

Title VI Plan



Title VI, Environmental Justice, and Limited English Proficiency Policy

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NOTICE OF NONDISCRIMINATION

The Southeast Arkansas Regional Planning Commission (SARPC) complies with all civil rights provisions of federal statutes and related authorities that prohibit discrimination in programs and activities receiving federal financial assistance. Therefore, SARPC does not discriminate on the basis of race, sex, color, age, national origin, religion (not applicable as a protected group under the Federal Motor Carrier Safety Administration Title VI Program), disability, Limited English Proficiency (LEP), or low-income status in the admission, access to and treatment in SARPC's programs and activities, as well as SARPC's hiring or employment practices. Complaints of alleged discrimination and inquiries regarding SARPC's nondiscrimination policies may be directed to Larry Reynolds, Executive Director, 1300 Ohio, Suite B, Pine Bluff, Arkansas 71601, (870) 534-4247 or the following email address: larryreynolds@cablelynx.com. This notice is available in alternative formats.

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I. GENERAL INFORMATION / DEMOGRAPHICS

(1) SOUTHEAST ARKANSAS REGIONAL PLANNING COMMISSION (SARPC) AND PBATS

The Southeast Arkansas Regional Planning Commission (SARPC) is a planning organization that serves local units of governments in Jefferson County, Arkansas.

Since its formation in 1967, the Southeast Arkansas Regional Planning Commission has been working toward making Jefferson County a more desirable place to live and work. Enabling legislation in the form of Act 26 of 1955 (which provided for the formation of SARPC) states as its purpose, "...to make those studies and plans for the metropolitan area or region that will guide the unified development of the area, that will eliminate planning duplication and promote economy and efficiency in the coordinated development of the area and the general welfare and prosperity of its people."

SARPC is the designated Metropolitan Planning Organization (MPO) for the Pine Bluff Area Transportation Study (PBATS). Participants of the PBATS Metropolitan Transportation Planning program include the Arkansas Highway and Transportation Department, public transit providers, Jefferson County, Pine Bluff, White Hall and other interested parties for providing guidance in long range transportation development for the metropolitan area.

(2) DEMOGRAPHICS

Basic profile of Jefferson County, Arkansas:

Jefferson County, Arkansas includes the municipalities of Altheimer, Humphrey, Pine Bluff, Redfield, Wabaseka and White Hall. The Pine Bluff Area Transportation Study (PBATS) encompasses the Pine Bluff-White Hall Metropolitan Statistical Area. For the purpose of this policy, the demographic profile will consider the PBATS study area.

Geography of the Study Area:

The PBATS study area contains approximately 274 square miles including the cities of Pine Bluff, White Hall and portions of Jefferson County. The two cities join at the northwestern and southeastern edges of their respective municipalities. Most of the watershed flows to the Arkansas River, which flows into the Mississippi River.

Pine Bluff:

Pine Bluff registered a population of 49,083 in the 2010 Census. This represents a 10.9 percent decrease from the 55,085 2000 Census population and an annual decline rate of 1 percent. On average, there were 600.2 people per year moving out of Pine Bluff since the 2000 Census.

White Hall:

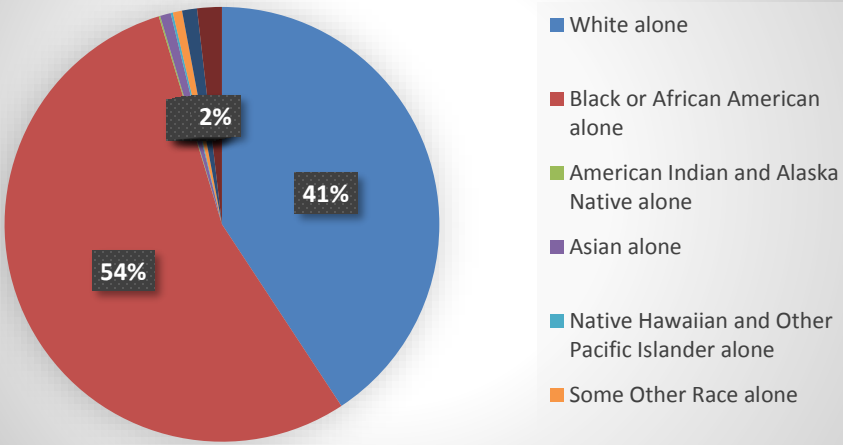
White Hall registered a population of 5526 in the 2010 Census. This represents a 16 percent increase from the 4732 2000 Census population and an annual growth rate of 1.6 percent. On average, there were 7.94 people per year moving into White Hall since the 2000 Census.

Jefferson County:

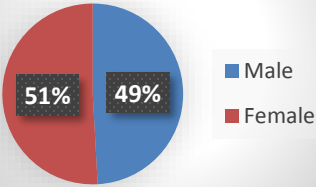
Jefferson County's population showed a dramatic decrease in population from 84,275 in 2000 to 77,435 in 2010. This indicates a direct correlation with the City of Pine Bluff's decrease.

Area	2000	2010
Pine Bluff	55,085	49,083
White Hall	4,732	5,526
Jefferson County	84,275	77,435

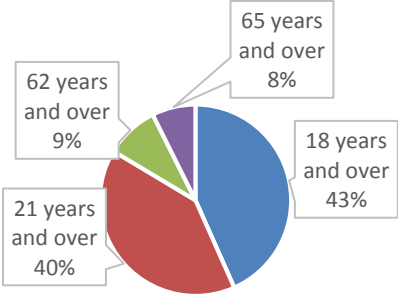
Race Comparison

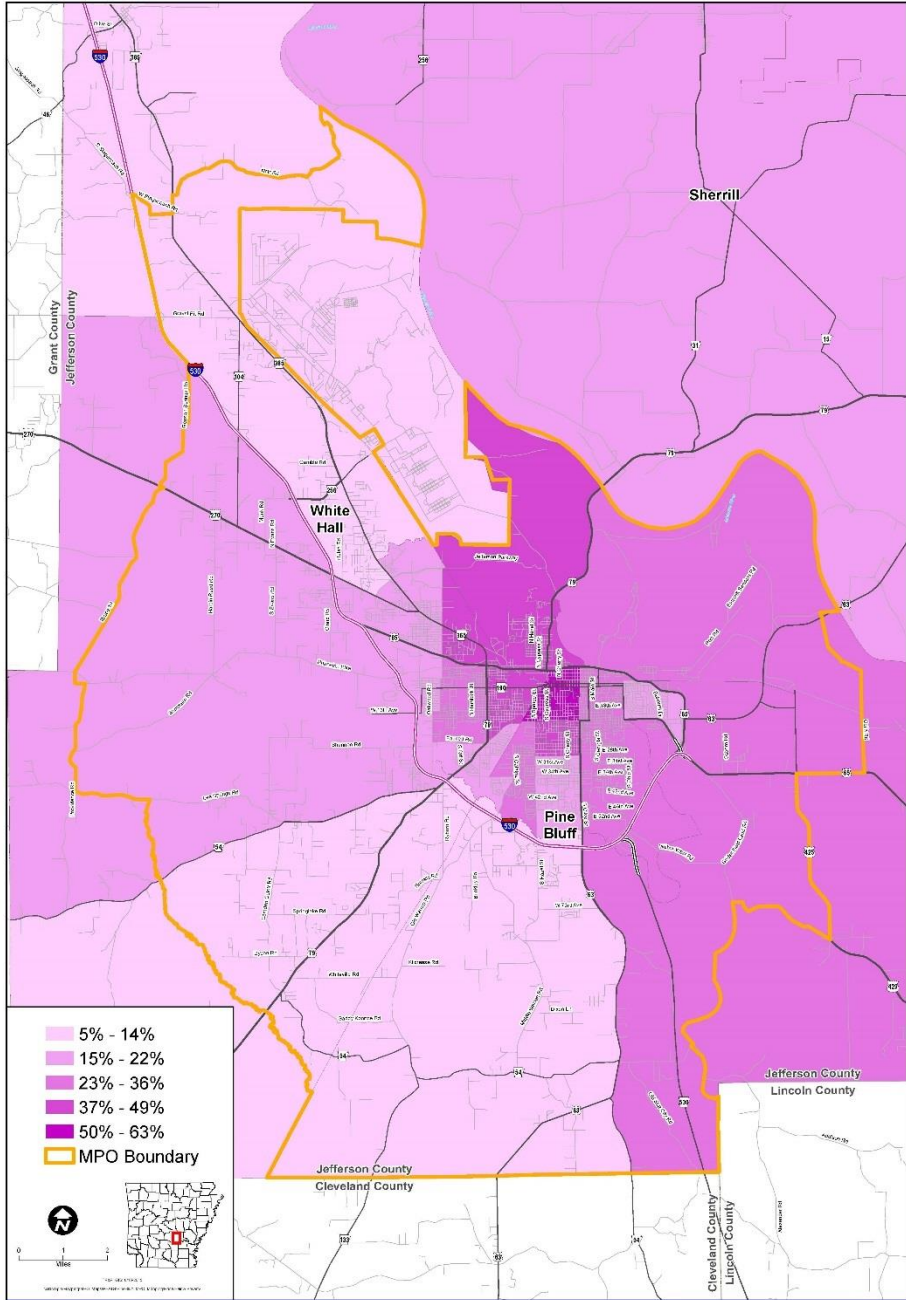


Sex



AGE





PBATS MPO Below Poverty Line



II. STATEMENTS OF POLICY

(1) Title VI Nondiscrimination Statement of Policy

Southeast Arkansas Regional Planning Commission (SARPC) is committed to compliance with Title VI of the Civil Rights Act of 1964. Specifically, 42 USC 2000d states 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.*” In addition to Title VI, there are other Nondiscrimination statutes that afford legal protection. These statutes include the following: Section 162(a) of the Federal Highway Act of 1973 (23 USC 324)(sex), Age Discrimination Act of 1975 (age), and Section 504 of the Rehabilitation Act of 1973 / Americans With Disabilities Act of 1990 (disability), Civil Rights Restoration Act of 1987, 49 CFR Part 21, 23 CFR Part 200, USDOT Order 1050.2, Executive Order 12898 (Environmental Justice), and Executive Order 13166 (Limited English Proficiency). Southeast Arkansas Regional Planning Commission assures that no person shall on the grounds of race, color, national origin, gender, age, or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activities receiving Federal financial assistance from the Department of Transportation.

(2) Environmental Justice and Limited English Proficiency Policy Statement

Southeast Arkansas Regional planning is committed to assuring every effort will be made to prevent the discrimination of low-income and minority populations, as a result of any impact of its programs or activities in accordance with Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and in Low-Income Populations. Minority populations represent a culturally, ethnically, or racially distinct group that coexists with but is subordinate to a more dominant group.

In addition, SARPC assures every effort will be made to provide meaningful access to persons that have Limited English Proficiency (LEP), in accordance with Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (LEP). LEP is a term used in the United States that refers to a person who is not fluent in the English language, often because it is not their native language.

III TITLE VI ASSURANCES

(1) Specific Forms of Discrimination Prohibited

SARPC’s efforts to prevent discrimination must address, but are not limited to:

- The denial of services, financial aid, or other benefits provided under a program.
- Distinctions in the quality, quantity, or manner in which the benefit is provided.
- Segregation or separation in any part of the program.
- Restriction in the enjoyment of any advantages, privileges, or other benefits provided to others.
- Different standards or requirements for participation.

- Failure to monitor and update the plan as necessary to meet all Federal regulations including but not limited to failure to update every three (3) years (FTA Circular 4702.1B.)
- Methods of administration which directly or indirectly or through contractual relationships would defeat or impair the accomplishment of effective nondiscrimination.
- Discrimination in any activities related to a highway, infrastructure or facility built or repaired in whole or in part with Federal funds.
- Discrimination in any employment resulting from a program, the primary purpose of which is to provide employment.

(2) Programs and Services covered by Title VI

SARPC's Title VI Plan applies to all programs, activities and services, regardless of funding source.

1. 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);
2. Federal-Aid Highway Act of 1973 (23 U.S.C. §324 *et seq.*), (prohibits discrimination on the basis of sex);
3. The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
4. Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*) as amended, (prohibits discrimination on the basis of disability);
5. Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 *et seq.*), (prohibits discrimination on the basis of disability)
6. The National Environmental Policy Act of 1969, 42 U.S.C. § 4321;
7. 49 C.F.R. Part 21 (entitled *Nondiscrimination In Federally-Assisted Programs Of The Department of Transportation-Effectuation of Title VI Of The Civil Rights Act of 1964*);
8. 49 C.F.R. Part 27 (entitled *Nondiscrimination On The Basis Of Disability In Programs Or Activities Receiving Federal Financial Assistance*);
9. 49 C.F.R. Part 28 (entitled *Enforcement Of Nondiscrimination On the Basis Of Handicap In Program Or Activities Conducted By The Department Of Transportation*);
10. 49 C.F.R. Part 37 (entitled *Transportation Services For Individuals With Disabilities (ADA)*);
11. 23 C.F.R. Part 200 (FHWA's Title VI/Nondiscrimination Regulation);
12. 28 C.F.R. Part 35 (entitled *Discrimination On The Basis Of Disability In State And Local Government Services*);
13. 28 C.F.R. Part 50.3 (DOJ Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964).
14. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601, *et seq.*)
15. Department of Justice regulation, 28 CFR part 42, Subpart F, "Coordination of Enforcement of Nondiscrimination in Federally-Assisted Programs" (December 1, 1976, unless otherwise noted).
16. Joint FTA/Federal Highway Administration (FHWA) regulation, 23 CFR part 771, "Environmental Impact and Related Procedures" (August 28, 1987).

17. Joint FTA/FHWA regulation, 23 CFR part 450 and 49 CFR part 613, "Planning Assistance and Standards," (October 28, 1993, unless otherwise noted).
18. DOJ Order 5610.2, "U.S. DOT Order on Environmental Justice to Address Environmental Justice in minority Populations and Low-Income Populations," (April 15, 1997).
19. DOT Policy Guidance Concerning Recipient's Responsibilities to Limited English Proficient Person, (December 14, 2005).

(3) Objectives

The Objectives of FTA's Title VI Program, as set forth in FTA Circular 4702.1A, Title VI and Title VI-dependent Guidelines for Federal Transit Administration Recipients, are;

- Ensure that the level and quality of transportation service is provided without regard to race, color, or national origin;
- Identify and address, as appropriate, disproportionately high and adverse human health and environmental effects, including social and economic effects of programs and activities on minority populations and low-income populations;
- Promote the full and fair participation of all affected populations in transportation decision making;
- Prevent the denial, reduction, or delay in benefits related to programs and activities that benefit minority populations or low-income populations;
- Ensure meaningful access to programs and activities by persons with Limited English Proficiency.

(4) Assurances for Title VI and Other Nondiscriminatory Statutes

SARPC in keeping with our policy of nondiscrimination, hereby agrees that as a condition to receiving Federal financial assistance from the Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d - 42 U.S.C. 2000d-4 (hereinafter referred to as the Act) and all requirements imposed by or pursuant to: Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, nondiscrimination in Federally-assisted programs of the Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations) and other pertinent directives, to that end in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, sex, national origin, or age be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which SARPC receives Federal financial assistance from the Department of Transportation, including the Federal Transit Administration (FTA), and hereby gives assurance that it will promptly take any measures necessary to effectuate this agreement. This Assurance is required by Subsection 21.7 (a) (1) of the Regulations.

More specifically and without limiting the above general assurance, SARPC hereby gives the following specific assurances with respect to operating assistance projects:

- That SARPC agrees that each "program" or "facility", as defined in Subsections 21.23(b) and 21.23 (e) of the Regulations, will be (with regard to a "program") conducted, or will be (with

regard to a “facility”) operated in compliance with all requirements imposed by, or pursuant to, the Regulations; and

- That SARPC shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with the Federal Transit Administration, and in adapted form in all proposals for negotiated agreements;
- SARPC in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and 49, of the Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in regard to any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, sex, national origin, income status or age in consideration for an award;
- SARPC shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the officials to whom he delegates specific authority to give reasonable guarantee that it, other recipients, sub grantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this Assurance;
- SARPC agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this Assurance; and
- This Assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to SARPC by the Department of Transportation under Federal-Aid Highway Program and is binding on it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest and other participants in the Federal-Aid Highway Program. The person whose signature appears below is authorized to sign this Assurance on behalf of SARPC.

VI. TITLE VI AND ENVIRONMENTAL JUSTICE – PINE BLUFF TRANSIT PLANNING REQUIREMENTS

SARPC is responsible for providing data to Pine Bluff Transit ensuring Title VI and Environmental Justice compliance for the following planning activities:

(1) Data Collection

Census and other statistical data will be collected by SARPC, as a means of identifying low income and minority populations within the service area. The data will be maintained for the purpose of planning projects and programs that serve various population groups. The data collection process will be reviewed regularly to ensure sufficiency in meeting Title VI requirements.

- Actions
 - Collect, maintain, and update databases of low income and minority concentrations within the service area
 - Work with data providers on data collection efforts

- Utilize the data when developing plans and studies
- Develop demographic profile maps to help identify neighborhoods with high concentrations of low income and minority populations
- Use these maps in various planning documents

(2) Transit Planning

SARPC assists the City of Pine Bluff / Pine Bluff Transit in planning the transit system so that it can appropriately serve low income and minority neighborhoods, make meaningful connections between housing and jobs, and ensure that transit is a viable transportation option.

- SARPC Actions
 - Using demographic profile maps ensure that transit routes and stops fully serve those neighborhoods with high concentrations of low income and minority populations.
 - Work with Pine Bluff Transit to identify necessary changes to routes
 - Ensure bus stop locations are fully accessible for all users, both at the site and in the vicinity

V. TITLE VI AND ENVIRONMENTAL JUSTICE – THE PUBLIC PARTICIPATION PROCESS

(1) Public Participation Plan (PPP)

The PBATS Plan (PPP) describes how SARPC communicates and distributes information to the public as well as how the public can interact and provide comments concerning planning services. The needs of those traditionally underserved by the existing system will be sought and considered by SARPC.

Through its public involvement efforts, SARPC will strive to achieve the following Title VI and Environmental Justice (EJ) goals:

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

Title VI states that no person shall, on the ground of race, color, or national origin, be excluded from participation in, denied benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. SARPC will ensure that the input and feedback from all people will be considered in the development of planning documents and activities.

EJ concerns and goals should be considered throughout all public engagement efforts, from project planning through construction and operation. This includes public outreach conducted

during transportation planning and during the environmental reviews required by the National Environmental Policy Act (NEPA).

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

The United States Department of Transportation (DOT) ensures full compliance with Title VI of the Civil Rights Act of 1964 by prohibiting discrimination against any person on the basis of race, color or national origin in the provisions of benefits and services resulting from federally assisted programs and activities. Any person, who believes the SARPC has violated his /her Title VI protections, should contact the SARPC office at 870-534-4247. SARPC has also developed a policy to assist individuals who are Limited English Proficient (LEP). Translation services in order to assist LEP individuals shall be made available to customers upon request. SARPC's Title VI policy, complaint procedures and LEP Plan shall be made available upon request by contacting the Planning Office at the above-noted information. For Federal Title VI information please contact the Federal Transit Administration (FTA), Region VI at 817-978-0550. Federal Title VI information, including filing complaints, can also be accessed on the FTA web site at: www.fta.dot.gov.

Section VI of this plan describes the procedures to be followed by members of the public to file a discrimination complaint against Southeast Arkansas Regional Planning Commission

Refer to Appendix C for the Public Participation Plan.

VI. TITLE VI COORDINATOR AND COMPLAINT PROCESS

(1) Title VI Coordinator Responsibilities

The executive Director of Southeast Arkansas Regional Planning Commission is the designated Title VI Coordinator for the SARPC.

The Executive Director is responsible for oversight of SARPC's Title VI plan. The Executive Director must ensure that SARPC is compliant with Title VI requirements. The Coordinator is also responsible for Title VI training of relevant staff, conducting reviews, and assisting in investigations of Title VI complaints.

SARPC's Executive Director and staff will be responsible for the following:

- Ensuring that the planning services fully comply with the requirements of Title VI.
- Monitoring the planning services goals and ensuring compliance with Title VI requirements.
- Reviewing operational policies and procedures to ensure Title VI compliance.

- Monitoring the service equities of planning data collection and analysis for potential impacts on social, economic, and/or ethnic groups.
- Ensuring the planning organizational membership attempts to reflect the makeup of the population served. This would include periodically reporting the MPO racial, ethnic, and gender composition of public involvement organizations or groups.
- Ensuring the opinions and views of all groups within their populations are solicited and considered in the planning of transportation projects.
- Monitoring compliance with Environmental Justice issues to identify low-income and minority populations that may be impacted by transportation planning process.
- Providing evidence that input from minority groups/persons has been considered in the transportation planning process. Evidence could include but is not limited to the participation level and composition of participants in public information settings and reporting any follow-up and conclusions to issues communicated throughout the planning process.
- Monitoring the gathering and utilization of demographic data used to identify and locate low-income and minority populations in order to investigate the possible benefits and detriments of transportation plans on these populations.
- Monitor compliance with Limited English Proficiency populations to improve access and comprehension of the planning process for individuals comprising the LEP population.

(2) Title VI Complaint Procedures

SARPC is committed to ensuring that all citizens have equal access to all planning services. It is further the intent of the SARPC that all citizens are aware of their rights to such access. Any person believing he or she has been excluded from, denied participation in, denied the benefits of, or otherwise has been subjected to discrimination under any planning service, program or activity (whether Federally funded or not) due to that person's race, color, national origin, gender, age, disability, economic status, or Limited English Proficiency has the right to file a complaint.

The complaint procedures cover the following:

- Title VI of the Civil Rights Act of 1964
- Section 504 of the Rehabilitation Act of 1973
- Civil Rights Restoration Act of 1973
- Civil Rights Restoration Act of 1987
- Americans with Disabilities Act of 1990
- Executive Order 12898
- Executive Order 13166

(3) Reporting a Title VI Complaint

An individual, group of individuals or entity may file a formal Title VI complaint. If an individual or group believes that they have received discriminatory treatment by SARPC on the basis of your race, color or national origin, the individual or group has the right to file a

complaint with SARPC's Executive Director. The complaint must be filed no later than 180 calendar days of the alleged discriminatory incident.

The preferred method is to file your complaint in writing using the Title VI Complaint Form (Appendix C) and sending it to:

Attn:
Executive Director
SARPC
1300 Ohio Street, Suite B
Pine Bluff, AR 71601

Verbal complaints will be accepted and transcribed by the Executive Director. To make a verbal complaint, call (870) 534-4247 and ask for the Executive Director.

An individual or group also has the right to file a complaint with an external entity such as the Arkansas Highway and Transportation Department (AHTD), a federal or state agency, or a federal or state court. For complaints submitted to AHTD, they must be submitted to the AHTD Title VI Coordinator in writing, signed and dated, within 180 days of the alleged discriminatory act (or latest occurrence). The complaint should be submitted to the following address:

Attn: Title VI Coordinator
Section Head: EEO/DBE
db@arkansashighways.com
501-569-2298
PO Box 2261
Little Rock, AR 72203-2261
www.arkansashighways.com/dbe/dbe.aspx

The complaint that is submitted to the entity should include the name, address, phone number and signature of complainant. The formal complaint should describe the alleged discriminatory act that violates Title VI in detail.

Title VI complaints may also be filed directly with the United States Department of Transportation (USDOT), Federal Highway Administration (FHWA), Federal Transit Administration (FTA), Federal Aviation Administration (FAA) or the Federal Railroad Administration (FRA) within the 180 day period of the alleged discriminatory act (or latest occurrence).

Should a complaint be filed through the external entity simultaneously, the external complaint shall supersede the SARPC complaint and SARPC's complaint procedures will be suspended pending the external entity's findings.

If SARPC were to receive a Title VI complaint, staff will inform AHTD of the complaint and the measures taken to address and resolve the complaint.

(4) Filing a Title VI Complaint

Within ten (10) working days of receipt of the formal complaint, the Executive Director will notify the complainant and begin an investigation (unless the complaint is filed with an external entity first or simultaneously). The investigation will address complaints against SARPC.

The investigation may include discussion(s) of the complaint with all affected parties to determine the problem. The complainant may be represented by an attorney or other representative of his/her own choosing and may bring witnesses and present testimony and evidence in the course of the investigation. The investigation will be conducted and completed within 60 days of the receipt of the formal complaint. Complaints with incomplete information may result in delayed investigations and responses.

Based upon all the information received, an investigation report will be written by the Executive Director. The complainant will receive a letter stating the final decision of the Executive Director by the end of the 60-day time limit. The complainant shall be notified of his/her right to appeal the decision. Appeals may be made to ART, the Equal Employment Opportunity Commission (EEOC) or the Department of Fair Employment and Housing (DFEH).

(5) Title VI Complaint Form

Completion of a Title VI Complaint form is required when filing a complaint. Please see Appendix A for a copy of the form. These forms are also available from the SARPC Office 1300 Ohio Street, Pine Bluff, AR 71601.

(6) Title VI Related Training

The Title VI Coordinator shall ensure that staff is trained and familiar with related policies and procedures. Related Title VI training will be provided by the Title VI Coordinator to senior management and others to discuss practical situations and how Title VI applies to the planning and public participation processes. Training may also be provided through FHWA-sponsored webinars and training resources. The AHTD Office of Equal Opportunities can be contacted to provide on-site Title VI training.

VII. LIMITED ENGLISH PROFICIENCY (LEP) PLAN

(1) Overview of LEP Plan

Executive Order 13166, titled “Improving Access to Services for Persons with Limited English Proficiency”, indicates that differing treatment based upon a person's inability to speak, read, write, or understand English is a type of national origin discrimination. Any agency receiving federal funds needs to develop a Limited English Proficiency (LEP) Plan.

(2) Four Factor Analyses

The primary element of this LEP Plan is the Four Factor Analysis that considers the following factors:

Factor One: Number or Proportion of LEP Individuals: a summary of LEP persons in the service area and a description of efforts to provide meaningful opportunities for the LEP population to be involved in programs and services.

Data from the United States Census indicates a small percentage of population

Pine Bluff-White Hall, Arkansas: 2010 US Census Summary File		
Ability to Speak English		
Total Population	54,609	
Population Speak English Only	49,653	91%
Population Speaking Language other than English	1,849	3%
Other than English Detail		
Speak English "not very well"	455	25%
<i>Spanish</i>		
Speak English "not well" or "not at all"	244	13%
<i>Other Indo European</i>		
Speak English "not well" or "not at all"	88	5%
<i>Asian and Pacific Island</i>		
Speak English "not well" or "not at all"	97	5%
<i>All other</i>		
Speak English "not well" or "not at all"	6	0%
Total Population that Speaks English "not well" or "not at all"	435	0.8%

Only 3% of the population reports speaking a language other than English. More significant, less than 1% of the population, or 435 persons out of the close to 55,000 total population reports not speaking English “well or not at all.” Of these 244 persons report speaking Spanish, 88 speaking Indo-European languages and 97 Asian and Pacific Island languages.

This Census Data, which reports a very limited population, is reinforced by feedback and anecdotal reports from service organizations. Over the past several years, SARPC has not received any inquiries or requests for information in alternative languages. This Census Data, showing a very limited demand for alternative language assistance is consistent with the experience of other organizations such as the local school system and the Southeast Arkansas Regional Planning Commission.

Factor Two: Frequency of Contact

Nature of contact: Transportation planning opportunities are limited in the PBATS study area. Pine Bluff Transit and Southeast Arkansas Transportation (SEAT) provide service in the Pine Bluff and White Hall areas. Pine Bluff transit provides fixed route service operated in thirty minutes on a bi-directional service. SEAT operates a demand response system. Therefore, a base frequency at any given stop/direction is approximately one hour. Fare schedules are in place to encourage ridership by students, senior/disabled with a low cost transfer fare.

Frequency of Contact: Currently, Pine Bluff Transit and SEAT have route information posted on their respective websites. As mentioned, no requests have been received from any rider concerning information in alternative languages.

Factor Three Nature and Importance of the Program

Given the limited population (435 out of 54,609 total population) that may need alternative language access, with the predominant total population of 244 Spanish speaking with the remaining 191 speaking a wide range of other Indo European, Asian, or Pacific Island languages, it would be appropriate to consider this need less important.

However, SARPC takes the position that all citizens are important and while there have been no requests for alternate language access; this service will be provided promptly on request. To this end, the following notice is posted on SARPC's website:

Free language assistance is available through La Oficina Latina... The office may be reached by calling 479-575-8405

**Ayuda gratuita está disponible a través de La Oficina Latina. La oficina también puede ser contactado llamando al 479-575-8405*

Factor Four Resources Available:

SARPC has developed a listing of community resources to assist with positive and timely communications with persons with limited English proficiency. In addition to state and city human service programs, the Southeast Arkansas Regional Planning Commission plays a major role in supporting these contacts.

A summary of the resources that the organization can use for providing assistance to LEP populations includes:

- La Oficina Latina
- Black River Area Development Group (HUD housing opportunities)
- Kevin Bonnette State Farm Agency (bi-lingual assistance provided)
- www.arkansashispano.com (website devoted to Hispanic issues/service)
- Latin Catholic/Latina Evangelical Church (faith-based organization)
- Holá Arkansas (Spanish language publication)

In addition to these resources, SARPC will continue to develop the necessary resources for LEP outreach.

Other elements of the Language Assistance Plan will include:

- A. How Will You Identify LEP Persons Who Need Language Assistance?
 - City Council/SARPC will be advised of plan.
- B. How Will You Identify Language Assistance Measures?
 - Actively review additional options for providing service.
- C. How Will Your Staff Be Trained?
 - Staff will respond to all Customer Service issues.
- D. What Will Be Your Outreach Efforts?
 - Printed information will be translated to Spanish and updates will be provided when needed.

Free language assistance is available through La Oficina Latina... The office may be reached by calling 479-575-8405

**Ayuda gratuita está disponible a través de La Oficina Latina. La oficina también puede ser contactado llamando al 479-575-8405*

- E. What Is Your Monitoring and Updating Plan?
 - Request routine feedback from staff concerning any increased demand/incidents of needing information.
 - Continued contacts with community resources.
- F. How Will You Disseminate Your LEP Plan?
 - Plan will be available to all community resource offices.
 - Availability of plan will be included in all printed material and website.

(3) LEP Policy

It is the policy of SARPC to ensure that our programs and activities, normally provided in English, are accessible to Limited English Proficiency (LEP) persons and thus do not discriminate on the basis of national origin in violation of the Title VI prohibition against national origin discrimination. SARPC will, to the maximum extent feasible in its official deliberations and communications, community outreach and related notifications, provide appropriate alternative non-English formats for persons with LEP to access information and services provided.

APPENDIX A

Commonly Used Acronyms

AHTD – Arkansas State Highway and Transportation Department
C.F.R. – Code of Federal Regulations
DFEH – Department of Fair Employment and Housing
DOT – Department of Justice
EEOC – Equal Employment Opportunity Commission
EJ – Environmental Justice
FAA – Federal Aviation Administration
FHWA – Federal Highway Administration
FRA – Federal Railroad Administration
FTA – Federal Transit Administration
LEP – Limited English Proficiency
MPO – Metropolitan Planning Organization
NEPA – National Environmental Protection Act
PBATS – Pine Bluff Area Transportation Study
PPP – Public Participation Policy
SARPC – Southeast Arkansas Regional Planning Commission
U.S.C. – United States Code

APPENDIX B

Policy Board Members

- Mayor and 1 Council member of the City of Pine Bluff
- Mayor and 1 Council member of the City of White Hall
- Judge and 1 Quorum Court member of Jefferson County
- One representative from the Southeast Arkansas Regional Planning Commission appointed by the Commission other than those already represented on the Policy Committee from the Cities of Pine Bluff and White Hall and Jefferson County
- One representative for Intermodal Transportation
- One (1) member each from Arkansas Highway Department Planning Office and District Office Engineer

Technical Advisory Committee Members:

- PBATS Study Director
- One representative from the Southeast Arkansas Regional Planning Commission or than the Study Director
- City of Pine Bluff Street Manager
- Mayor of White Hall
- Manager of Pine Bluff Airport Authority
- Manager of Pine Bluff Transit
- Arkansas Highway and Transportation Department District Resident Engineer
- Two Transportation Planners representing the Arkansas Highway and Transportation Department interests and one representing transit interest
- One representative from Pine Bluff Port/The Alliance
- One representative from the Union Pacific Railroad
- Jefferson County Judge
- Jefferson County Road Superintendent

APPENDIX C

PUBLIC INVOLVEMENT PROCEDURES

Prepared by the
PINE BLUFF AREA TRANSPORTATION STUDY (PBATS)
METROPOLITAN PLANNING ORGANIZATION (MPO)
Prepared in Cooperation with
The Arkansas State Highway and Transportation Department
Federal Transit Administration
Cities of Pine Bluff and White Hall
The County of Jefferson

PBATS MPO does not currently have a web site. The new federal transportation act requires the PBATS MPO web site to be operational by July 1, 2007. Until then, documents for public review may be viewed at the PBATS MPO office or public library.

ADOPTED BY THE POLICY COMMITTEE ON MAY 15, 2007

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A. INTRODUCTION

The Transportation Equity Act for the 21st Century (TEA 21) requires an ongoing public involvement program in the development and maintenance of the Pine Bluff Area Transportation Study (PBATS) Metropolitan Planning Organization (MPO) Long Range Transportation Plan (LRP) and other transportation and implementation activities. The PBATS MPO Policy Committee and the Technical Advisory Committee (TAC) seek public input from local citizens, employers, and transportation providers, and other transportation users in the region, as programs are developed to make the most of transportation facilities in PBATS Study Area. These procedures are designed to give the public opportunities to make comments and suggestions during planning and implementation of transportation programs.

This document outlines procedures that are designed to promote and encourage public participation in the transportation planning process. It does not limit additional, ongoing, creative solutions to facilitate public involvement. Additional strategies to involve the public shall be encouraged such as contacting neighborhood groups within the study area, varying meeting times to better meet the public needs and any other techniques that will increase public participation. This program requires the MPOs to utilize public input in the development of projects so that they fit harmoniously within their communities without sacrificing safety and mobility.

Title VI of the 1964 Civil Rights Act sets standards that authoritatively outlaw discrimination in the conduct of all Federal activities. PBATS MPO will encourage participation by members of traditionally underserved communities (e.g., elderly, minority, limited English proficiency (LEP), etc.) to exchange information regarding transportation planning by scheduling meetings at locations within the underserved area. Persons planning to attend who are in need of translation services may request services at least 48 hours in advance and an effort to arrange said services will be made. In accordance with the Americans with Disabilities Act (ADA) of 1990 guidelines, all meetings conducted by the PBATS MPO will take place at locations that meet ADA accessibility standards to accommodate persons with mobility limitations. Persons with disabilities who plan to attend the meetings and need auxiliary aids or services are requested to contact the PBATS MPO office (telephone: 870-534-4247) 48 hours in advance of the meeting so that appropriate arrangements can be made.

B. THE POLICY COMMITTEE AND THE TECHNICAL ADVISORY COMMITTEE MEETINGS

All meetings of the TAC and Policy Committee are open to the public and will follow these procedures to notify the public of upcoming meetings. Sub-committee meetings may be closed meetings and need not to be advertised.

1. A press release will be sent to Pine Bluff Commercial, radio and television stations at least one week prior to the meeting.
2. Information about the meeting will be posted in the municipal offices of the Cities of Pine Bluff and White Hall, the Jefferson County Courthouse, PBATS MPO office, and other local venues as deemed appropriate to fulfill the intent of Environmental Justice at least one week prior to the meeting.

3. Information about the meeting will be posted on the PBATS MPO web site at least one week prior to the meeting.
4. If subsequent meetings are needed to finish business, the committee can recess the meeting, and meet again with no additional press release required. The web site will be updated to reflect the continued meeting, but the one week-public notice will not be required.

C. UNIFIED PLANNING WORK PROGRAM (UPWP)

In the spring of each year, PBATS MPO and AHTD staff will draft a proposed Unified Planning Work Program (UPWP) for the coming fiscal year. The UPWP must be adopted by the Policy Committee by June 30th of each year.

1. By the end of April, the proposed UPWP will be provided to the TAC. The TAC may meet to approve the UPWP or it may approve the UPWP by mailed/e-mailed ballot in lieu of a meeting. Once the TAC has reviewed and recommended the document for approval by the Policy Committee, there will be a two-week public comment period.
2. The public will be informed of the comment period in the following ways: a legal notice will be placed in the Pine Bluff Commercial and a press release will also be sent to the Pine Bluff Commercial repeating the information in the legal notice; notices of the availability of the document for public review will be posted in the municipal offices of the Cities of Pine Bluff and White Hall, the Jefferson County Courthouse, the PBATS MPO office, and other local venues as deemed appropriate to fulfill the intent of Environmental Justice.
3. During the public comment period, a copy of the draft UPWP may be obtained from the MPO office or viewed on the PBATS MPO web site.
4. After the two-week comment period, a Policy Committee meeting may be held to review and adopt the UPWP. The Policy Committee may also approve the UPWP by mailed/e-mailed ballot in lieu of a meeting if no public comments are received.

D. TRANSPORTATION IMPROVEMENT PROGRAM (TIP)

A Transportation Improvement Program (TIP) must be adopted by the Policy Committee every three years. The TIP covers a four-fiscal-year period and includes all surface transportation and transit projects and must be adopted by September 30th of update years.

1. In March of update years, the PBATS MPO will call for proposed projects from the jurisdictions within the PBATS boundary to be submitted to the MPO by March 31.
2. The MPO will review the proposed projects to ensure that they are in the LRP and on the Functionally Classified Streets Map.
3. By April 15, the MPO will compile a draft TIP including all street projects and public transit projects.
4. After the TAC review of the draft TIP, a legal notice stating that all surface transportation and transit projects are included will be placed in the Pine Bluff Commercial to allow a 30-day period to gather public comment. The public can obtain a copy from the MPO office or view the document on PBATS MPO web site.
5. Press releases will be sent to the Pine Bluff Commercial initiating the 30-day comment period and the TIP approval process.

6. After the conclusion of the one month public comments period, TAC will meet in May to review public comments on the projects and formulate the final draft TIP. When significant written and oral comments are received as a result of the public participation process, a summary, analysis, and report on the disposition of comments will be made part of the final draft TIP. If needed, more meetings will be scheduled.
7. The Policy Committee will meet by the end of August to review and adopt the final TIP.

E. AMENDMENTS TO THE UPWP AND THE TIP

If significant amendments to the UPWP and the TIP are necessary, the procedures below will be used to notify the public and solicit comments. Significance will be determined through discussion between the MPO Study Director and the AHTD MPO Coordinator. Those items determined not to be significant may be adopted by ballot without a period of public comment.

BY MEETING:

1. A legal notice will be placed in the Pine Bluff Commercial setting forth the proposed amendment, a two-week comment period and the time and date of the TAC and Policy Committee meetings to approve the amendment.
2. A press release will be sent to the Pine Bluff Commercial containing the information in the legal notice and further necessary information.
3. The proposed amendment will be posted on the PBATS MPO web site.
4. After the two-week comment period, TAC and Policy Committee meetings will be held to consider and adopt the amendment.

BY BALLOT:

1. A legal notice will be placed in the Pine Bluff Commercial setting forth the proposed amendment, establishing a two week comment period, and identifying the dates of the balloting process (i.e. date ballots to be sent and date by which ballots must be returned).
2. A press release will be sent to the Pine Bluff Commercial containing the information in the legal notice.
3. The proposed amendment will be posted on the PBATS MPO web site.
4. After the two-week comment period, a ballot with the proposed amendment and a summary of the comments will be sent to all TAC and Policy members. Ballots may be sent by mail, fax, or e-mail according to the preference of the recipient.
5. The ballot will specify a time framework for returned votes to count. Votes will be received by mail, fax, and e-mail. The amendment will pass with an affirmative vote by a majority of the authorized voting membership.

F. THE LONG RANGE TRANSPORTATION PLAN

A Long Range Transportation Plan (LRP) must be in place for the PBATS Study area in order to comply with federal guidelines, and in order to facilitate efficient utilization of transportation resources. The LRP must be updated every five years at a minimum.

1. The TAC will meet to develop a draft of the LRP elements.
2. At a minimum, five open houses will be conducted as part of the development of the LRP. The first four open houses will be held after the TAC has developed a draft of the LRP elements and the Policy Committee approves the draft of the LRP Elements. The fifth open house will be held after a Draft LRP document has been completed.
3. The first four open houses will be for the public to view the draft LRP Elements and to make comments and will be held within a two-week period. In an effort to facilitate maximum public involvement, the open houses will be at different locations and times of day. Two of the first four open houses will be held in predominately minority neighborhoods/areas.
4. Before the first of the four open houses to view the LRP Element list and before the fifth open house to review the Draft LRP document, three display advertisements stating that all surface transportation and transit projects are included will be placed in the Pine Bluff Commercial newspaper over a two-week period stating the time, place and purpose of each open house.
5. A press release for the first four open houses will be sent to the local newspapers and other outlets (radio stations, T.V. stations and local access cable stations) at least two weeks before the first open house takes place and again two weeks before the fifth open houses take place.
6. The meeting information described above will be placed on the PBATS MPO web site and made available for public viewing at the municipal offices of the Cities of Pine Bluff and White Hall, and the Jefferson County Courthouse.
7. After the fourth open house, the public will have thirty days to submit their written comments on the LRP Elements for consideration by the TAC and Policy Committee.
8. The TAC will review all comments received and, if needed, make revision to the LRP Elements based on those comments. If necessary, a TC meeting will be held to address public comments. All plan revisions and comments will be submitted to the Policy Committee for its consideration.
9. If necessary, a Policy Committee meeting will be held to address revisions and comments. After the Policy Committee reviews all comments and approves any changes, the PBATS MPO shall prepare a Draft LRP document and present it to the TAC members for review. Comments will be incorporated into the draft document for presentation to the public.
10. The fifth open house will be held to give the public an opportunity to review revisions to the LRP Elements and make comments on the Draft LRP document.
11. After the fifth open house, the public will have thirty days to submit their written comments on the Draft LRP document for consideration by the TAC and Policy Committee.
12. After reviewing and resolving comments received, the TAC will meet to recommend the LRP document to the Policy Committee for approval and the Policy Committee will meet to consider and adopt the LRP.
13. If significant written comments are received that require changes to the LRP document, another open house will be advertised as above and held to provide an opportunity for public review of the revisions.
14. When significant written comments are received as a result of the public involvement process that are not addressed in the transportation plan, a report will be prepared indicating the reason the comments were not addressed. Said report shall be submitted to the Policy Committee for informational purposes and filed in the MPO office. The Policy Committee will meet to consider and adopt the LRP.

G. AMENDMENTS TO THE LONG RANGE TRANSPORTATION PLAN

1. A TAC meeting will be held to discuss and formulate the amendment
2. A two-week comment period will be established for the public to comment on the proposed amendment. Information about the amendment and the comment period will be published as follow: a legal notice will be placed in the Pine Bluff Commercial, a press release will be sent to the Pine Bluff Commercial repeating the information in the legal notice; and the information will be posted on the PBATS MPO web site and other local venues as deemed appropriate to fulfill the intent of Environmental Justice
3. A Policy Committee meeting will be scheduled to consider adoption of the amendment.
4. All interested parties will be encouraged to attend this Policy Committee meeting. The Study Director will provide a summary of any public comments to the Policy Committee, and public comments will be encouraged at the meeting. The Policy Committee may adopt the amendment or send it back to the TAC for additional consideration.

H. PUBLIC COMMENTS

At all public forums, TAC, and Policy Committee meetings, the public will be requested to sign an attendance roll. Members of the public will be provided an opportunity to address the Committees. Those desiring to make comment will be encouraged to also provide their comments in writing.

Public forums will allow for a fuller expression of all verbal comments as well as written comments. Written comments will be encouraged and requested to be submitted within two weeks after public forums and the specific TAC and Policy meetings that call for a comment period. The PBATS staff will maintain a file of written public comments for three years, and will provide a summary for the appropriate TAC and Policy meetings.

I. MODIFICATIONS TO THE PUBLIC INVOLVEMENT PROCEDURES

1. The PBATS MPO staff will periodically review the policy in terms of its effectiveness in assuring that the process provides full and open access to all.
2. If necessary, a TAC sub-committee will be formed to develop modifications to the document. The TAC will meet to review the proposed modifications and approve the draft document for presentation to the public for review and comments. After TAC approval, legal notices and a press release, and a posting on the PBATS MPO web site will establish a 45-day public comment period.
3. The public will be able to pick up a copy, have one mailed or emailed to them, or view it on the City of Pine Bluff web site.
4. The Policy Committee may approve the new Procedures in two ways:
 - a. At the end of the 45-day comment period they may meet and approve the document, or send it back to the TAC.
 - b. They may meet in no less than three weeks after TAC approval of the document, and approve it pending no negative comment during the remainder of the 45-day comment period.

APPENDIX D

Pine Bluff Area Transportation Study (PBATS)

Title VI Complaint Form

Section 1:			
Name: _____			
Address: _____			
Telephone (Home: _____ Telephone (Work): _____			
Electronic Mail Address: _____			
Accessible Format Requirements	Large Print		Audio Tape
	TDD		Other

Section 2:		
Are you filing this complaint on your own behalf?	YES*	NO
* If you answered "yes" to this question, go to Section 3.		
If not, please supply the name and relationship of the person for whom you are complaining:		
Please explain why you have filed for a third party:		
Please confirm that you have obtained the permission of the aggrieved party if you are filing on their behalf.	Yes	No

Section 3:
I believe the discrimination I experienced was based on (check all that apply):
<input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin
Date of Alleged Discrimination (Month, Day, Year): _____
Explain as clearly as possible what happened and why you believe you were discriminated against. 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 witness. If more space is needed, please use the back of this form.

Section 4:		
Have you previously filed a Title VI complaint with this agency?	Yes	No

Section 5:	
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State Court?	
<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, check all that apply:	
<input type="checkbox"/> Federal Agency	
<input type="checkbox"/> Federal Court	<input type="checkbox"/> State Agency
<input type="checkbox"/> State Court	<input type="checkbox"/> Local Agency
Please provide information about a contact person at the agency/court where the complaint was filed.	
Name: _____	
Title: _____	
Agency: _____	
Address: _____	
Telephone: _____	

Section 6
Name of agency the complaint is against: _____
Contact person: _____
Title: _____
Telephone Number: _____

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

Signature and date required below

Signature

Date

Please submit this form in person at the address below, or mail this form to:
 SARPC Title VI Coordinator
 1300 Ohio Street, Suite B
 Pine Bluff, AR 71601

PINE BLUFF AREA TRANSPORTATION STUDY

RESOLUTION #4 – 2017

A RESOLUTION APPROVING THE METROPOLITAN PLANNING ORGANIZATION' TITLE VI POLICY

WHEREAS, the Pine Bluff Area Metropolitan Planning Organization (MPO) is the organization designated by the Governor of the State of Arkansas as being responsible, together with the State of Arkansas, for implementing the applicable provisions of 23 USC 134 and 135 (amended by Map-21 Sections 1201 and 1202, July 2012); 42 USC 2000d.1, 7401; 23 CFR 450 and 500; and CFR 51 and 93;

WHEREAS, the MPO is the recipient of Section 5303 Metropolitan Transportation Planning Funds from the Federal Transit Administration;

WHEREAS, it is required by the U.S. Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964, and FTA Circular 4702.1B that all recipients, including subrecipients, of federal transit funding prepare a Title VI Program to be approved by the recipient's board or directors or appropriate governing entity; and

WHEREAS, the MPO Policy Board is the governing entity of the Pine Bluff Area Transportation Study (MPO), now


THEREFORE, BE IT RESOLVED that the Policy Board Pine Bluff Area Transportation Study (MPO) hereby approves the MPO Title VI Program in compliance with Title VI of the Civil Rights Act of 1964 and FTA Circular 4702.1B.

Passed and Approved on the 4th day of May, 2017.



Ken Smith, Policy Board Chairman
Pine Bluff Metropolitan Planning Organization
Southeast Arkansas Regional Planning Commission

I hereby certify that this resolution was adopted by the Pine Bluff MPO in regular session on May 4th, 2017.



Larry Reynolds, Study Director
Pine Bluff Metropolitan Planning Organization