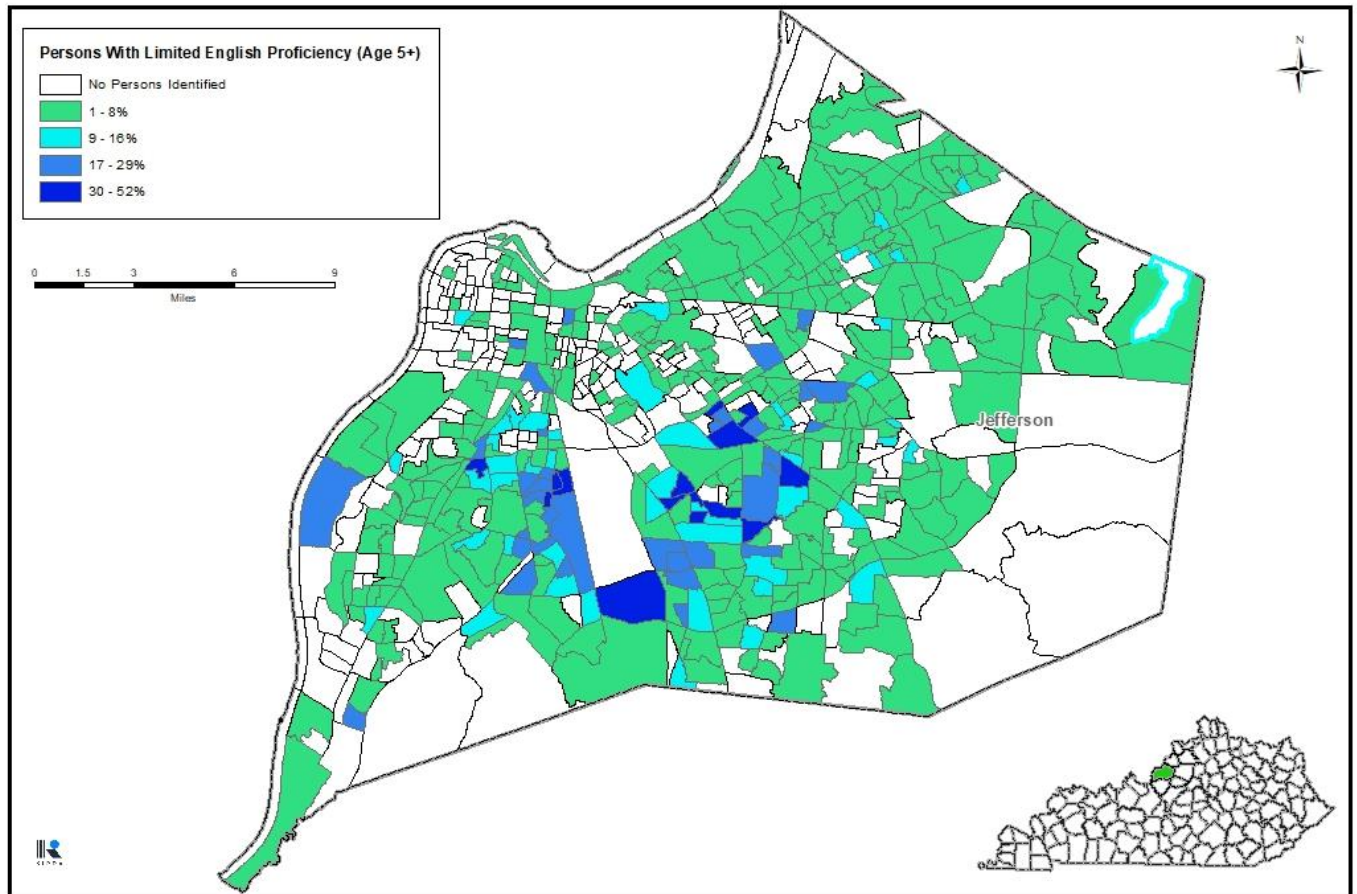
Número de teléfono: 502-266-6084
Fax: 502-266-5047
Correo electrónico: kellytyra.cecil@kipda.org
www.kipda.org

Appendix G

TITLE VI COMPLAINT LOG

INVESTIGATOR	Name of Complainant	Date Received	Protected Category	Charge	Findings	Date of Final Report - Closed	Disposition
				NONE			

Appendix H



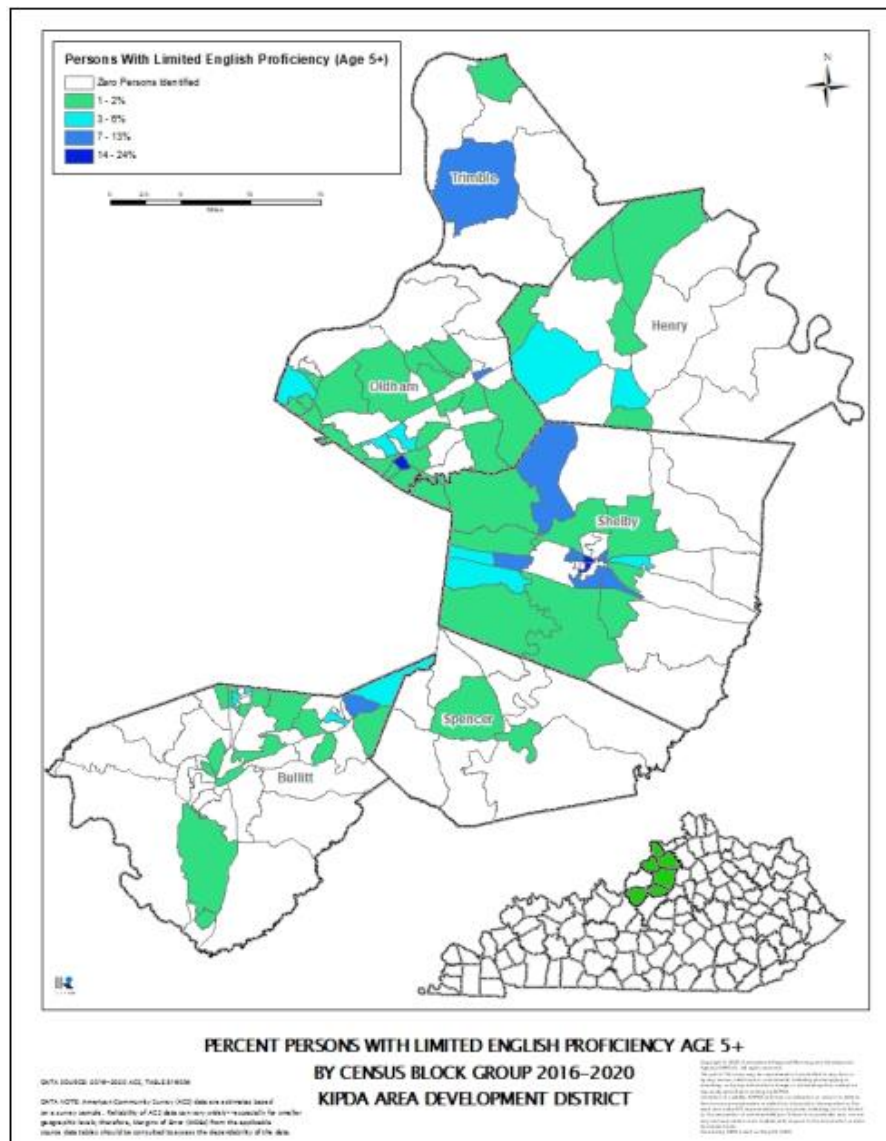
DATA SOURCE: 2016-2020 ACS, TABLE B16004

DATA NOTE: American Community Survey (ACS) data are estimates based on a survey sample. Reliability of ACS data can vary, especially for smaller geographic levels; therefore, margins of error (MOEs) from the applicable source data tables should be consulted to assess the dependability of the data.

PERCENT PERSONS WITH LIMITED ENGLISH PROFICIENCY (AGE 5+) BY CENSUS BLOCK GROUP 2016-2020 KIPDA AREA DEVELOPMENT DISTRICT

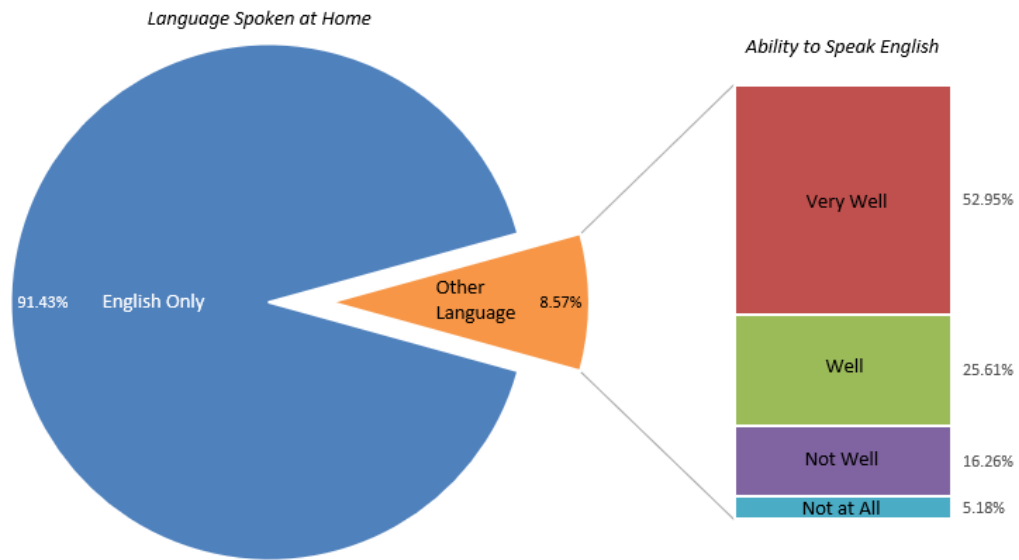
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Appendix I



Appendix J

Limited English Proficiency KY Counties in KIPDA Region ACS 5-Year Estimates 2016-2020



Appendix K

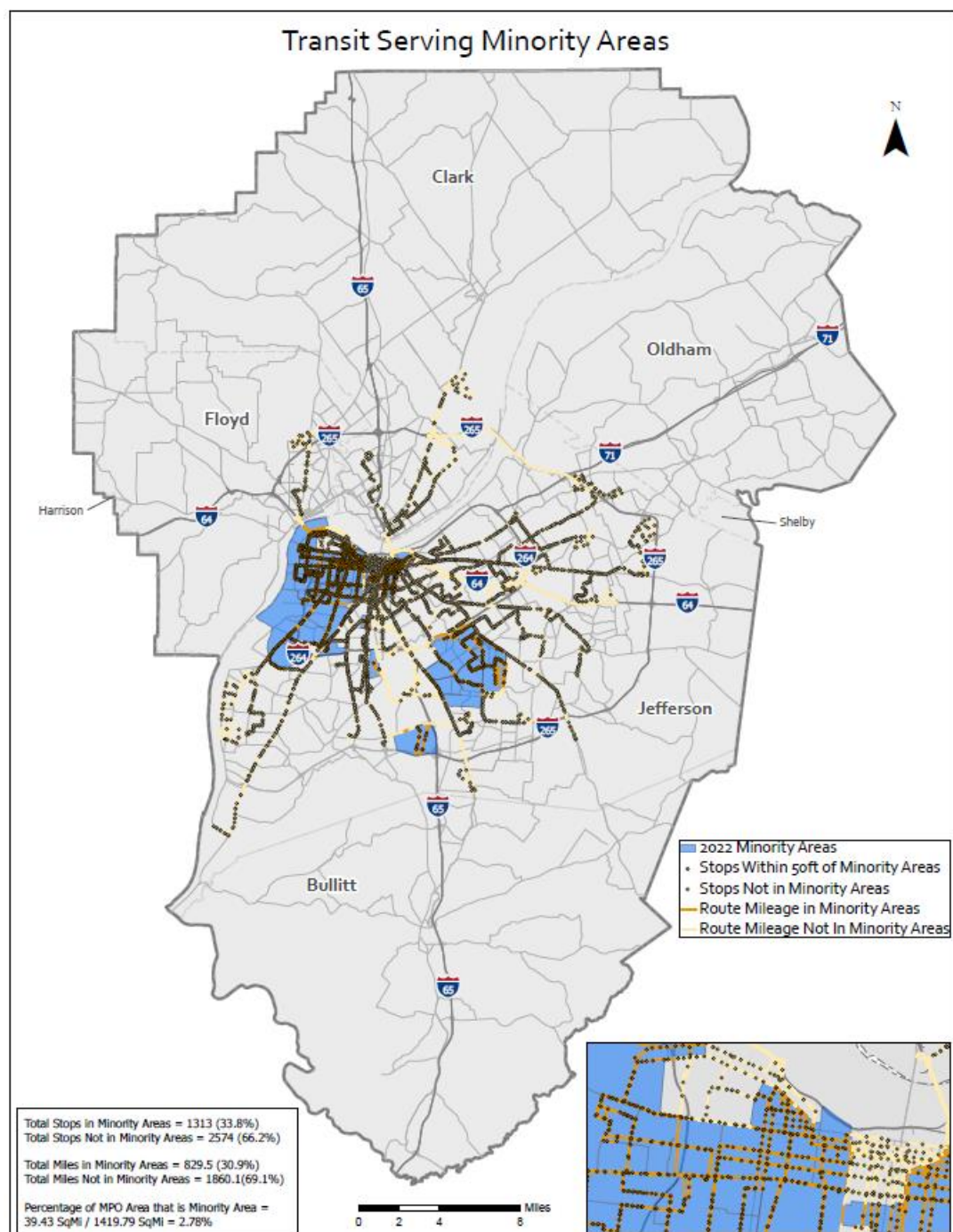
Limited English Proficiency KY Counties in KIPDA Region

ACS Table B16004 Language Spoken at Home by Ability to Speak English (ACS 5-Year Estimates 2016-20)

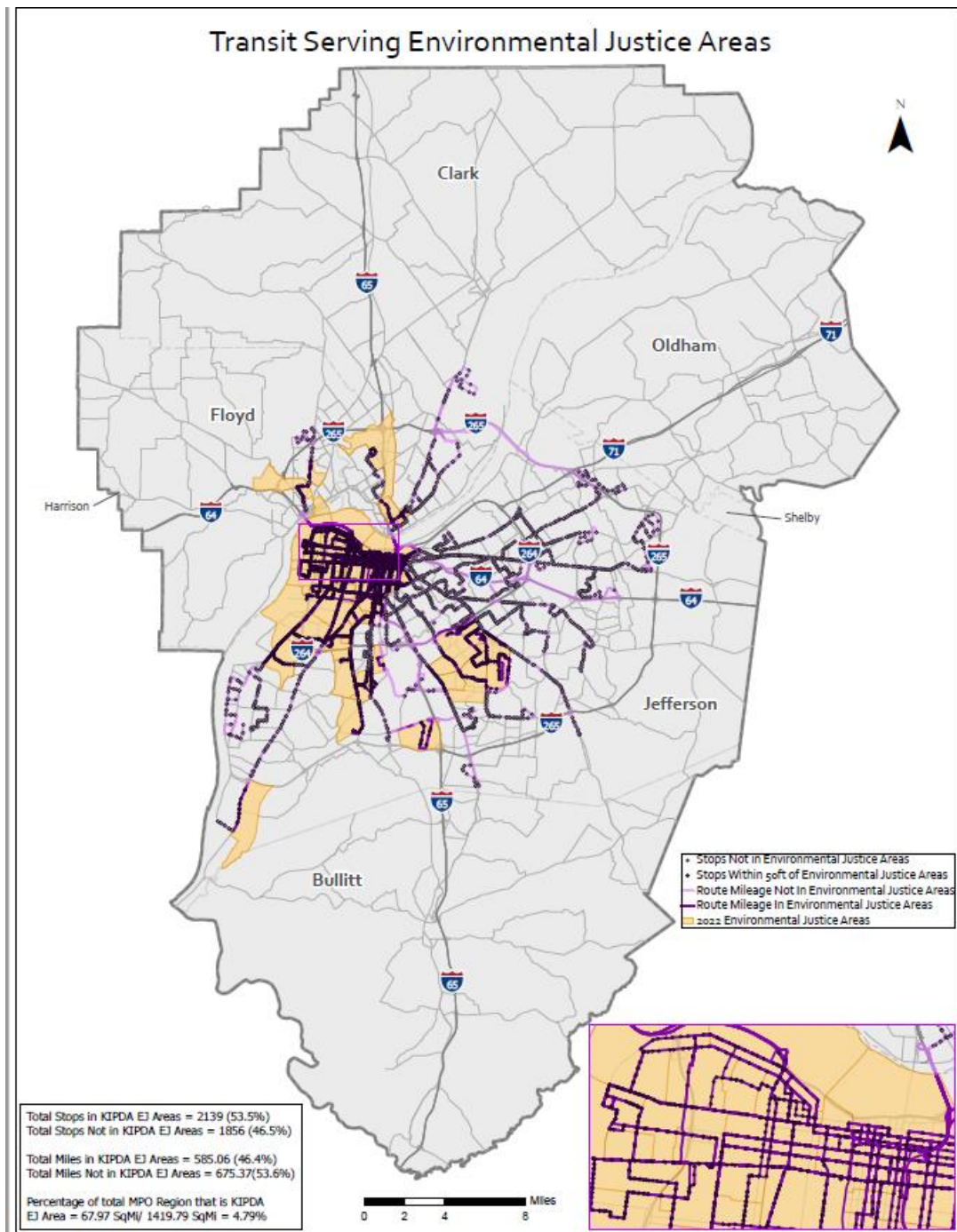
			Ability to Speak English				LEP Population	
County	Population Age 5+	English Only	Very Well	Well	Not Well	Not at All	Total LEP*	% LEP
Bullitt	76,688	74,965	953	591	169	10	179	0.23%
Henry	15,019	14,445	341	218	11	4	15	0.10%
Jefferson	720,310	649,031	37,200	18,140	12,007	3,932	15,939	2.21%
Oldham	63,173	60,361	1,913	680	198	21	219	0.35%
Shelby	45,059	40,935	2,196	1,077	692	159	851	1.89%
Spencer	17,925	17,576	272	47	0	30	30	0.17%
Trimble	8,073	7,855	55	12	109	42	151	1.87%
Region	946,247	865,168	42,930	20,765	13,186	4,198	17,384	1.84%

*Total LEP is the amount of "not well" and "not at all" English speakers.

Appendix L



Appendix M



Appendix N

