

# THE CLARKSVILLE URBANIZED AREA METROPOLITAN PLANNING ORGANIZATION



## **TITLE VI PROGRAM FY2020-FY2021**

**Prepared By:  
Clarksville Urbanized Area Metropolitan Planning Organization**

**In Cooperation with:**

**Kentucky Transportation Cabinet,  
Tennessee Department of Transportation,  
Federal Highway Administration,  
Federal Transit Administration,  
Clarksville Transit System**

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### **Glossary/Definitions:**

**Affirmative Action:** Refers to a set of policies and practices within a government or organization seeking to include particular groups based on their gender, race, creed or nationality in areas in which they were excluded in the past such as education and employment.

**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 of the Title VI requirements or can demonstrate that every good-faith effort toward achieving this end has been made.

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

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

**Discrimination:** involves any act or inaction, whether intentional or unintentional in any program or activity of a federal aid recipient, sub recipient, or contractor, which results in disparate treatment, disparate impact, or perpetuating the effects of prior discrimination based on race, color, sex, national origin, age, disability or in the case of disability, failing to make a reasonable accommodation.

**Division:** one of the administrative subdivisions of an office of the Kentucky Transportation Cabinet. The term *district* should be considered equivalent to *division* as an administrative subdivision of an office of the KYTC.

**Executive Directors:** the Director of the Clarksville MPO is responsible to the Clarksville MPO Executive Board and has authority to appoint Title VI Coordinator within the Clarksville MPO.

**Federal Assistance:**

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

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

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

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

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

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

**Kentucky Transportation Cabinet or KYTC:** Responsible for maintaining and improving the transportation infrastructure of the Commonwealth including 27,438 miles of roads, 160 licensed airports, 23 public transportation systems, and with the registration of 2.7 million licensed drivers and 3.4 million vehicles annually.

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

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

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

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

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

**Non-minority or non-minority group people:** Caucasians

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

**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 or TDOT or any department, division, or agency authorized to request federal assistance on behalf of sub-recipients and to distribute financial assistance to sub-recipients' contracts for carrying out a program.

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

**Program area officials:** the officials who are responsible for carrying out technical program responsibilities.

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

**Safe Harbor Provision:** means that the recipient has undertaken efforts to comply with respect to the needed translation of vital written materials. If a recipient conducts the four-factor analysis, determines that translated documents are needed by LEP applicants or beneficiaries, adopts an LAP that specifies the translation of vital materials, and makes the necessary translations, then the recipient provides strong evidence, in its records or in reports to the agency providing federal financial assistance, that it has made reasonable efforts to provide written language assistance.

**Secretary:** The chief administrative officer of the Kentucky Transportation Cabinet or KYTC.

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

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

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

**Tennessee Department of Transportation or TDOT:** the agency of Tennessee charged by its laws with the responsibility for all modes of transportation.

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

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

**Title VI Officer, Coordinator or Liaison:** refers to the responsible MPO official in matters relating to Title VI and in carrying out the Title VI responsibilities.

**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.

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

## **Title VI Program Clarksville MPO**

### **Introduction:**

The Clarksville Urbanized Area Metropolitan Planning Organization (MPO) is federally mandated to carry out the planning and programming of federal and regionally significant transportation activities within the cities of Clarksville, TN and Oak Grove, KY; Montgomery County, TN; portions of Christian County, KY; and portions of the City of Hopkinsville, KY. The planning area of the Clarksville MPO comprises a total of approximately 574 square miles. The Clarksville MPO is housed at the Clarksville Regional Planning Commission, 329 Main Street, Clarksville, TN 37040. The Clarksville MPO is led by an Executive Board, which is the policy board of the MPO, a Technical Coordinating Committee that provides recommendations to the Executive Board, and a professional MPO staff.

### **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.

The Clarksville MPO continues commitment to a workplace compliant with Title VI of the Civil Rights Act of 1964. The Clarksville MPO assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether these programs or activities are federally funded or not. The Clarksville MPO will include Title VI language in all written agreements and will monitor for compliance any governmental entity or contractor that the MPO contracts with and/or distributes federal assistance funds to.

### **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)



**CLARKSVILLE URBANIZED AREA  
METROPOLITAN PLANNING ORGANIZATION**

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**Clarksville MPO  
Title VI Policy Statement**

It is the policy of the Clarksville MPO to afford equal opportunity to all persons that no person shall on the grounds of race, color, national origin, or sex, as provided by Title VI of the Civil Rights Act of 1964 and as amended, and the Civil Rights Restoration Act of 1987 (P.L. 100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance from the Kentucky Transportation Cabinet (KYTC) and Tennessee Department of Transportation (TDOT).

The Clarksville MPO further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether these programs or activities are federally funded or not. The Clarksville MPO will include Title VI language in all written agreements and will monitor for compliance any governmental entity or contractor that the MPO contracts with and/or distributes federal assistance funds to.

This policy shall be prominently posted in the MPO office and on the MPO's website.

A handwritten signature in black ink, appearing to read "Stan Williams", is written over a horizontal line.

Stan Williams, MPO Director

Signed and approved on January 22, 2020





**CLARKSVILLE URBANIZED AREA  
METROPOLITAN PLANNING ORGANIZATION**

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**U.S. DOT Standard Title VI/Non-Discrimination Assurances**

The Clarksville MPO (herein referred to as the "Recipient"), HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), the Kentucky Transportation Cabinet (KYTC) or the Tennessee Department of Transportation (TDOT), is subject to and will comply with the following:

**Statutory/Regulatory Authorities**

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled Non-discrimination In Federally-Assisted Programs Of The Department Of Transportation--Effectuation Of Title VI Of The Civil Rights Act Of 1964);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);
- 23 C.F.R. Part 200 Subchapter C-Civil Rights (Title VI program implementation and related statutes)

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

**General Assurances**

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

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

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

### Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted programs, including the Federal Aid Highway Program and the Federal Transit Administration programs.

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all federally assisted programs and, in adapted form, in all proposals for negotiated agreements regardless of finding source:  
"The Clarksville MPO, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252.42 U.S.C. §§ 2000d-4) and the Regulations, Hereby notifies all advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."
3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to a construct a facility or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
  - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
  - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transference for the longer of the following periods:
  - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or

b. the period during which the Recipient retains ownership or possession of the property.

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

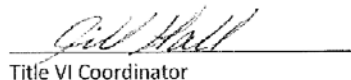
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

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

The Clarksville MPO gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of transportation under the Federal Highway Administration (FHWA), Federal Transit Administration (FTA), the Kentucky Transportation Cabinet (KYTC) and the Tennessee Department of Transportation (TDOT). This ASSURANCE is binding on Kentucky, Tennessee, other recipients, sub-recipients, subgrantees, contractors, subcontractors and their subcontractors, transferees, successors in interest, and any other participants in the Federal Aid Highway Program and the Federal Transit Administration programs. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

  
MPO Director

1.22.20  
Date

  
Title VI Coordinator

1-22-2020  
Date

**Title VI Notice to the Public: Appendix F. (Pages 34)**

Locations of Notice: MPO website, CTS offices/facilities, and MPO office in Spanish and English.

**MPO Director's Responsibility:**

The Clarksville MPO Director is responsible for the oversight and coordination of all functions of the MPO, along with the agency's compliance with the programs related to regulations and directives set forth in the Title VI Plan. The MPO Director reviews and may assist the MPO Title VI Coordinator with the updates to the Title VI Plan.

**MPO Title VI Coordinator's Responsibility for Title VI:**

The MPO Title VI Coordinator, Jill Hall, is responsible for the Clarksville MPO's adherence and compliance with Title VI of the Civil Rights Act via grant application process and program implementation. Title VI coordinator reviews, investigates, and reports all complaints of discrimination based on race, color, national origin, sex, religion, disability, age, sexual orientation, veteran status, income level or limited English proficiency (LEP).

**Title VI Training:**

The Title VI Coordinator and MPO staff is required to have annual Title VI training. The MPO currently consist of two staff members Stan Williams, MPO Director and Jill Hall, Title VI Coordinator/Planner. Any and all new hires to the MPO will receive Title VI training during their initial training and then will receive it annually with the Director and Title VI Coordinator. The MPO office is fully operational during the pandemic. If for any reason the office is closed due to an emergency or pandemic, then Title VI training will be completed through webinars/training on GoToMeeting.com. This meeting software has been purchased by the MPO to ensure that all services are made available to the public and all training is provide to staff and sub-recipients. The Title VI Coordinator and MPO Director completed KYTC Online Training Videos on February 11, 2020.

**Title VI Complaint Form: Appendix G. (Page 36)**

The Title VI Complaint Forms are in English and in Spanish, List of Transit related Title VI investigations, complaints and lawsuits, and The Record of Complaint is provided with the forms.

**Title VI Complaint Process: Appendix H. (Page 42)**

- 1. Complaint Submittal:**

Any person who believes that he/she or any specific class of persons has been subjected to discrimination or retaliation prohibited by any of the Civil Rights authorities, based upon race, color, sex, age, national origin, sexual orientation, income, LEP status or

disability may file a written complaint with the Clarksville MPO. This complaint may be submitted through the mail, the website, email and/or delivered in person at the MPO office. The complaint should include the name, address, phone number and signature of the complainant. A formal complaint should describe the alleged discriminatory act that violates Title VI in detail. The complaint must be filed within 180 calendar days of the alleged incident. (The Title VI Complaint Form is in Appendix G and is available in the MPO office or on the MPO website under the Title VI heading [www.cuampo.com](http://www.cuampo.com) in English and Spanish).

2. Complaint Processing:

When a complaint is received, the Title VI Coordinator will assign a case number, construct a case file and maintain a log of the complaint and any appeals. The MPO will notify the complainant by mail that their complaint has been received and an investigation will be conducted. The initial report will be forwarded to KYTC and/or TDOT, depending in which state the offense occurred, within seven (7) working days.

The Title VI Coordinator will review the complaint information, ask for any additional information if necessary. If the complaint is filed against a sub-recipient of the MPO, then a copy of the complaint will be forwarded to KYTC and/or TDOT Title VI Coordinator.

3. Investigation:

The Title VI Coordinator will initiate the investigation by first contacting the complainant by telephone within three (3) workdays of receiving the assignment to set up an interview. The complainant will be informed that they have a right to have a witness or representative present during the interview and may submit additional documentation he/she perceives as relevant to proving his/her complaint. The Title VI Coordinator will determine, based on relevancy or duplication of evidence, which witnesses will be contacted and questioned. The Coordinator will contact the complainant at the conclusion of the investigation, but prior to writing the final report and give the complainant an opportunity to give a rebuttal statement only at the end of the investigation process.

4. Final Report and Resolution:

The investigation will be completed and a final report will be sent to KYTC and/or TDOT, the alleged discriminatory sub-recipient, and the complainant within sixty (60) calendar days of the date the complaint was received. The final report will include the following:

- a. The written complaint containing the allegation, basis, and date of filing;

- b. Summarized statements taken from witnesses;
- c. Finding of facts;
- d. Opinion (based on all evidence in the record) that the incident is substantiated or unsubstantiated;
- e. Remedial actions for substantiated cases.

After the investigation has been completed, the Title VI Coordinator will prepare and submit a report of the findings of fact and a recommended action to KYTC and/or TDOT. The Title VI Coordinator will send to the complainant a letter based on the investigations findings. The letter will either explain the steps to be taken to come into compliance with Title VI or state that the complaint is unfounded and that the MPO is in compliance with Title VI. This letter will include a detailed explanation and also include notification of the complainant's appeal rights.

If corrective actions are recommended for an alleged discriminatory sub-recipient, he/she will be given thirty calendar days to inform the Title VI Coordinator of the actions taken for compliance. All corrective actions must be made within thirty days from the date of the actual recommendation. If the recommended corrective actions have not been taken within 30 day time period allowed, the sub-recipient will be found to be in noncompliance with Title VI and a referral will be made to KYTC and/or TDOT for enforcement action.

5. Appeals Procedures:

The letter of finding will offer the complainant the opportunity to provide additional information that would lead the MPO to reconsider its conclusions. This additional information is to be mailed to the MPO office at 329 Main Street, Clarksville, TN 37040. After reviewing this information, the MPO will respond either by issuing a revised letter of finding to the complainant or by informing the complainant that the original letter of finding remains in force.

**Title VI Investigations, Complaints and Lawsuits:**

During this current plan year, there are no current or past investigations, lawsuits or complaints against the Clarksville MPO with respect to Title VI.

**Title VI Record of Complaints: Appendix I.** (page 46)

**List of Transit Related Title VI Investigations, Complaints and Lawsuits: Appendix J.** (page 47)

**Program Review and Sub-Recipient Review:**

Currently the Clarksville Transit System (CTS) is the only government agency that receives a direct allocation of federal funds from the MPO. CTS receive Tennessee 5303 funds from the MPO. CTS follows the MPO's Public Participation Plan and has completed their Title VI plan update on 1/24/20.

The Clarksville MPO and its Sub-Recipient, CTS, are 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 Officer and MPO Director when complaints are received or issues arise during a public hearing/meeting;
- Ensuring that all people are treated equitably regardless of race, color or national origin;
- Monitoring Title VI accomplishments, notifying the Title VI Officer and MPO Director of problem areas and summarizing activities for inclusion in the Title VI Plan Update;
- Developing and updating internal policies and procedures to ensure Title VI compliance during all phases of projects and activities;
- Ensuring that all business pertaining to the selection, negotiation, and administration of consultant contracts and agreements is accomplished without discrimination based on race, color or national origin;
- Ensuring that efforts are made to include minority and women owned businesses in consideration for contracts;
- Ensuring that internal and external publications and all other relevant communications disseminated to the public include the Title VI policy reference;
- Providing reasonable accommodations, information in the appropriate language or interpreters as needed for individuals with disabilities and LEP persons.

**Sub-Recipient Review Procedures:**

The MPO Title VI Officer will review and conduct periodic pre-grant and post-grant reviews of sub-recipients receiving federal funds for transit programs or consultant work to ensure adherence to Title VI requirements. The MPO Title VI Officer will routinely confirm that guidelines provided to consultants and sub-recipients include Title VI language, provisions and related requirement, where applicable.

### **Public Participation Plan (PPP) and Public Outreach:**

The PPP is followed to ensure the underserved populations have the opportunity to participate in the planning process through advertisement, which includes a Hispanic paper and 3 papers in EJ areas; website, mailing list and public meetings requesting input. The PPP identifies the outreach efforts and techniques that the MPO employs to ensure that the officials, agencies, local government, the public and interested parties are provided an opportunity to provide their input into the planning process and plans. **The PPP and the Public Participation Comment Sheet: Appendix K. (Page 48)**

### **Limited English Proficiency (LEP) Plan:**

Individuals who do not speak English as their primary language and who have a limited ability to read, write, speak or understand English can be limited English proficient, or “LEP”. This language barrier may prevent individuals from accessing services and benefits. The legislations that provide the foundation for the development of an LEP plan are Title VI of the Civil Rights Act of 1964 and Executive Order 13166. In order to comply with Title VI, agencies should take reasonable actions for competent language assistance. Executive Order 13166 clarifies requirements for LEP persons under Title VI. The Executive Order requires the agency to examine the services it provides, and develop and implement a system by which LEP persons can meaningfully access those services. For purposes of Title VI, EO and the LEP Guidance, persons may be entitled to language assistance with respect to a particular service, benefit or encounter. Recipients of federal financial assistance have an obligation to reduce language barriers that can preclude meaningful access by LEP persons to important government services. The MPO 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 constituents; and provide for a range of language assistance options, which include, but are not limited to the following: conduct needs assessment; State Relay Service-TDD/Voice Users; “I Speak” cards; written language service; access to qualified interpreters; community-based organizations/volunteers; and monitor and evaluate access to language assistance.

The following LEP plan is to ensure that all meetings, programs and activities conducted by the Clarksville Urbanized Area MPO do not leave individuals behind simply because they face challenges communicating in English. There are two main ways to provide language services: oral interpretation either in person or via telephone interpretation service and written translation. In order 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 eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee.
  - a. Census Tables below
2. The frequency with which LEP individuals come in contact with the program.
  - a. From previous meetings and those visiting the office the MPO has not encountered an LEP person that needed assistance through an interpreter.
3. The nature and importance of the program, activity, or service provided by the recipient to people's lives.
  - a. The MPO meetings directly affect the transportation infrastructure and any funding changes to CTS. Transportation has an important role in the lives of the LEP population and the citizens within the MPO area. LEP individuals and minority communities are typically the populations that experience the greatest impact when transportation decisions are made. The MPO is dedicated to providing safe and dependable services to the LEP populations it serves as well as all individuals in the MPO area.
4. The resources available to the recipient and costs.
  - a. The use of professional translation and interpreter services will be utilized should a situation occur in which the MPO staff are unable to communicate with the LEP person. All necessary services for LEP individuals to participate in the MPO will be provided at no cost to the LEP. The MPO has access to translators through the police department and is under contract with Language Line Services for phone interpretation services through the use of LEP flash cards for language identification and a phone interpreter.

The MPO reviews and monitors the LEP Plan throughout the year in an effort to make sure the LEP population is being served and can be an active participant in the MPO process. The MPO works with a Hispanic interpreter within the police department to ensure access for LEP individuals. The staff reviews the LEP Plan and trains on the Language Line Services for phone interpretation through directions provided by the server.

Below is the 2010 Census Data for the percentage of Minority Population within the Montgomery County, Christian County, Oak Grove and Clarksville:

2010 Census Data	Total Population	Minority Population	% Minority Population
Montgomery Co	172,331	56,778	32.9%
Christian Co	73,955	23,246	31.4%
Oak Grove	7,489	2,733	36.5%
Clarksville	132,929	45,993	34.6%

The percentage of the population 5 years and over that speaks a language other than English at home is: 8.4% in Montgomery Co, TN; 9.7% in the City of Clarksville, TN; and 10.5% in the City of Oak Grove, KY.

The 2010 Census Data based on race/origin for the MPO planning area:

2010 Census	White person	Black Person	American Indian/Alaska Native	Asian Person	Native Hawaiian /Other Pacific Islander	Hispanic /Latino Origin
Montgomery Co	71.0%	19.1%	0.6%	2.1%	0.4%	8.0%
Christian Co	71.5%	21.2%	0.6%	1.0%	0.4%	6.1%
Clarksville	65.6%	23.2%	0.6%	2.3%	0.5%	9.3%
Oak Grove	63.5%	22.2%	1.2%	1.6%	0.7%	13.2%

(<http://quickfacts.census.gov/qfd/states/21/21047.html> <http://quickfacts.census.gov/qfd/states/21/2157090.html> <http://quickfacts.census.gov/qfd/states/47/47125.html> <http://quickfacts.census.gov/qfd/states/47/4715160.html> )

### **Safe Harbor Provision:**

The LEP Safe Harbor Threshold provision stipulates that for each LEP group that meets the LEP language threshold (5% or 1,000 individuals) recommends the sub-recipient provide written translation of vital documents for the non-English users.

The Hispanic population is the primary LEP persons the Clarksville MPO. Based on national and state growth trends, the Hispanic population will continue to increase. The Clarksville MPO currently provides Spanish translations for public notices and through advertisements in the Hispanic newspaper, *El Crucero*, for public outreach efforts. The Hispanic population is higher than the 5% standard of the Safe Harbor Threshold. Information with respect to Title VI and public notices are currently translated into Spanish.

After review of the four-factor analysis, the following plan was developed by the Clarksville MPO to insure there are no barriers for LEP persons wanting access to information.

1. The Title VI Public Notice of Protections against Discrimination is posted at the receptionist desk at the MPO offices in English and Spanish.

2. If anyone enters the office that is LEP, then “I speak cards” from the 2010 Census will be shown to determine their primary language.
3. The MPO has contracted with a telephone language interpreter service, Language Line Services (LLS). The LEP’s primary language interpreter will be contacted through the telephone language service at 866-874-3972. This language line translates for the MPO staff and the LEP.
4. If notified in advanced that the LEP person plans to attend an MPO meeting or is coming to the MPO offices, an interpreter will be made available for the meeting or visit at no cost to the LEP person. The MPO can acquire the interpreters from the Clarksville Police Department and signers through First Baptist Church.
5. At all times the LEP person will be informed and aware that there is no cost for these services to them.

#### **Data Collection/Reporting/Analysis:**

Statistical data on race, color, national origin, sex, age, disability, and LEP of participants in and beneficiaries of the Clarksville MPO’s plans and programs will be gathered, analyzed, and maintained by the Clarksville MPO to determine the transportation investment benefits and burdens to the population, including minority and low-income populations. The Clarksville MPO hires a consultant for the development of the Metropolitan Transportation Plan (MTP). The consultants with the assistance of data collection and/or modeling from KYTC and TDOT performs statistical analysis on the data collected from the US Census, Woods and Poole Economics, Inc., KYTC, TDOT and it is reported in the MTP. The analysis and reports are reviewed by the KYTC, MPO and TDOT to ensure sufficiency of the data in meeting the requirements of the Title VI program. 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;
- Percent of benefits allocated to persons below the poverty line vs. persons above the poverty line;
- Distribution of benefits (dollars, facilities, systems, projects) to groups and communities;
- Projected population increases versus planned facilities and types of facilities;
- Language needs assessment;
- Transportation needs of all persons within boundaries of plans or projects;
- Strategies to address impacts;
- The manner in which services are or will be provided and the related data necessary for determining whether any persons are or will be denied such services on the basis of prohibited discrimination;

- The location of existing or proposed facilities connected with the program and related information for determining whether the location has or will have the effect of unnecessarily denying access to any persons on the basis of prohibited discrimination;
- The present or proposed membership, by race, color, national origin, sex, disability and age, in any planning or advisory body which is an integral part of the program;
- Strategies to disseminate information.

#### **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 and an opportunity for public participation in matters relating to human health or the environment. Further, each agency must work to prevent the denial, reduction or delay of benefits received by minority and low-income populations. Most importantly, each agency must develop policies and strategies to ensure full and fair participation by affected populations in transportation decisions.

The MPO will utilize the US Census Bureau data, Woods & Poole data, and the following checklist to identify targeted populations:

- Make a list of potential demographic groups to consider for the region or start with the required EJ populations defined by the Executive Order and supportive guidance;
- Consider groups that are underrepresented in typical public involvement and transportation decision making processes, have limited access to the full benefits of the transportation system or have encountered disproportionate impacts from past transportation decisions;
- Decide on the level of detail required for identifying groups spatially and identifying data sources to use to conduct a spatial demographic profile;
- Engage leaders and representatives of demographic groups to help identify target populations, spatially and non-spatially.

Public notification of the meetings, actions on documents, and public input is critical to the success of the public involvement efforts. The Clarksville MPO mails hundreds of notices to churches and businesses (i.e. daycares, groceries, laundromats and dry cleaners) in an effort to reach the EJ populations. Community leaders or representatives of these groups receive direct mail outs on the opportunity to participate. The notices are in English and Spanish and state upcoming meetings and the availability to comment on documents. A translation service can be provided at the Clarksville MPO office if needed to accommodate non-English speaking populations. Public meetings are held at the MPO office, library, airport, or community centers which are convenient to these populations in terms of walk/bike availability and along transit routes. Anyone can be added to the direct mailing list by simple request. The MPO staff will meet and make presentations to organizations that represent these segments of the population as requested.

**Dissemination of Title VI information:**

All documents and Title VI forms are available at the MPO office and on the MPO website, [www.cuampo.com](http://www.cuampo.com). The MPO has taken extra measures by posting flyers to seek the participation of the Environmental Justice populations. These locations were identified to reach the minority, low-income, disabled, and limited English proficiency populations. The notices include the ADA Act and Title VI Civil Rights Act of 1964, and are written in English and Spanish. Public notification are in the form of flyers posted on the CTS buses and transfer center, Library, Clarksville Chamber of Commerce, Montgomery County Court House, City of Oak Grove City Hall, City of Hopkinsville City Hall. The local news media outreach may include press conferences, as well as briefings of local newspaper editorial boards, legal notices and participation in broadcast news or talk programs. The media outreach will include paid advertisements in four newspapers.

**Committee and Board:**

The MPO is led by an Executive Board, which is the policy board of the MPO, a technical committee that provides recommendations to the Executive Board, and a professional MPO staff. The MPO encourages minority participation for their Committee and Board along with community participation through the use of advertisement, surveys, announcements and relationships. Although the composition for the Committee and Board are based on the job title not the individual, the MPO has a welcoming position and encouraging input from all within government departments and the community. The current composition of the MPO Executive Board consists of the following nine (9) elected and appointed officials representing state and local governments:

- Secretary - Kentucky Transportation Cabinet (KYTC)
- Commissioner - Tennessee Department of Transportation (TDOT)
- County Mayor - Montgomery County, Tennessee
- Mayor - City of Clarksville, Tennessee
- County Judge Executive - Christian County, Kentucky
- Mayor - City of Hopkinsville, Kentucky
- Mayor - City of Oak Grove, Kentucky
- Executive Director - Greater Nashville Regional Council
- Director- Clarksville Transit System

The Technical Coordinating Committee (TCC), which is comprised of a diverse group of transportation professionals and is on the TCC based on their job title, advises the Executive Board members on all aspects of the planning process. The TCC includes engineers, transportation and land use planners, from Federal, State and Local agencies, as well as representatives from the transit, air, bicycle / pedestrian, and rail industries. Member agencies and representatives of the TCC include:

- KYTC – Planning Division, District 2 Engineer, Office of Transportation Delivery
- Clarksville Street Department –Traffic Engineer

- Clarksville Transit System – Operations Manager
- City of Oak Grove, KY – Planner
- TDOT – Planning Division, Multi-Modal Division, Title VI
- FHWA – TN Division, KY Division
- FTA - TN Division, KY Division
- Clarksville Airport – Authority Manager
- Montgomery County Highway Dept. – Superintendent
- Montgomery County Admin & Development – Director
- PADD – Director
- RJ Corman Railroad – Representative
- Greater Nashville Regional Council – Representative
- Ft. Campbell Military Installation - Planner
- TN Dept. of Environment & Conservation – Planner
- KY Division of Air Quality – Planner
- Clarksville/Montgomery County Regional Planning Commission - Director
- EPA – Air Modeling Division
- Mid-Cumberland HRA – Representative

	White	Black	Latino	Male	Female
Executive Board	89%	0%	11%	78%	22%
TCC	84%	16%	0%	87%	13%

**Clarksville MPO Organizational Chart:**

The Title VI Coordinator is Jill Hall for the Clarksville MPO. She reports directly to the MPO Director and has easy access to the Regional Planning Commission Director to discuss any Title VI issues.



**Identify the Mobility Needs of Minority Populations:**

The mobility needs of minority populations are identified and considered during the planning process of the 2045 Metropolitan Transportation Plan (MTP) by the MPO and the Strategic Transit Plan developed by CTS. CTS ridership is primarily a captive rider. Most areas with the highest minority population are well-served by current transit routes and will benefit from various service improvements and passenger amenities recommended in the 2045 MTP. CTS strive to give the minority and low income population the mobility to go to work, government facilities, appointments and shops.

The 2045 MTP is a 25-year horizon of both long-range and short-range strategies/actions that lead to the development of an integrated multimodal transportation system to facilitate the safe and efficient movement of people and goods in addressing current and future transportation demands. The plan must be updated every four years to keep consistent with existing conditions, re-evaluate proposed plans, programs and projects, and validate air quality conformity analysis.

To identify communities of concern within the MPO area, concentrations of minority and low-income populations were mapped using Census block groups or tracts with percentages greater than the average of the MPO area. The determination of what is disproportionately high and adverse human health or environmental effect is context dependent. The analysis of impacts on minority populations was performed using the MPO wide average of 33.2% (minority pop.) as a threshold; if the minority population of a Census block group is greater than this amount, the level of concern is assumed to be higher than in block groups below the threshold. Using this approach, it was determined that 40 of the 90 census block groups in the MPO area exceed the threshold and should be considered potential communities of concern.

In developing the 2045 MTP the MPO provided opportunities for the public and stakeholder input. This was provided through public meetings held at the Regional Planning Commission and the Outlaw Field Airport; both facilities are ADA compliant, in an EJ area, and close proximity to a transit route. The meetings were advertised in five papers; 3 have major distribution in EJ areas and 1 is a Hispanic paper. Fliers were mailed to local churches, grocery stores, laundry mats and day cares within the community and EJ areas. The fliers were printed in English and Spanish. The fliers were also displayed on all CTS buses, CTS facilities, Libraries, Government offices, community centers and APSU student centers. Any project is reviewed for negative/disparate impact on an EJ community/area. The MPO strives to reach out to the minority and low income population and obtain their input in the planning process.

**Special Emphasis Program Areas:**

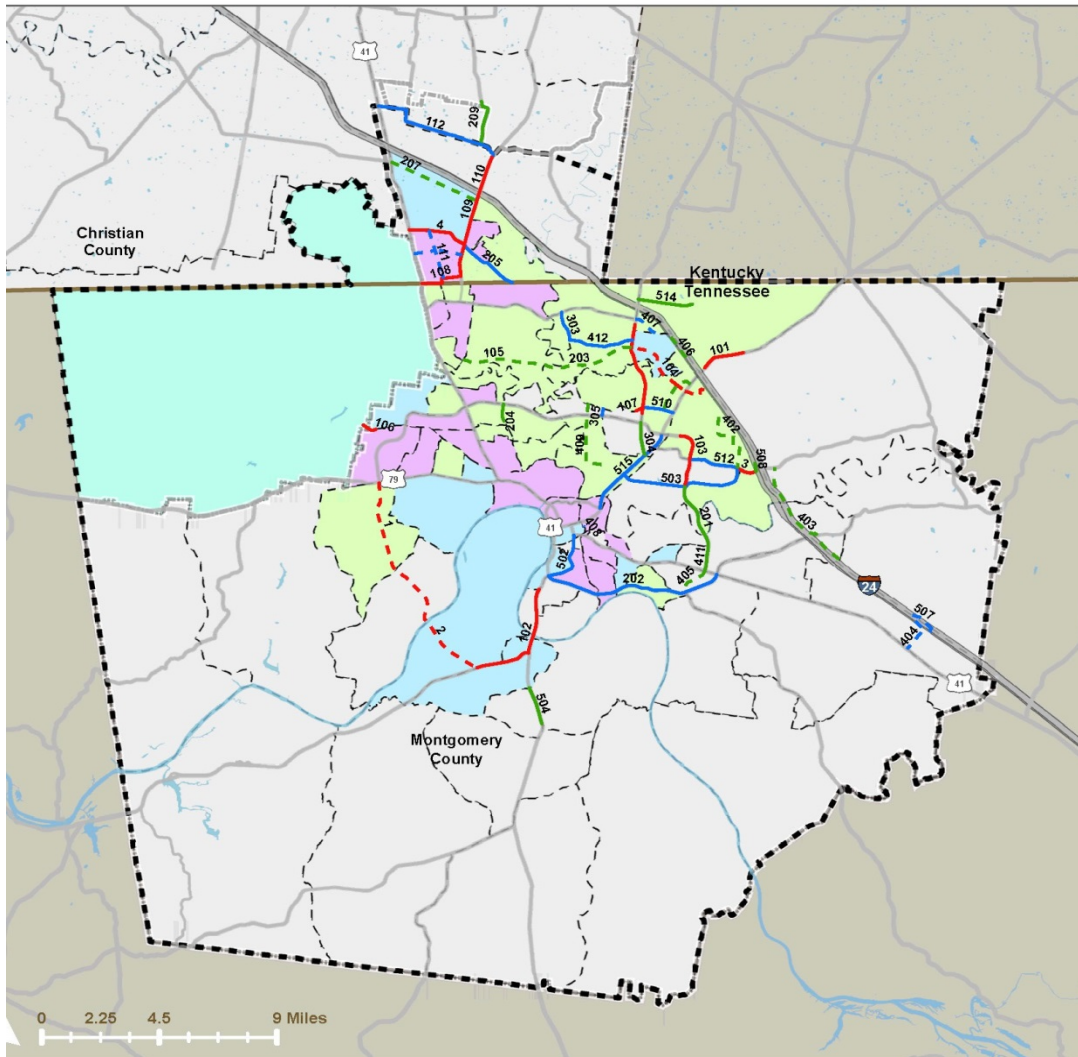
Although all segments of the population who live adjacent to roadway construction projects may endure some short-term construction related impacts; neither minority nor low income populations in the MPO area are likely to experience disproportionate impacts due to the state and federal transportation projects proposed to be funded.

To ensure that all persons are involved, special outreach efforts are made by local and state agencies during the project development process to identify and either avoid or help mitigate



any adverse impacts and/or burdens from transportation improvements for those areas identified as communities of concern. During the NEPA process, a variety of issues will be evaluated, including an EJ analysis pursuant to EO 12898. In addition, the development of the NEPA document will require public participation, and local coordination with potential environmental justice issues that can be identified and addressed.

**Planned Roadway Projects in Minority Areas Map:**



**Planned Roadway Projects in Minority and/or Low Income Areas:**

ID	Stage	Route	Location	Improvement	Level of Concern
1	Stage I	SR-374 Ext	Dotsonville Rd to US 79/SR 6 (Dover Rd)	New 2 Lane Roadway	Low
2	Stage I	SR-374 Ext/SR-149	Dotsonville Rd to SR-149; SR-374 to River Rd	New 2 Lane Roadway & Bridge	Low
3	Stage I	SR-237 (Rossvie Rd) & Dunbar Cave Rd	I-24 to 400 ft. west of Keysburg Rd	Widen from 2 to 3/5 Lanes & Realignment	Low
4	Stage I	KY-911 (Thompsonville Rd)	US 41A to KY-115 (Pembroke Rd)	Widen from 2 to 3 Lanes	Low
7	Stage I	SR-48 (Trenton Rd)	SR-374 to I-24	Widen from 2 to 5 Lanes	Low
101	Stage I	US 79/SR-13 (Guthrie Hwy)	Cracker Barrel Dr to International Blvd	Widen from 2/3 to 5 Lanes	Low
102	Stage I	SR-149/SR-13	River Rd to SR-13; SR-149 to Zinc Plant Rd	Widen from 2/3 to 5 Lanes	Low
103	Stage I	SR-374 (North Pkwy)	Dunbar Cave Rd to Stokes Rd	Widen from 2 to 5 Lanes	Low
104	Stage I	North-East Connector Ph 1	Ted Crozier Blvd to Wilma Rudolph Blvd to Trenton Rd	New 4/5 Lane Roadway	Low
106	Stage I	Lafayette Rd	Walnut Grove Rd through Ft Campbell Gate	Widen from 2 to 5 Lanes	Low
107	Stage I	SR-48 (Trenton Rd)	Needmore Rd	Intersection Improvement	Low
108	Stage I	KY-400 (State Line Rd)	US 41A (Ft Campbell Blvd) to KY-115 (Pembroke-Oak Grove Rd)	Reconstruct with CTL	Low
109	Stage I	KY-115 (Pembroke-Oak)	KY-400 (State Line Rd) to I-24	Reconstruct with CTL	Low
110	Stage I	KY-115 (Pembroke)	I-24 to KY-1453 (Barker's Mill Rd)	Reconstruct with CTL	Low
105	Stage II	Jack Miller Blvd Ext	Tobacco Rd to Peachers Mill Rd	New 4 Lane Roadway	Could impact minorities
201	Stage II	SR-374 (Warfield Blvd)	Memorial Dr to Dunbar Cave Rd	Widen from 2 to 4 Lanes	Low

ID	Stage	Route	Location	Improvement	Level of Concern
203	Stage II	North-East Connector Ph 2	SR-48 (Trenton Rd) to Peachers Mill Rd	New 4 Lane Roadway	Low
204	Stage II	Peachers Mill Rd	Pine Mountain Rd to Stonecrossing Dr	Widen from 3 to 4 Lanes	Could impact
207	Stage II	KY-117	US 41A (Ft Campbell Blvd) to KY-115 (Pembroke-Oak Grove Rd)	New 5 Lane Roadway	Low
209	Stage II	KY-109 (Bradshaw Rd)	US 41A (Ft Campbell Blvd) to KY-115 (Pembroke-Oak Grove Rd)	New 5 Lane Roadway	Low
209	Stage II	KY-109 (Bradshaw Rd)	KY-1453 (Elmo Rd) to Bradshaw-Fidelio Rd	Reconstruct with CTL	Low
304	Stage II	SR-48 (Trenton Rd)	SR-13/US79 (Wilma Rudolph Blvd) to SR-374	Widen from 2 to 5 Lanes	Low
401	Stage II	New Roadway	Fair Brook Place to Needmore Rd	New 3 Lane Roadway	Low
402	Stage II	Professional Park Dr Ext	Extension to Cardinal Ln	New 2 Lane Roadway	Low
403	Stage II	International Blvd Ext	SR-237 (Rossvie Rd) to SR-76 to Trough Springs Rd	New 2 Lane Roadway	Could impact minorities
405	Stage II	SR-374 (Richview Rd) Ext	SR-12 (Madison St) to US 41A Bypass	New 4 Lane Roadway	Could impact minorities
406	Stage II	Kennedy Ln Ext	Extension to Meriwether Rd	New 2 Lane Roadway	Low
409	Stage II	8th St connector	Needmore Rd to Patterson Ln	New 2 Lane Roadway	Low
504	Stage II	SR 13/48	River Road to Old Highway 48	Center Turn Lane	Low
111	Stage III	Oatts-Riggins Rd	KY-400 (State Line Rd) to KY-911 (Thompsonville Ln)	New 3 Lane Roadway	Low
202	Stage III	US 41A Bypass (Ashland City Rd)	US 41A/SR-112 to SR-13	Widen from 2/3 to 5 Lanes	Could impact minorities
205	Stage III	Hugh Hunter/ Gritton Church Rd	KY-911 (Thompsonville Ln) to Allen Rd	Reconstruction	Low

ID	Stage	Route	Location	Improvement	Level of Concern
303	Stage III	Needmore Rd	Hazelwood Rd to SR-236 (Tiny Town Rd)	Reconstruct with CTL	Low
305	Stage III	Whitfield Rd/Old Trenton Rd	Needmore Rd to SR-374	Reconstruct with CTL	Low
407	Stage III	SR-236 (Tiny Town Rd) Ext	Extension to Meriwether Rd	New 2 Lane Roadway	Could impact minorities
408	Stage III	New Roadway	9th St to 10th St	New 2 Lane Roadway	Could impact low income and minorities
412	Stage III	Hazelwood Rd	Trenton Rd to Needmore	Widen from 2 to 5 Lanes	Could impact minorities
502	Stage III	Cumberland Dr	Ashland City Rd (SR 12) to Madison St (SR 76)	Widen to 4 Lanes	Low
503	Stage III	Dunbar Cave Road	Wilma Rudolph Blvd (US 79) to Rossvie Rd (SR 37)	Widen to 4 Lanes	Low
510	Stage III	Needmore Road	Wilma Rudolph Blvd to Trenton Road	Widen to 4 Lanes	Low
512	Stage III	Rossvie Road	SR 374 to Dunbar Cave Rd	Widen to 5 Lanes	Low
515	Stage III	Wilma Rudolph Boulevard	Kraft St to SR 374	Widen to 6 Lanes	Low

#### **Review of Requirements, Laws and STA Directives:**

Requirements of the MPO planning process include compliance with a number of existing laws and regulations. The MPO's Title VI Program Plan is designed to comply with the statutes and requirements under the law and as directed by KYTC, FHWA and TDOT to accomplish the goals of the Title VI Act of 1964.

1. The Clean Air Act Amendments (CAAA) of 1977 and 1990 require that transportation plans, programs, and projects in non-attainment areas not cause or contribute to violations of National Ambient Air Quality Standards (NAAQS).
2. The Americans with Disabilities Act (ADA) of 1990 which mandates equal opportunity for, and prohibits discrimination against, individuals with disabilities.
3. Title VI of the Civil Rights Act of 1964 which prohibits discrimination on the basis of race, color or national origin. Section 324 of the Federal Aid Highway Act, the enabling

legislation of the Federal Highway Administration, which prohibits discrimination based on sex.

4. The Uniform Relocation Assistance and Real Property Acquisition Act of 1970 which prohibits unfair and inequitable treatment of persons as a result of projects that are undertaken with federal financial assistance.
5. The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities of federal aid recipients and contractors whether those programs and activities are federally funded or not. Environmental Justice is a concept founded in the intent of the nondiscrimination prohibitions of the federal legislation.
6. Executive Order #12898 which reaffirms that each federal agency must make Environmental Justice part of its mission. Each agency must identify and address disproportionately high and/or adverse environmental or human health effects that any of its programs, policies and activities may have on minority and low-income populations. Further, each agency must work to prevent the denial, reduction or delay of benefits received by minority and low-income populations. Most importantly, each agency must develop policies and strategies to ensure full and fair participation by affected populations in transportation decisions.
7. Executive Order #13166 requires the agency to examine the services it provides and develop and implement a system by which LEP persons can meaningfully access those services.

The Clarksville MPO facilitates transportation policy development, planning and programming for the region. This includes development of the long range Metropolitan Transportation Plan and short term Transportation Improvement Program, among other specific highway, street, transit, technical reports, corridor management plans, bike and pedestrian plans. The majority of the MPO's plans include a demographic profile and most document the potential impacts of projects on disadvantaged populations. If a concern were to arise, based on a public complaint or observation by a staff member, appropriate steps would be taken to review the plan or program and mitigate the concern.

All plans, policies, directives, and guidance manuals developed by the MPO are updated as needed. Some are updated annually, others are updated when changes in State and Federal regulations and guidance require an update. When updates occur, the plans, policies and guidance manuals are reviewed to determine Title VI implications and modified as necessary.

These include:

Administrative

- MPO By-Laws
- Unified Planning Work Program (UPWP)
- Title VI Plan

Planning

- Metropolitan Transportation Plan (MTP)

- Conformity Determination Report (CDR)
- Transportation Improvement Plan (TIP)
- Participation Plan (PP)

#### Transit

- Coordinated Public Transit-Human Services Transportation Plan
- 5 Year Strategic Plan

#### **Compliance and Enforcement Procedures:**

The MPO Title VI Officer will review consultants hired to perform studies/work for the MPO to insure that the consultant is in compliance with Title VI. In the event of noncompliance through review or a complaint investigation, the MPO will make every effort to attain full compliance.

After the investigation has been completed, the Title VI Coordinator will prepare and submit a report of the findings of fact and a recommended action to KYTC and/or TDOT. The Title VI Coordinator will send to the complainant a letter based on the investigations findings. The letter will either explain the steps to be taken to come into compliance with Title VI or state that the complaint is unfounded and that the MPO is in compliance with Title VI. This letter will include a detailed explanation and also include notification of the complainant's appeal rights.

If corrective actions are recommended for an alleged discriminatory sub-recipient, he/she will be given thirty calendar days to inform the Title VI Coordinator of the actions taken for compliance. All corrective actions must be made within sixty days from the date of the actual recommendation. If the recommended corrective actions have not been taken within 30 day time period allowed, the sub-recipient will be found to be in noncompliance with Title VI and a referral will be made to KYTC and/or TDOT for enforcement action.

In the event of a consultant's noncompliance with the nondiscrimination provisions of their contract with the MPO, the MPO will impose such contract sanctions as KYTC, TDOT or the Federal Highway Administration may determine to be appropriate, including, but not limited to: withholding payments to the consultant under the contract until the consultant complies; and/or cancelling, terminating, or suspending a contract, in whole or in part.

## **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 Sub-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 *(Naming of Appropriate 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 Sub-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 Sub-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 Sub-Recipient)*, its successors and assigns.

The *(Title of Sub-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 Sub-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 Sub-Recipient)* pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add “as a covenant running with the land”] that:
  - 1. In the event facilities are constructed, maintained or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color or national origin, will be excluded from participation in, denied the benefits of or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, *(Title of Sub-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.
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the *(Title of Sub-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 Sub-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 Sub-Recipient*) pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, “as a covenant running with the land”) that (1) no person on the ground of race, color or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.) in the event of breach of any of the above nondiscrimination covenants, (*Title of Sub-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.
- C. With respect to deeds in the event of breach of any of the above nondiscrimination covenants, (*Title of Sub-Recipient*) will there upon revert to, vest in and become the absolute property of (*Title of Sub-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, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation and certain testing entities (42 U.S.C. §§ 12131 -- 12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;

- The Federal Aviation Administration’s Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 ET seq).

**Appendix F:**



**CLARKSVILLE URBANIZED AREA  
METROPOLITAN PLANNING ORGANIZATION**

Stan Williams  
MPO Director  
[stanwilliams@cityofclarksville.com](mailto:stanwilliams@cityofclarksville.com)

329 MAIN STREET  
CLARKSVILLE, TN 37040  
PHONE: (931)645-7448

Jill Hall  
Transportation Planner  
[jhall@cityofclarksville.com](mailto:jhall@cityofclarksville.com)

**TITLE VI OF THE CIVIL RIGHTS ACT OF 1964**

**TITLE VI NOTICE OF PROTECTIONS AGAINST DISCRIMINATION**

The Clarksville Urbanized Area Metropolitan Planning Organization (CUAMPO) operates its programs without regard to race, color and national origin.

To request or receive additional information on its discrimination obligations, including its complaint procedures, please contact the person listed below:

**Jill Hall, Title VI Coordinator**

**Clarksville MPO  
329 Main Street  
Clarksville, TN 37040**

**Telephone: (931) 645-7448  
Email Address: [jill.hall@cityofclarksville.com](mailto:jill.hall@cityofclarksville.com)**

To file a discrimination complaint, the written complaint must be filed to the address above within 180 days of the alleged discrimination. To accommodate limited English proficient individuals, oral complaints to be documented and/or translated may also be given at the above address. Written complaints may also be filed with the U. S. Department of Transportation/Federal Transit Administration (FTA) no later than 180 days after the date of the alleged discrimination, unless the time for filing is extended by FTA.



**CLARKSVILLE URBANIZED AREA  
METROPOLITAN PLANNING ORGANIZATION**

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Jill Hall  
Transportation Planner  
[jhall@cityofclarksville.com](mailto:jhall@cityofclarksville.com)

**TÍTULO VI DE LA LEY DE DERECHOS CIVILES DE 1964**

**TÍTULO VI AVISO DE PROTECCIONES CONTRA LA DISCRIMINACIÓN**

**El Clarksville urbanizada zona metropolitana planificación organización (CUAMPO) opera sus programas sin distinción de raza, color y origen nacional.**

**Para solicitar o recibir información adicional sobre sus obligaciones de discriminación, incluyendo sus procedimientos de queja, por favor póngase en contacto con la persona indicada a continuación:**

**Jill Hall, Coordinador del título VI**

**Clarksville MPO  
329 Main Street  
Clarksville, TN 37040**

**Teléfono: (931) 645-7448**

**Dirección de correo electrónico: [jill.hall@cityofclarksville.com](mailto:jill.hall@cityofclarksville.com)**

**Para presentar una queja por discriminación, se debe presentar la queja por escrito a la dirección arriba dentro de 180 días de la supuesta discriminación. Para dar cabida a personas competentes inglés limitadas, quejas orales ser documentado o traducido también pueden administrarse en la dirección arriba indicada. Las quejas escritas pueden también ser presentadas con el u. S. Departamento de Transportación Federal Transit Administration (FTA) no más tardar 180 días después de la fecha de la supuesta discriminación, a menos que el tiempo para la presentación se prolonga por TLC.**

## **APPENDIX G:**



### **CLARKSVILLE URBANIZED AREA METROPOLITAN PLANNING ORGANIZATION**

Stan Williams  
MPO Director  
[stanwilliams@cityofclarksville.com](mailto:stanwilliams@cityofclarksville.com)

329 MAIN STREET  
CLARKSVILLE, TN 37040  
PHONE: (931)645-7448

Jill Hall  
Transportation Planner  
[jhall@cityofclarksville.com](mailto:jhall@cityofclarksville.com)

## **CLARKSVILLE MPO - TITLE VI COMPLAINT FORM:**

<b>Section I:</b>				
Name:				
Address:				
Telephone (Home):		Telephone (Work):		
E-mail Address:				
Accessible Format	Large Print		Audio Tape	
Requirements?	TDD		Other	
<b>Section II:</b>				
Are you filing this complaint on your own behalf?		YES*	NO	
*If you answered "yes" to this question, go to Section III.				
If not, please supply the name and relationship of the person for whom you are complaining.				
<b>Section III.</b>				
I believe the discrimination I experienced was based on (check all that apply): [ ] Race [ ] Color [ ] National Origin				
Date of Alleged Discrimination (Month, Day, Year): _____				
Please include the earliest date of discrimination and the most recent date of discrimination. _____ _____				
How were you discriminated against? Describe the nature of the action, decision, or conditions of the alleged discrimination. Explain as clearly as possible what happened and why you believe your protected status was a factor in the discrimination. (Attach additional pages if necessary)				
_____ _____ _____ _____				



Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.

The law prohibits intimidation or retaliation against anyone because he/she has either taken action, or participated in action, to secure rights protected by these laws. If you feel that you have been retaliated against separate from the discrimination alleged above, please explain the circumstances. Tell what action you took which you believe was the cause for the alleged retaliation. (Attach additional pages if necessary)

Name of individuals, agency, or department responsible for the discriminatory action(s):

NAME:	ADDRESS:	PHONE:
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____

Names of persons/witnesses or others whom we may contact for additional information to support or clarify your complaint. (Attach additional pages if necessary)

NAME:	ADDRESS:	PHONE:
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____

Please provide any additional information and/or photographs, if applicable, that you believe will assist with an investigation. (Attach additional pages if necessary)

Photographs submitted with complaint? ☐ Yes ☐ No

**Section IV:**

Have you previously filed a Title VI complaint with this agency?

YES

NO

<p>Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?</p> <p><input type="checkbox"/> Yes      <input type="checkbox"/> No</p> <p>If yes, check all that apply:</p> <p><input type="checkbox"/> Federal Agency: _____ <input type="checkbox"/> Federal Court _____</p> <p><input type="checkbox"/> State Agency: _____ <input type="checkbox"/> State Court _____</p> <p><input type="checkbox"/> Local Agency: _____</p>
Please provide information about a contact person at the agency/court where the complaint was filed.
Name: _____
Title: _____
Agency: _____
Address: _____
Telephone: _____
<b>Section V:</b>
Do you have an attorney regarding this matter? <input type="checkbox"/> yes <input type="checkbox"/> no
If yes, please provide attorney's contact information.
Name of Law Firm: _____
Name of Representing Attorney: _____
Mailing Address: _____
Telephone number: _____
Briefly explain what remedy or action you are seeking for the alleged discrimination:

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

We cannot accept an unsigned complaint. Please sign and date the complaint form below:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Please submit this form in person at the address below or mail this form to:  
 Clarksville MPO Title VI Coordinator  
 329 Main Street  
 Clarksville, TN 37040

## **APÉNDICE G:**



### **CLARKSVILLE URBANIZED AREA METROPOLITAN PLANNING ORGANIZATION**

Stan Williams  
MPO Director  
[stanwilliams@cityofclarksville.com](mailto:stanwilliams@cityofclarksville.com)

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CLARKSVILLE, TN 37040  
PHONE: (931)645-7448

Jill Hall  
Transportation Planner  
[jhall@cityofclarksville.com](mailto:jhall@cityofclarksville.com)

## **FORMULARIO DE QUEJA CLARKSVILLE MPO - TITLE VI:**

<b>Sección I:</b>				
Nombre:				
Dirección:				
Teléfono (Hogar):		Teléfono (Trabajo):		
Dirección de correo electrónico:				
Formato accesible	Letra grande		Cinta de audio	
Requisitos?	TDD		Otro	
<b>Sección II:</b>				
¿Está presentando esta queja en su propio nombre?			SI*	NO
* Si respondió "sí" a esta pregunta, vaya a la Sección III.				
Si no es así, proporcione el nombre y la relación de la persona por la que se queja.				
<b>Sección III.</b>				

Creo que la discriminación que experimenté se basó en (marque todo lo que corresponda):

☐ Raza ☐ Color ☐ Origen Nacional

Fecha de presunta discriminación (mes, día, año):

\_\_\_\_\_

Incluya la fecha más temprana de discriminación y la fecha más reciente de discriminación.

¿Cómo te discriminaron? Describa la naturaleza de la acción, decisión o condiciones de la supuesta discriminación. Explique lo más claramente posible qué sucedió y por qué cree que su estado de protección fue un factor en la discriminación. (Adjunte páginas adicionales si es necesario)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Describa a todas las personas que estuvieron involucradas. Incluya el nombre y la información de contacto de las personas que lo discriminaron (si se conoce), así como los nombres y la información de contacto de los testigos. Si necesita más espacio, utilice el reverso de este formulario.

La ley prohíbe la intimidación o la represalia contra cualquier persona porque él o ella ha tomado medidas, o ha participado en acciones, para garantizar los derechos protegidos por estas leyes. Si considera que ha recibido represalias por separado de la discriminación que se alega anteriormente, explique las circunstancias. Indique qué acción tomó y cuál cree que fue la causa de la supuesta represalia. (Adjunte páginas adicionales si es necesario)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Nombre de los individuos, agencia o departamento responsable de la (s) acción (es) discriminatoria (es):

NOMBRE:	DIRECCIÓN:	TELÉFONO:
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____

Nombres de personas / testigos u otras personas con quienes podamos comunicarnos para obtener información adicional para respaldar o aclarar su queja. (Adjunte páginas adicionales si es necesario)

	NOMBRE:	DIRECCIÓN:	TELÉFONO:
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

Por favor, proporcione cualquier información adicional y / o fotografías, si corresponde, que considere que ayudarán en la investigación. (Adjunte páginas adicionales si es necesario)

Fotografías enviadas con queja? ☐ Si ☐ No

#### Sección IV:

¿Ha presentado anteriormente una queja del Título VI con ☐ SI ☐ NO esta agencia?

¿Ha presentado esta queja ante cualquier otra agencia federal, estatal o local, o ante cualquier tribunal federal o estatal?

☐ Si ☐ No

En caso afirmativo, marque todo lo que corresponda:

☐ Agencia Federal: \_\_\_\_\_ ☐ Tribunal Federal: \_\_\_\_\_

☐ Agencia Estatal: \_\_\_\_\_ ☐ Corte Estatal: \_\_\_\_\_

☐ Agencia Local: \_\_\_\_\_

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

Nombre:

Título:

Agencia:

Dirección:

Teléfono:

#### Sección V:

¿Tiene usted un abogado para este asunto? ☐ Si ☐ No

En caso afirmativo, proporcione la información de contacto del abogado.

Nombre de la firma de abogados:

Nombre del Abogado Representante:

Dirección de envío:

Número de teléfono:

Puede adjuntar cualquier material escrito u otra información que considere relevante para su queja.

Firma y fecha requerida a continuación:

---

Firma

---

Fecha

Envíe este formulario en persona a la dirección que figura a continuación o envíe este formulario a:

Clarksville MPO Título VI Coordinador  
329 Main Street  
Clarksville, TN 37040

## **APPENDIX H:**



### **CLARKSVILLE URBANIZED AREA METROPOLITAN PLANNING ORGANIZATION**

Stan Williams  
MPO Director  
[stanwilliams@cityofclarksville.com](mailto:stanwilliams@cityofclarksville.com)

329 MAIN STREET  
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PHONE: (931)645-7448

Jill Hall  
Transportation Planner  
[jhall@cityofclarksville.com](mailto:jhall@cityofclarksville.com)

### **Title VI Complaint Procedures**

#### **1. Complaint Submittal:**

Any person who believes he/she has been subjected to discrimination prohibited by Title VI may file a written complaint with the Clarksville MPO. The complaint should include the name, address, phone number and signature of the complainant. A formal complaint should describe the alleged discriminatory act that violates Title VI in detail. The complaint must be filed within 180 calendar days of the alleged incident.

#### **2. Complaint Processing:**

When a complaint is received, the Title VI Coordinator will assign a case number, construct a case file and maintain a log of the complaint and any appeals. The initial report will be forwarded to KYTC and/or TDOT, depending in which state the offense occurred, within seven (7) working days. The Title VI Coordinator will review the complaint information ask for any additional information if necessary. If the complaint is filed against a sub-recipient of the MPO, then a copy of the complaint will be forwarded to KYTC and/or TDOT Title VI Coordinator.

#### **3. Investigation:**

The Title VI Coordinator will initiate the investigation by first contacting the complainant by telephone within three (3) workdays of receiving the assignment to set up an interview. The complainant will be informed that they have a right to have a witness or representative present during the interview and may submit additional documentation he/she perceives as relevant to proving his/her complaint. The Title VI Coordinator will determine, based on relevancy or duplication of evidence, which witnesses will be contacted and questioned. The Coordinator will contact the complainant at the conclusion of the investigation, but prior to

writing the final report and give the complainant an opportunity to give a rebuttal statement only at the end of the investigation process.

**4. Final Report and Resolution:**

The investigation will be completed and a final report will be sent to KYTC and/or TDOT, the alleged discriminatory sub-recipient, and the complainant within sixty (60) calendar days of the date the complaint was received. The final report will include the following:

- a. The written complaint containing the allegation, basis, and date of filing;
- b. Summarized statements taken from witnesses;
- c. Finding of facts;
- d. Opinion (based on all evidence in the record) that the incident is substantiated or unsubstantiated;
- e. Remedial actions for substantiated cases.

After the investigation has been completed, the Title VI Coordinator will prepare and submit a report of the findings of fact and a recommended action to KYTC and/or TDOT. The Title VI Coordinator will send to the complainant a letter based on the investigations findings. The letter will either explain the steps to be taken to come into compliance with Title VI or state that the complaint is unfounded and that the MPO is in compliance with Title VI. This letter will include a detailed explanation and also include notification of the complainant's appeal rights.

If corrective actions are recommended for an alleged discriminatory sub-recipient, he/she will be given thirty (30) calendar days to inform the Title VI Coordinator of the actions taken for compliance. All corrective actions must be made within thirty days from the date of the actual recommendation. If the recommended corrective actions have not been taken within 30 day time period allowed, the sub-recipient will be found to be in noncompliance with Title VI and a referral will be made to KYTC and/or TDOT for enforcement action.

**5. Appeals Procedures:**

The letter of finding will offer the complainant the opportunity to provide additional information that would lead the MPO to reconsider its conclusions. After reviewing this information, the MPO will respond either by issuing a revised letter of finding to the complainant or by informing the complainant that the original letter of finding remains in force.





## **CLARKSVILLE URBANIZED AREA METROPOLITAN PLANNING ORGANIZATION**

Stan Williams  
MPO Director  
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Jill Hall  
Transportation Planner  
[jhall@cityofclarksville.com](mailto:jhall@cityofclarksville.com)

### **Procedimientos de quejas del Título VI**

1. Presentación de quejas: Cualquier persona que crea que ha sido objeto de discriminación prohibida por el Título VI puede presentar una queja por escrito ante la MPO de Clarksville. La denuncia debe incluir el nombre, la dirección, el número de teléfono y la firma del denunciante. Una queja formal debe describir en detalle el presunto acto discriminatorio que viola el Título VI. La queja debe presentarse dentro de los 180 días calendario posteriores al presunto incidente.

2. Procesamiento de quejas: Cuando se recibe una queja, el Coordinador de Título VI asignará un número de caso, construirá un archivo de caso y mantendrá un registro de la queja y cualquier apelación. El informe inicial se enviará a KYTC y / o TDOT, según el estado en que ocurrió la infracción, dentro de los siete (7) días hábiles. El Coordinador del Título VI revisará la información de la queja y solicitará información adicional si es necesario. Si la queja se presenta contra un subreceptor de la MPO, se enviará una copia de la queja a KYTC y / o al Coordinador del Título VI de TDOT.

3. Investigación: El Coordinador del Título VI iniciará la investigación contactando primero al denunciante por teléfono dentro de los tres (3) días hábiles de recibir la asignación para programar una entrevista. Se informará al denunciante que tiene derecho a tener un testigo o representante presente durante la entrevista y que podrá presentar documentación adicional que considere relevante para probar su denuncia. El Coordinador del Título VI determinará, basándose en la relevancia o la duplicación de evidencia, qué testigos serán contactados e interrogados. El Coordinador se comunicará con el denunciante al finalizar la investigación, pero antes de redactar el informe final y darle al demandante la oportunidad de dar una declaración de refutación solo al final del proceso de investigación.

4. Informe final y resolución: La investigación se completará y se enviará un informe final a KYTC y/o TDOT, al supuesto subreceptor discriminatorio y al denunciante dentro de los sesenta (60) días

calendario posteriores a la fecha en que se recibió la denuncia. El informe final incluirá lo siguiente:

- a. La queja por escrito que contiene la alegación, el fundamento y la fecha de presentación;
- b. Declaraciones resumidas tomadas de testigos;
- c. Hallazgo de hechos;
- d. Opinión (basada en todas las pruebas del expediente) de que el incidente está fundamentado o sin fundamento;
- e. Acciones correctivas para casos fundamentados.

Una vez que se haya completado la investigación, el Coordinador del Título VI preparará y enviará un informe de las conclusiones de los hechos y una acción recomendada a KYTC y / o TDOT. El Coordinador del Título VI enviará al demandante una carta basada en los hallazgos de la investigación. La carta explicará los pasos que se deben tomar para cumplir con el Título VI o indicará que la queja es infundada y que la MPO cumple con el Título VI. Esta carta incluirá una explicación detallada y también incluirá una notificación de los derechos de apelación del demandante.

Si se recomiendan acciones correctivas para un presunto subreceptor discriminatorio, se le dará treinta (30) días calendario para informar al Coordinador del Título VI de las acciones tomadas para el cumplimiento. Todas las acciones correctivas deben realizarse dentro de los treinta días posteriores a la fecha de la recomendación real. Si las acciones correctivas recomendadas no se han tomado dentro del período de tiempo de 30 días permitido, se encontrará que el sub-receptor no cumple con el Título VI y se hará una remisión a KYTC y / o TDOT para que se tomen las medidas necesarias.

5. Procedimientos de apelación: La carta de hallazgo ofrecerá al demandante la oportunidad de proporcionar información adicional que llevaría a la MPO a reconsiderar sus conclusiones. Después de revisar esta información, la MPO responderá emitiendo una carta revisada de hallazgo al demandante o informándole que la carta original de hallazgo permanece vigente.

**APPENDIX I: Record of Complaints**



**CLARKSVILLE URBANIZED AREA  
METROPOLITAN PLANNING ORGANIZATION**

Stan Williams  
MPO Director  
[stanwilliams@cityofclarksville.com](mailto:stanwilliams@cityofclarksville.com)

329 MAIN STREET  
CLARKSVILLE, TN 37040  
PHONE: (931)645-7448

Jill Hall  
Transportation Planner  
[jhall@cityofclarksville.com](mailto:jhall@cityofclarksville.com)

Case No.	Investigator	Complainant	Respondent	Type of Complaint	Date Open	Preliminary Report Sent	Final Report	Decision

## **APPENDIX J:**



### **CLARKSVILLE URBANIZED AREA METROPOLITAN PLANNING ORGANIZATION**

Stan Williams  
MPO Director  
[stanwilliams@cityofclarksville.com](mailto:stanwilliams@cityofclarksville.com)

329 MAIN STREET  
CLARKSVILLE, TN 37040  
PHONE: (931)645-7448

Jill Hall  
Transportation Planner  
[jhall@cityofclarksville.com](mailto:jhall@cityofclarksville.com)

### **LIST OF TRANSIT RELATED TITLE VI INVESTIGATIONS, COMPLAINTS AND LAWSUITS:**

	Date (Month, Day, Year)	Summary – Include basis of complaint: race, color or national origin	Status	Action(s) Taken
<b>Investigations:</b>				
1.				
2.				
3.				
4.				
5.				
6.				
<b>Lawsuits:</b>				
1.				
2.				
3.				
4.				
5.				
6.				
<b>Complaints:</b>				
1.				
2.				
3.				
4.				
5.				
6.				

## **Appendix K:**



### **CLARKSVILLE URBANIZED AREA METROPOLITAN PLANNING ORGANIZATION**

Stan Williams  
MPO Director  
[stanwilliams@cityofclarksville.com](mailto:stanwilliams@cityofclarksville.com)

329 MAIN STREET  
CLARKSVILLE, TN 37040  
PHONE: (931)645-7448

Jill Hall  
Transportation Planner  
[jhall@cityofclarksville.com](mailto:jhall@cityofclarksville.com)

#### **Participation Plan (PP)**

**(<http://www.cuampo.com/plansReports.php>)**

The PP is attached.

#### **Public Participation Comment Sheet (<http://www.cuampo.com/titleVI.php>)**

Your comments and suggestion are an important aspect to the planning process. Please provide suggestions or comments on the \_\_\_\_\_ Plan/Study.

Please send written comments by mail, email, fax or phone until (DATE)\_\_\_\_\_, and address your comments to:

Clarksville MPO  
329 Main Street  
Clarksville, TN 37040

Ph: 931-645-7448  
Fax: 931-645-7481  
Email: [stanwilliams@cityofclarksville.com](mailto:stanwilliams@cityofclarksville.com)

Comments:

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Participant Information: (Optional)

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_



**CLARKSVILLE URBANIZED AREA  
METROPOLITAN PLANNING ORGANIZATION**

Stan Williams  
MPO Director  
[stanwilliams@cityofclarksville.com](mailto:stanwilliams@cityofclarksville.com)

329 MAIN STREET  
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PHONE: (931)645-7448

Jill Hall  
Transportation Planner  
[jhall@cityofclarksville.com](mailto:jhall@cityofclarksville.com)

**Participación Pública Hoja:**

Tus comentarios y sugerencias son un aspecto importante para el proceso de planificación. Sírvanse proporcionar sugerencias o comentarios sobre la \_\_\_\_\_ Plan de estudio.

Por favor enviar comentarios por escrito por correo, correo electrónico, fax o teléfono hasta (fecha) \_\_\_\_\_ y sus comentarios a la dirección:

Clarksville MPO  
329 Main Street  
Clarksville, TN 37040  
PH: 931-645-7448  
Fax: 931-645-7481  
Correo electrónico: [jill.hall@cityofclarksville.com](mailto:jill.hall@cityofclarksville.com)

Comentarios:

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Información de participantes: (Opcional)

Name: \_\_\_\_\_  
Dirección: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

## APPENDIX L: Demographic Profile of the Metropolitan Area

Table 6.18 displays a breakdown of the demographic information, available in the Clarksville Transit's Comprehensive Operation Analysis (COA), for the MPA.

**Table 6.18 CTS Demographics Breakdown from Clarksville Transit System (CTS) Ridership**

Population	KY	TN	Christian County	Montgomery County	MPA	City of Oak Grove	City of Clarksville
Minority	14%	25%	33%	35%	39%	38%	40%
Households in Poverty in Last 12 Months	19%	18%	20%	16%	21%	17%	17%
Zero-Vehicle Households	8%	6%	8%	5%	8%	5%	5%
Over 65	14%	15%	11%	8%	7%	1%	8%
18-34	23%	23%	32%	31%	35%	42%	33%

Source: CTS

The Clarksville Transit System (CTS) routes are along every Census block group that is moderately above average.

On board surveys, conducted as part of the Transit's Comprehensive Operation Analysis (COA), for those riders who selected just one race or ethnicity show that:

**41% Black/African American**

**37% White**

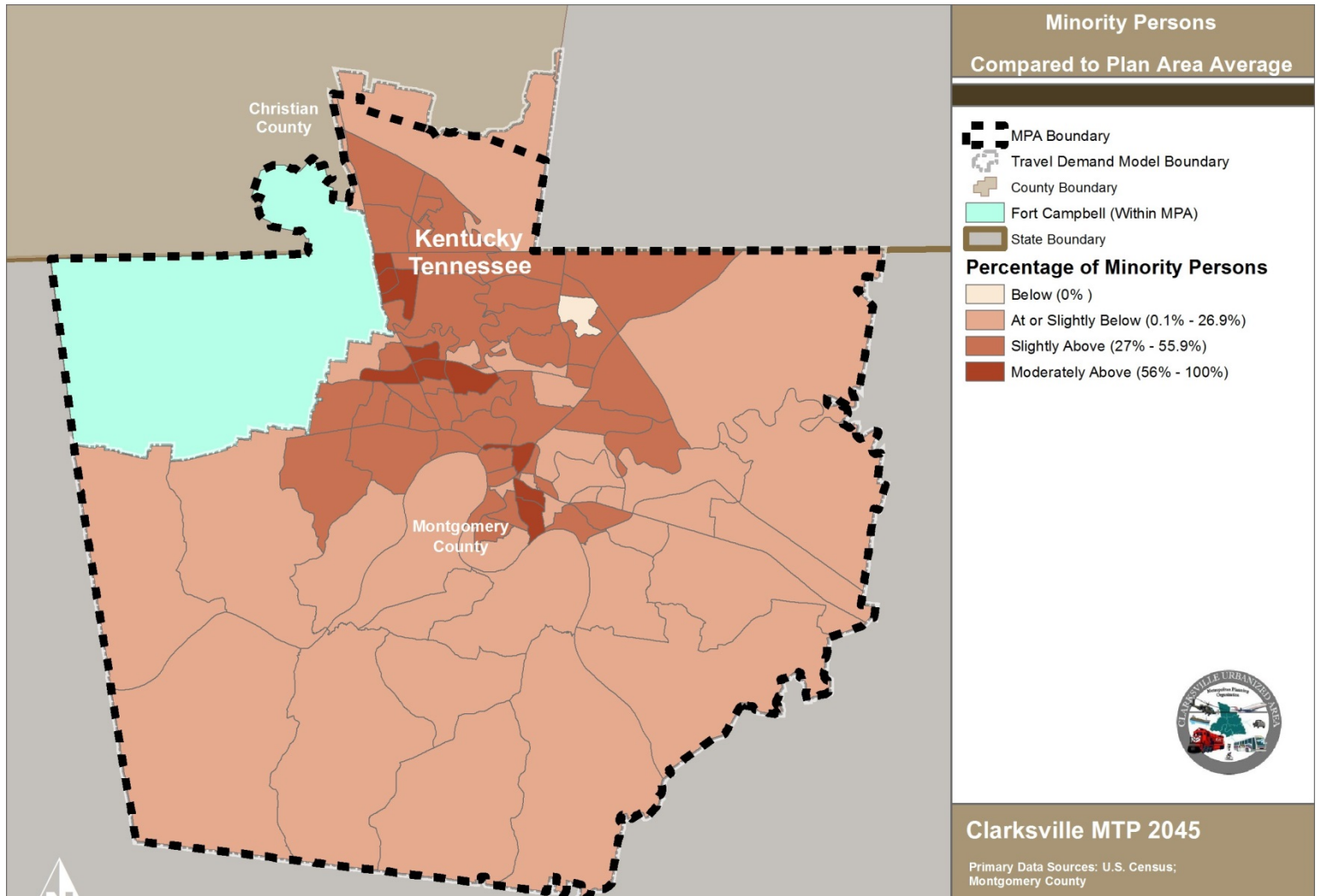
**3% Hispanic/Latino**

**1% Asian and Native American**

This indicates that a majority of current CTS riders are minority populations.

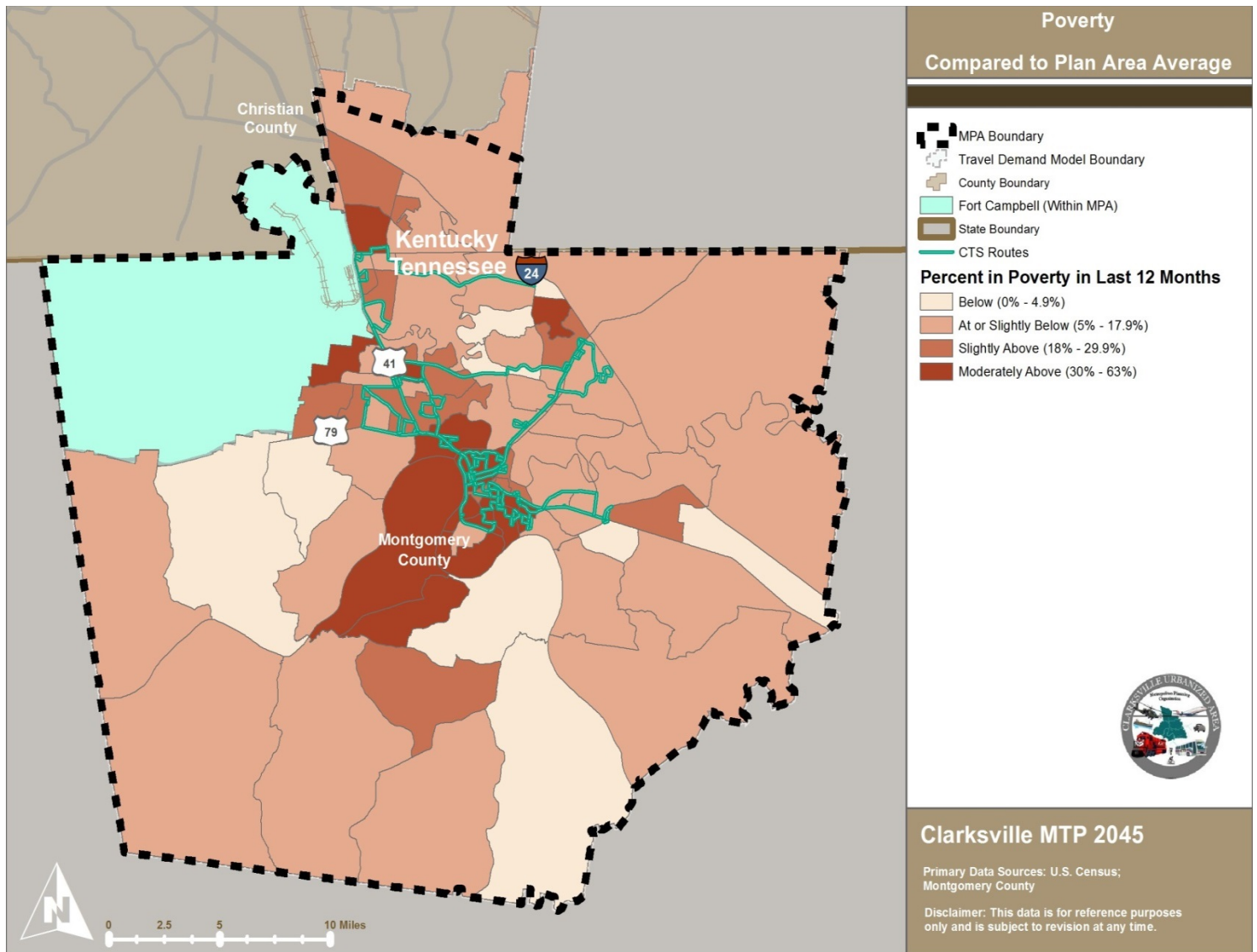
**The next four pages show maps of:**

1. Minority persons compared to plan area average,
2. Poverty persons compared to plan area averages,
3. Zero-vehicle households compared to plan area averages,
4. Over 65 years compared to plan area averages.

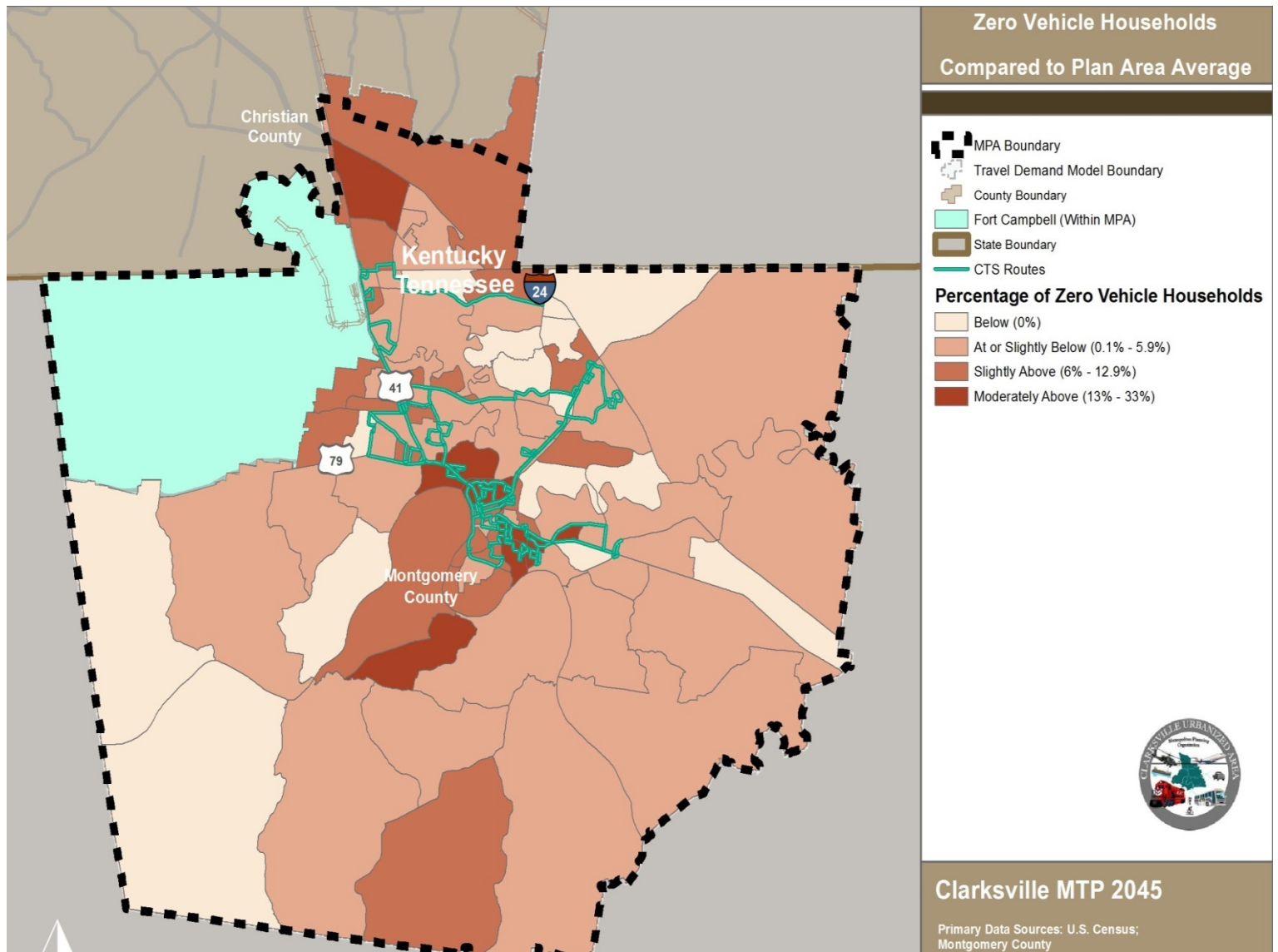


**Minority Persons Compared to Plan Area Average**

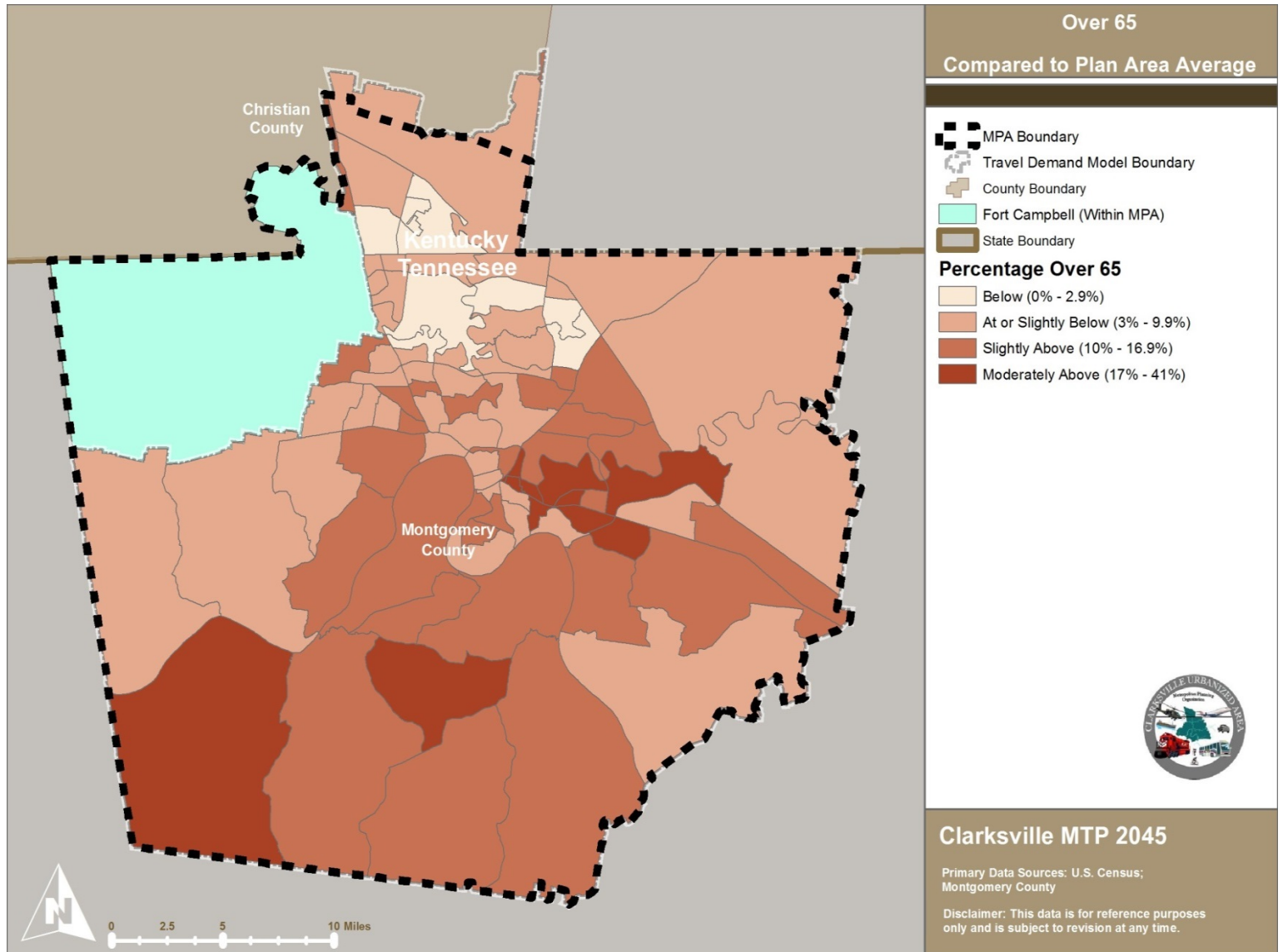




Poverty Compared to Plan Area Average



**Zero-Vehicle Households Compared to Plan Area Average**



**Over 65 Years Compared to Plan Area Average**