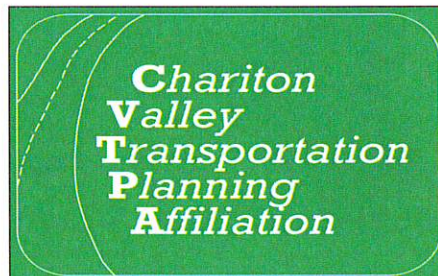




FTA Title VI Program



Chariton Valley Planning & Development Council
CVTPA/RPA 17 - Planning Agency
2022



Iowa Department of Transportation
800 Lincoln Way
Ames, IA 50010

*This program to be submitted every three years to the Iowa Department of Transportation,
Office of Employee Services, Civil Rights Team.*

Date: January 11, 2022

Recipient Profile

Recipient: Chariton Valley Planning & Development Council of Governments

Administrative Head: Nichole L. Moore Executive Director
Name Title

Recipient Title VI Coordinator: Same
Name Title

Address: 308 North 12th Street

City/State: Centerville, IA Zip Code/County: 52544 - Appanoose

Phone: 641-437-4359 Fax: 641-437-1161

Email:
nmoore@charitonvalleyplanning.com

Website: www.cvpdcog.com

Has the recipient signed and submitted its Title VI Assurances? Yes X No _____

Has the recipient submitted its Title VI Program Plan? Yes X No _____

What strategies has your planning process developed for ensuring, demonstrating, and sustaining compliance with Title VI?

Chariton Valley Planning & Development Council has adopted the Title VI Assurances and a Title VI Plan that will be used to initiate, monitor and to ensure the agency compliance with the Title VI Program requirements. CVPD's goal is to prevent discrimination on minority and low-income populations through the impacts of its programs, policies and activities. CVPD takes reasonable steps to provide access to services for persons with limited-English proficiency.

CVPD has appointed a Title VI coordinator who facilitates the Title VI plan compliance. A discrimination complaint procedure and information will be made available to the public.

RPA17/CVTPA's Public Participation Plan provides a variety of strategies for the planning process and public involvement process to the planning activities. They allow for public comments from engaging stakeholders during the planning process. CVPD staff, RPA Technical

Committee and RPA Policy Board members have received information regarding the Title VI responsibilities and procedures.

General Requirements

1.

Attach a copy of recipient's Title VI notice to the Public.

Required elements:

 X A statement that the agency operates programs without regard to race, color, or national origin

 X A description of the procedures that members of the public should follow in order to request additional information on the recipient's Title VI obligations

 X A description of the procedures that members of the public shall follow in order to file a Title VI discrimination complaint against the recipient

List locations where the notice is posted:

CVPD office area.

CVPD website: Currently under construction – All documents will be posted once completed.

2.

Please attach a copy of the recipient's instructions to the public regarding how to file a Title VI discrimination complaint, including a copy of the complaint form.

Are complaint procedures and the complaint form posted on the recipient's website?

Please provide the URL: www.cvpdcog.com

Title VI information has not been uploaded to website because of change in web service maintenance person. Looking for new person currently.

3.

Please list and describe any transit-related Title VI investigations, complaints, or lawsuits filed with, concerning, or naming the recipient in the last three years.

	Date Filed (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
Investigations				
1.	N/A			
2.				
Lawsuits				
1.	N/A			
2.				
Complaints				
1.	N/A			
2.				

4.

- Please attach a public participation plan that includes an outreach plan to engage minority and limited English proficient populations, as well as a summary of outreach efforts made in the last three years.

Please describe the methods used to inform low-income and minority populations of planning efforts for transportation-related services and/or improvements:

CVPD uses publications in the local newspapers throughout the region, emails, mailing information contact lists, CVPD newsletter, and general postings in each TAC & Policy Board member's office location, posted on the front window on the CVPD office for public review at least 24 hours before meeting, Facebook and radio stations when needed.

During the planning process the transit agencies that service low-income and minority populations have been engaged as well as health and human resource departments of any plans or changes needed in the region.

List minority and/or community media utilized to ensure notification of public meetings or public review of recipient documents for residents in minority and low-income areas:

There are no minority media sources in our region. Notices to meetings are emailed to participants, posted at local meeting office space and posted at the CVPD office site at least 24 hours before meeting time. Agendas are requested to be posted at locations throughout the region and available on the CVPD office. Notices are posted/published in local newspaper of planning documents for review. The CVPD newsletter is distributed throughout the CVPD/CVTPA region to various agencies and individuals. Those may include, chamber of commerce, banks, hospitals, city halls, county engineer offices, economic development, county BOS, area businesses.

When was the public participation plan last reviewed? Please describe how.

CVTPA/RPA17 updated the PPP and reviewed updates with committees and public. Both TAC & Policy approved and adopted the new changes in June 2017. This will need to be updated to include any new updates of committee members and regional information during the time when the regional Long Range Transportation Plan is updated. The process is reviewed and any additional comments from IDOT are incorporated into the planning process. Notice of Public Hearing for final review of the document is published in the local newspaper as well as posted at each office of the TAC & Policy committees. Final document can also be reviewed at the CVPD office or a requested copy can be sent to any individual/s that request a copy. Any public comments are also included in the final document. Update of the PPP will be completed and approved in January 2022.

To view the plan at this time please request a copy at: nmoore@charitonvalleyplanning.com. It is also attached to this program.

5.

- Please attach a copy of the recipient's plan for providing language assistance to persons with limited English proficiency, based on the DOT LEP Guidance, *Federal Register*, Volume 70, Number 239, <http://www.gpo.gov/fdsys/pkg/FR-2005-12-14/html/05-23972.htm>.

What steps has the recipient taken to ensure meaningful access to the benefits, services, information, and other important components of its programs and services to persons with limited English proficiency?

CVPD- CVTPA/RPA17 takes responsible steps to ensure access to their programs and activities that any person with Limited English Proficiency (LEP) may require. Currently CVPD-RPA17 has not had to provide this service. Planning area not identified as a LEP area.

4 Factor Analysis is reviewed for the following:

When fulfilling this obligation, CVPD/CVTPA-RPA17 will conduct an individualized assessment designed to balance the following four factors:

1. The number or proportion of LEP persons eligible to be served likely to be encountered by the program or grantee/recipient;
2. The frequency with which LP individuals may come in contact with the program or planning process;
3. The nature and importance of the program, activity, or service provided by the program to people's lives; and
4. The resources available to the grantee/recipient and costs.

Actions would include identifying persons who may need language assistance, determine ways in which we can assist or provide service. Guidelines suggest that vital written materials routinely provided in English are also available in another language. Vital documents need only translated when a significant number or percentage of the population eligible to be served, or likely to be directly affected by the program/activity, needs services or information in a language other than English to communicate effectively.

Meaningful access to a program requires an awareness of the program's existence, particularly when considering outreach or other documents designed to raise awareness of rights or services. CVPD-CVTPA/RPA17 recognizes that it would be impossible to translate everyone document, materials for outreach due to costs. Title VI does not require this of recipients of federal financial assistance, and EO13166 does not require it of federal agencies. The continually survey/assessing the needs of those services will be looked at. Since there are very few non-

English speaking residents in the region, it is the agency’s policy to provide any translating services to those with LEP should that be requested.

6.

List all non-elected committees and councils, the membership of which is selected by the recipient:

We work with a TAG committee to review documents regarding the transportation transit needs within the region and prepare PTP updates. Those may include but are not limited to hospital staff, (men and women), mental health, local businesses, transit agencies, private sector individuals.

Describe the process the recipient uses to encourage the participation of minorities on such committees.

None

Racial/Ethnic Breakdown of the Non-Elected Committees and Councils:

RPA17 Technical Committee	Number
Male	12
Female	1
White	13
Black or African American	0
American Indian or Alaskan Native	0
Asian	0
Native Hawaiian or other Pacific Islander	0
Other	0

RPA17 Policy Board	Number
Male	11
Female	1
White	12
Black or African American	0
American Indian or Alaskan Native	0
Asian	0
Native Hawaiian or other Pacific Islander	0
Other	0

CVPD does not select any or appoint any of the TAC & Policy Board members. TAC members are made of economic development, county engineers and transit directors. Policy is developed by general election results and appointment at the local level to each board that official sits. City officials are identified from communities of 5,000 or more located with the RPA region.

7.

If applicable, describe the efforts the recipient uses to ensure subrecipients are complying with Title VI:

N/A

Include a schedule of subrecipient Title VI program submissions:

(insert table or list) – N/A

8.

Has the recipient constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc., with Federal Transit Administration funds? ___ Yes ___ X No

If yes, please attach the Title VI equity analysis conducted during the planning stage with regard to the location of the facility.

9.

Please attach a copy(ies) of board meeting minutes, resolution(s), or other appropriate documentation showing the board(s) of directors or appropriate governing entity(ies) or official(s) responsible for policy decisions reviewed and approved the Title VI Program.\

Requirements of Planning Agencies

1.

Has the planning agency developed a demographic profile of the planning area that includes identification of the locations of socioeconomic groups, including low-income and minority populations? Provide a summary of the planning area demographics.

There are no significant specific locations in the region of socioeconomic groups. Low-income population is throughout the region with no specific county showing dramatic numbers for minority. The tables below show the Minority Population numbers and Persons who Speak English “very well” and Less than “very well”

Geography	Total Population	White	Black/Afr. Am.	Am. Ind/AL Nat	Asian	Native Hawaiian	Other
Appanoose	12,352	12,289	61	6	62	0	182
Centerville	5,446	5,204	54	3	60	0	83
Clarke	9,374	8,757	27	0	78	0	228
Davis	8,966	8,605	16	0	24	0	123
Decatur	7,950	7,815	163	37	43	18	113
Lucas	8,534	8,498	11	27	0	0	164
Monroe	7,845	7,749	6	0	18	0	146
Wayne	6,476	6,264	41	21	4	0	73

Source: US Census – American Survey 2017 Estimates

Persons Who Speak English “Very Well & Less than “Very Well”

County	Total Estimate	Est. # of persons 5 yrs & over who Speak English “Very Well:	Percentage of Population	Est. # of persons 5 yrs & over who speak less than “Very Well”	Percentage of Population
Appanoose	11,855	11,728	97.5	164	2.5
Centerville	5,047	4,979	97.4	62	2.6
Clarke	8,620	8,187	88.4	569	11.6
Davis	8,021	7,789	82.3	1,190	17.7
Decatur	7,762	7,572	93.6	307	6.4
Lucas	8,223	8,075	95.2	246	4.8
Monroe	7,484	7,363	96.3	156	3.7
Wayne	5,967	5,730	92.0	239	8.0

Source: US Census – American Fact Finder – Language Spoken in Home

BOARD MEMBERS

EXECUTIVE POLICY BOARD MEMBERS

The Executive Policy Board is a group of elected officials appointed to CVTPA by member counties and cities within the region to determine all policy and make all decisions on behalf of the seven-county entity. Provided from the approved FY22-25 TIP for RPA17 on July 1, 2021.

<i>Name</i>	<i>Title</i>	<i>County, City or Agency</i>
Mark McGill	Board of Supervisor	Appanoose County
Jan Spurgeon	Councilperson	City of Centerville
Dean Robins	Board of Supervisor	Clarke County
Ron Bride	Board of Supervisor	Davis County
Dan Christensen	Board of Supervisor	Decatur County
Dennis Smith, Chair	Board of Supervisor	Lucas County
Steve Fenton	City Councilperson	City of Chariton
Denny Amoss	Board of Supervisor	Monroe County
Richard Clark	Mayor	City of Albia
Larry Keller	Board of Supervisor	Clarke County - SIT
David Dotts	Board of Supervisor	Wayne County
		City of Osceola
		City of Bloomfield
		City of Corydon
		City of – Decatur County

TECHNICAL ADVISORY COMMITTEE MEMBERS

The Technical Advisory Committee is composed of county engineers, economic development professionals, and transit directors from the seven-county region. The committee is responsible for prior reviewing and recommending policies and programs to the Executive Policy Board.

<i>Name</i>	<i>Title</i>	<i>County, City or Agency</i>
Brad Skinner	County Engineer	Appanoose County
Bill Buss	Economic Development	Appanoose Co. Econ. Dev.
Dillon Davenport	County Engineer	Decatur County
	Economic Development	Wayne County Econ. Dev.
Ryan Schock	County Engineer	Davis County
Christian Boehmer	County Engineer	Clarke County
Todde Folkerts, Chair	County Engineer	Lucas County
Jeremiah Selby	County Engineer	Monroe County
Dan Tometich	Economic Development	Monroe Co. Econ. Dev.
Randy Zerr	County Engineer	Wayne County
Jay Allison	Transit Director	10-15 Transit
Leesa Lester	Transit Director	Southern Iowa Trolley
	Economic Development	Davis County
	Economic Development	Lucas County
	Economic Development	Clarke County
	Economic Development	Decatur County

2.

Please describe the procedures by which the mobility needs of minority populations are identified and considered within the planning process.

CVPD-RPA17 serves as the primary forum for transit providers, local agencies and the public develop regional transportation plans and programs that addresses the regions needs and concerns. CVPD-RPA17 looks at what the regions needs include and how to implement the procedures and principals to improve all levels of transportation decision making.

1. Enhance the public involvement process, to strengthen local partnerships and provide any minority and low-income populations opportunities to learn about the region and the usefulness of transportation planning.
2. To better educate the region and make better transportation decisions that meet the people's needs.
3. Partner with other public and private programs to leverage additional transportation resources and achieve a common goal.
4. Avoid disproportionately high and adverse impacts on the minority and low-income populations.
5. Identify residential, commercial and transportation patterns for needs with the minority population and low-income populations.
6. Evaluate the public involvement process and eliminate barriers and provide a better decision making process.

3.



Please attach demographic maps that show the impacts of the distribution of State and Federal funds in the aggregate for public transportation projects.

Larger maps can be found in the Appendices.

4.

Please attach analysis of the planning agency's transportation system investments that identifies and addresses any disparate impacts.

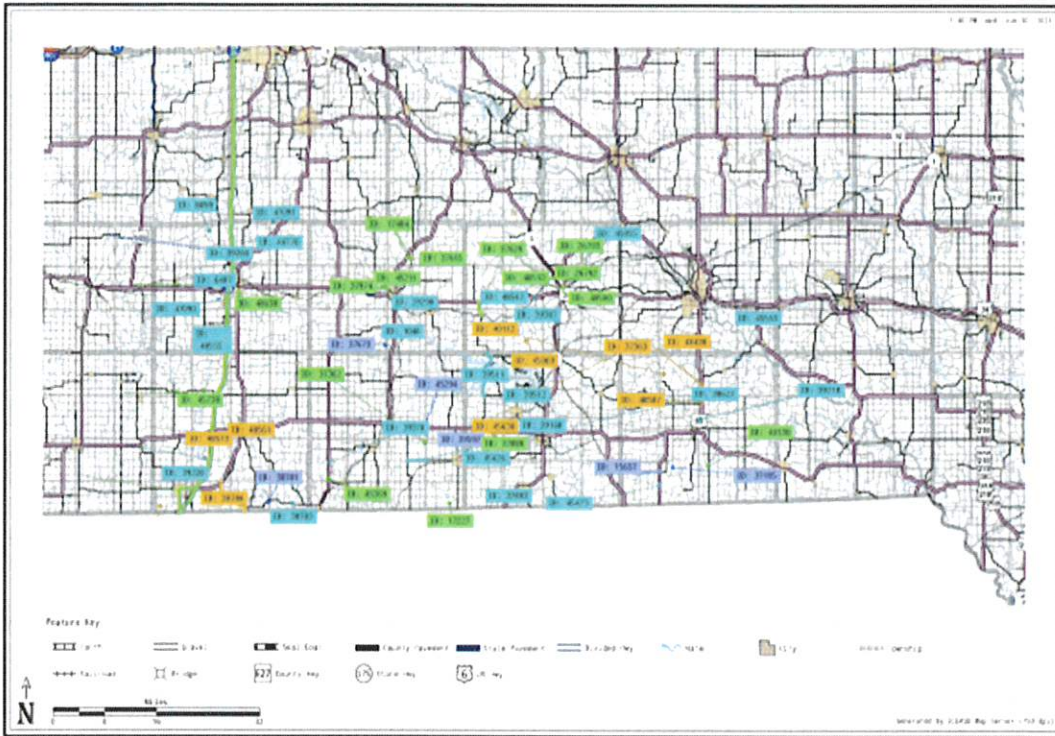
List adverse social, environmental, economic or demographic impact identified in the planning process:

No adverse social, environmental, economic or demographic impact has been caused by the transportation system investments funded by RPA17. All projects that are funded involve maintaining the current transportation system or show small improvements. The distribution of these projects include both urban and rural areas.

CVPD-RPA17 uses 3 process to identify the impacts. Those are the Passenger Transit Plan (PTP) that shows the focus on transit investments and needs in the region. The Long Range Transportation Plan (LRTP) that includes the information from the region's demographics, transportation system and how impacts effect each other. The LRTP also describes future concerns on the transportation system, trails located in the region, and other modes of transportation. The last process is the Surface Transportation Program (STP-TIP). The TIP identifies and programs each counties projects that are needing replacement, removal, or new addition to the transportation system. The primary concern in our region is the structural concerns with bridges. Many are being replaced with other modes or closed all together which puts a burden on certain populations.

The local county 5 year plans are reviewed by each county and approved for implantation of those projects in the TIP for programming of funding. Once those are set, the TAC board requests that Policy review and approve final submission to DOT. Those projects then begin the process to be completed. Funding is not only local, but federal as well. CVPD-RPA17 must ensure that all projects are fiscally constraint with the funding allowed.

The map below shows that the region is pretty even in distribution of funding to projects.



Appendices:

Title VI Notice to the Public

Public Participation Plan

Standard DOT Title VI Assurances

Title VI Complaint Procedure

Title VI Brochures

Limited English Proficiency Plan (LEP)

Chariton Valley Planning & Development Council Title VI Notice to the Public

The **Chariton Valley Planning & Development Council** hereby gives public notice that it is the policy of the **Chariton Valley Planning & Development Council** to assure full compliance with Title VI of the Civil Rights Act of 1964, related statutes and regulation provide that no person shall on the ground 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 activity receiving federal financial assistance. The Civil Rights Restoration Act of 1987 amended Title VI to specify that entire institutions receiving federal funds, whether schools, colleges, government entities, or private employers, must comply with Federal civil rights laws, rather than just the particular programs or activities that receive federal funds.

We are also concerned about the impacts of our programs, projects and activities on low income and minority populations (“Environmental Justice”) under Title VI. Any person who believes that they are being denied participation in a project, being denied benefits of a program, or otherwise being discriminated against because of race, color, national origin, gender, age, or disability, may contact:

Nichole L. Moore or
**Chariton Valley Planning &
Development Council**
641-437-4359

Civil Rights Coordinator – Iowa DOT
Office of Employee Services – Civil Rights
800-262-0003 or 515-262-1921

YOU SHOULD CONTACT THE ABOVE INDIVIDUAL OR IOWA DOT OFFICE AS SOON AS POSSIBLE BUT NO LATER THAN 180 DAYS AFTER THE ALLEGED DISCRIMINATION OCCURRED, OR IF THERE HAS BEEN A CONTINUING COURSE OF CONDUCT, NO LATER THAN 180 DAYS AFTER THE ALLEGED DISCRIMINATION WAS DISCONTINUED. CONTACT THE CIVIL RIGHTS COORDINATOR TO GET MORE INFORMATION ON THE IOWA DOT’S TITLE VI PROGRAM.

The United States Department of Transportation (USDOT)

Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

The Charlton Valley Planning & Development/RPA17 (herein referred to as the "Recipient"), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the United States Department of Transportation (DOT), through the **Federal Highway Administration (FHWA)**, 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 *Nondiscrimination 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);

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 FHWA.

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 non-discrimination 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 **Federal Highway Program**:

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 **Federal Highway Programs** and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

“The Charlton Valley Planning & Development WPA17, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this 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 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 transferee for the longer of the following periods:
 - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to 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, Chariton Valley Planning & Development/RPA17 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 **FHWA** 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 **FHWA**. You must keep records, reports, and submit the material for review upon request to **FHWA**, or its designee in a 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.

Chariton Valley Planning & Development/RPA17 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 Program**. This ASSURANCE is binding on **Iowa**, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the **Federal Highway Program**. The person (s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Chariton Valley Planning & Development/RPA17

(Name of Recipient)

by



(Signature of Authorized Official)

DATED

Jan. 11, 2022

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. **Non-discrimination:** The contractor, with regard to 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 Non-discrimination 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 Non-discrimination 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 take action 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 into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into 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 Chariton Valley Planning & Development/RPA17 will accept title to the lands and maintain the project constructed thereon in accordance with laws of the state of Iowa, the Regulations for the Administration of **Federal Highway Program**, and the policies and procedures prescribed by the **Federal Highway Administration** of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the Chariton Valley Planning & Development/RPA17 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 Chariton Valley Planning & Development/RPA17 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 Chariton Valley Planning & Development/RPA17, its successors and assigns.

The Chariton Valley Planning & Development/RPA17, 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 Chariton Valley Planning & Development/RPA17 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].*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

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 Cheriton Valley Planning & Development/RPA17 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, Cheriton Valley Planning & Development/RPA17 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 Cheriton Valley Planning & Development/RPA17 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 Cheriton Valley Planning & Development/RPA17 and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

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 Charlton Valley Planning & Development/RPA17 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 Non-discrimination covenants, Charlton Valley Planning & Development/RPA17 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 Non-discrimination covenants, Charlton Valley Planning & Development/RPA17 will there upon revert to and vest in and become the absolute property of Charlton Valley Planning & Development/RPA17 and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

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:

- 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.*).

Federal Transit Administration (FTA)
TITLE VI Complaint Procedure

Who May File A Complaint?

If you believe you have been denied the benefits of, excluded from participation in, or subject to discrimination on the grounds of race, color, or national origin by a recipient of FTA funding. You may file an administrative complaint with the FTA Office of Civil Rights.

FTA investigates complaints on the basis of intentional discrimination or on the basis of disparate impact discrimination, where a neutral policy or practice has the effect of disproportionately excluding or adversely affecting minority or other protected individuals and the recipient's practice lacks a substantial legitimate justification.

Complaints should be filed within 180 days of the alleged act of discrimination.

How Do You File?

You may file a complaint by completing the attached Complaint Form.

The complaint form must be signed and may be filed to:

Federal Transit Administration
Attention: Complaint Team
East Building, 5th Floor – TCR
1200 New Jersey Ave., SE
Washington, DC 20590

RPA17 – CVTPA
Chariton Valley Planning & Development Council
308 North 12th Street
Centerville, Iowa 52544
641-437-4359

With your form, please attach on separate sheet(s):

- A summary of your allegations and any supporting documentation
- Sufficient details for an investigator to understand why you believe a planning agency has violated Title VI with specifics such as dates and times of incidents.
- Any related correspondence from the planning agency.

**Federal Transit Administration
Civil Rights Complaint Form**

The Federal Transit Administration Office of Civil Rights is responsible for ensuring that recipients of federal transit funding properly implement several civil rights laws and programs; including Title VI of the Civil Rights Act of 1964, the Americans with Disabilities Act of 1990 (ADA), the Disadvantaged Business Enterprise (DBE) program, and the External Equal Employment Opportunity (EEO) program.

In the FTA complaint investigation process, they analyze the complainant's allegations for possible deficiencies by the federal transit funding recipient. If deficiencies are identified, they are presented to the transit provider and assistance is offered to correct the inadequacies within a predetermined timeframe.

Please mail your completed form to:

Director, FTA Office of Civil Rights
East Building, 5th Floor, TCR
1200 New Jersey Avenue, SE
Washington, DC 20590

If you have questions about how to prepare a complaint, you may contact their toll-free FTA Assistance Line at 1-888-446-4511. More information about transit related civil rights requirements may be found on the FTA's website at www.fta.dot.gov.

Note: Apart from the form, on separate pages, please describe your complaint. You should include specific details such as names, dates, times, witnesses, and any other information that would assist in their investigation of your allegations. Please also provide any other documentation that is relevant to this complaint, including any related correspondence from the planning agency.

Important: FTA cannot accept your complaint without a signature, so please sign on the last page of the form after printing it out.

Section I

I believe that I have been (or someone else has been) discriminated against on the basis of:

- Race/Color/National Origin
- Disability
- Not Applicable
- Other (specify)

I believe that a transportation planning agency has failed to comply with the following program requirements:

- Disadvantaged Business Enterprise (DBE)
- External Equal Employment Opportunity (EEO)
- Not Applicable
- Other (specify)

Section II

Name:

Address:

City:

State:

Zip Code:

Telephone Numbers:

Home:

Cell:

Email Address:

Accessible format requirements:

- Large Print
- Not Applicable
- Other

Section III

Are you filing this complaint on your own behalf?

Yes No

(If answered "yes" to this question, go to Section IV.)

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 behalf of a third party:

Yes No

Section IV

Have you previously filed a civil rights complaint with the FTA?

Yes No

If yes, what was your FTA Complaint Number?

Have you filed this complaint with any of the following agencies?

- Transportation Planning Agency
- Transit Provider
- Department of Justice
- Department of Transportation
- Equal Employment Opportunity Commission
- Other

If yes, please attach a copy of any response you received to your previous complaint.

Have you filed a lawsuit regarding this complaint?

_____ Yes

_____ No

If yes, please provide the case number and attach any related material.

NOTE: FTA encourages, but does require, that complaints first be filed with their local transit agency or transportation planning agency to give them an opportunity to resolve the issue.

Section V

Name of transportation planning agency complaint is against:

Contact Person: _____

Title: _____

City: _____ State: _____

Zip Code: _____

Telephone: _____

Email: _____

Section VI

May FTA release your identity and a copy of your complaint to the transportation planning agency?

_____ Yes

_____ No

NOTE: FTA may be unable to investigate your allegations with permission to release your identity and complaint.

Please sign here: _____

Date: _____

NOTE: FTA cannot accept your complaint without a signature.

Who can file a complaint?

A Title VI complaint may be filed with the Iowa DOT's Civil Rights Bureau by any individual who alleges he/she has been subjected to discrimination or adverse impact under any Iowa DOT program or activity based on race, color, national origin, sex, age, disability, income status or retaliation.

How do I file a Title VI complaint?

To file a complaint, complete the form online at: iowadot.seamlessdocs.com/f/TitleVIComplaintForm

Email your completed form to:
Civil.Rights@iowadot.us, or

Mail or fax a hard copy to:
Iowa Department of Transportation
Civil Rights Bureau
800 Lincoln Way | Ames, Iowa 50010
Fax: 515-232-6739

What information is included in a Title VI complaint?

A signed, written Title VI complaint must be filed within 180 days of the date of the alleged act of discrimination. The complaint must include the following information.

- Your name, address, and telephone number. If you are filing on behalf of another person, include their name, address, telephone number, and your relationship to the complainant (friend, attorney, parent, etc.).
- The name and address of the agency, program or organization that you believe discriminated against you.
- A description of how, when, and why you believe you were discriminated against. Include as much background information as possible about the alleged acts of discrimination.
- Complaint must be signed and dated.

What if the recipient retaliates against me for asserting my rights or filing a complaint?

A recipient is prohibited from retaliating against any person because he or she opposed an unlawful policy or practice, made charges, testified, or participated in any complaint action under Title VI. If you believe that you have been retaliated against, immediately contact the Iowa DOT's Civil Rights Bureau.

What will the Iowa DOT do with my complaint?

All Title VI complaints against Iowa DOT will be forwarded to FHWA for processing and/or investigation. The Iowa DOT will investigate complaints against recipients.

For additional questions, please contact:

Iowa Department of Transportation
Civil Rights Bureau
800 Lincoln Way | Ames, Iowa 50010
Phone: 515-233-7970
Fax: 515-232-6739
Email: Civil.Rights@iowadot.us

"Simple justice requires that public funds, to which all taxpayers of all races contribute, not be spent in any fashion which encourages, entrenches, subsidizes or results in racial discrimination."

- President John F. Kennedy, in his message calling for the enactment of Title VI, 1963

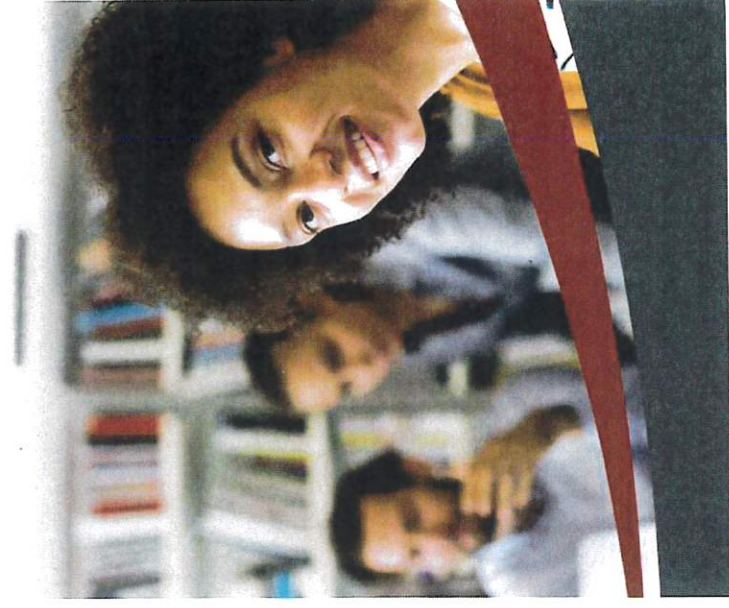
Federal and state laws prohibit employment and/or public accommodation discrimination on the basis of age, color, creed, disability, gender identity, national origin, pregnancy, race, religion, sex, sexual orientation or veteran's status. If you believe you have been discriminated against, please contact the Iowa Civil Rights Commission at 800-457-4416 or Iowa Department of Transportation's civil rights coordinator. If you need accommodations because of a disability to access the Iowa Department of Transportation's services, contact the agency's affirmative action officer at 800-262-0003.

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TITLE VI non-discrimination

UNDERSTANDING YOUR RIGHTS UNDER TITLE VI OF THE CIVIL RIGHTS ACT OF 1964.

"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 subjected to discrimination under any programs or activities receiving Federal financial assistance."



What is Title VI?

Title VI of the Civil Rights Act of 1964 is the federal law that protects individuals and groups from discrimination on the basis of their race, color and national origin in programs and activities that receive federal financial assistance.

Iowa DOT's Title VI policy

Pursuant to Title VI of the Civil Rights Act of 1964, as amended, the Civil Rights Restoration Act of 1987 and other nondiscrimination authorities, it is the policy of the Iowa Department of Transportation (DOT) that discrimination based on race, color, national origin, sex, age, disability or income status shall not occur in connection with any of its programs or activities.

Authorities

The two main authorities enabling Title VI implementation, compliance and enforcement are the Civil Rights Act of 1964 and Civil Rights Restoration Act of 1987. However, other statutes, laws, regulations, executive orders, and the United States Constitution provide guidance for the effective execution of the objectives of Title VI.

These include:

- **Federal-Aid Highway Act of 1973**
Prohibits discrimination on the basis of sex.
- **Section 504 of the Rehabilitation Act of 1973**
Prohibits discrimination against persons with disabilities.
- **Americans with Disabilities Act Amendments Act**
Prohibits discrimination against persons with disabilities.
- **Civil Rights Restoration Act of 1987**
Restores the broad, institution-wide scope and coverage of non-discrimination statutes to include all programs and activities of Federal-aid recipients, subrecipients and contractors, whether such programs and activities are Federally assisted or not.

What discrimination is prohibited under the Title VI?

Discrimination under the Iowa DOT's Title VI program is an action or inaction, intentional or not, through which any intended beneficiary, solely because of race, color, national origin, sex, age, disability, income status, or retaliation, has been otherwise subjected to unequal treatment or adverse impact under any Iowa DOT program or activity.

Discrimination based on the grounds referenced above limit the opportunity for individuals and groups to gain equal access to services and programs.

In administering federally assisted programs and activities, the Iowa DOT will not discriminate either directly or through contractual or other means by:

- Denying program services, financial aid or other benefits.
- Providing different program services, financial aid or other benefits, or providing them in a manner different from that provided to others.
- Segregating or separately treating individuals or groups in any manner related to the receipt of any program service or benefit.
- Restricting in any way the enjoyment of any advantage or privilege enjoyed by others receiving any program service or other benefits.
- Denying person(s) the opportunity to participate as a member of a planning, advisory or similar body.
- Denying person(s) the opportunity to participate in a program through the provision of services or affording the opportunity to do so differently from those afforded others.

- **Age Discrimination Act of 1975**

Prohibits discrimination based on age.

- **Uniform Relocation Act of 1970**

Prohibits unfair treatment of persons displaced or whose property will be acquired as a result of a highway project.

- **Executive order 12898**

Environmental Justice

- **Executive order 13166**

Limited English Proficiency

Title VI compliance

Title VI compliance is achieved when the Iowa DOT has effectively implemented all the Title VI requirements or can demonstrate that every good faith effort has been made toward achieving this end.

Pursuant to 23 U.S.C. § 302, the FHWA's primary recipient is the state highway (transportation) agency. The Iowa DOT is the primary recipient. The Iowa DOT and its subrecipients and contractors, are all required to prevent discrimination and to ensure nondiscrimination in all programs and activities whether they are federally funded or not.

Subrecipients of federal assistance include cities, counties, contractors, consultants, suppliers, universities, colleges, transit agencies, and regional and metropolitan planning agencies.

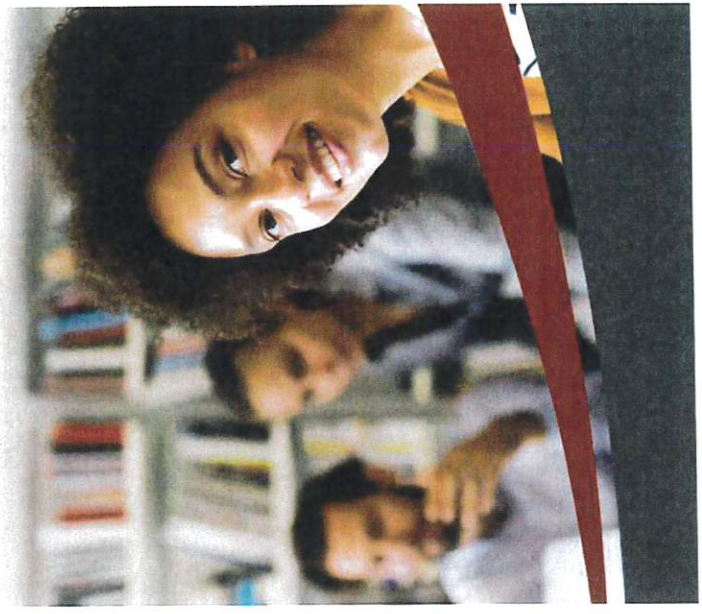
Programs covered

Federally assisted programs include any transportation project, program or activity for the provision of services and/or other benefits. Such programs include education, training, work opportunities, health, welfare, rehabilitation, housing or other services, whether provided directly by the Iowa DOT or indirectly through contracts or other arrangements with other agents.

TÍTULO VI / no discriminación

ENTENDEIENDO SUS DERECHOS
BAJO EL TÍTULO VI DE LA LEY DE
DERECHOS CIVILES DE 1964

"Ninguna persona en los Estados Unidos, por motivos de raza, color u origen nacional, será excluida de la participación, se le negará los beneficios o será objeto de discriminación bajo cualquier programa o actividad que reciba asistencia financiera federal."



¿Qué sucede si el destinatario toma represalias contra mí por hacer valer mis derechos al presentar una queja?

Un destinatario tiene prohibido tomar represalias contra cualquier persona porque se opuso a una política o práctica ilegal, formuló cargos, testificó o participó en cualquier acción de queja bajo el Título VI. Si usted cree que ha sido objeto de represalias, comuníquese de inmediato con la Oficina de Derechos Civiles del Iowa DOT.

¿Qué hará el Iowa DOT con mi queja?

Todas las quejas del Título VI en contra del Iowa DOT se enviarán a FHWA para su procesamiento y/o investigación. El Iowa DOT investigará las quejas contra los destinatarios.

Para preguntas adicionales, por favor comuníquese con:

Iowa DOT Civil Rights Bureau
800 Lincoln Way | Ames, Iowa 50010
Phone: 515-233-7970
Fax: 515-232-6739

"La justicia simple requiere que los fondos públicos, a lo que todos los contribuyentes de todas las razas pagan, no se gasten de ninguna manera que fomente, radique, subsidie o resulte en discriminación racial."

- *presidente John F. Kennedy, en su mensaje pidiendo la promulgación del Título VI, 1963*

Las leyes federales y estatales prohíben el empleo y/o discriminación de alojamiento público en base a edad, color, credo, discapacidad, identidad de género, origen nacional, embarazo, raza, religión, sexo, orientación sexual o estado de veterano. Si usted cree que ha sido discriminado, por favor comuníquese con la Comisión de Derechos Civiles de Iowa al 800-457-4416 o con el coordinador de derechos civiles del Iowa DOT. Si usted necesita adaptaciones debido a una discapacidad para acceso a los servicios del Iowa DOT, por favor comuníquese con el oficial de acción afirmativa de la agencia al 800-262-0003.

¿Quién puede presentar una queja?

¿Quién puede presentar una queja?
Una queja del Título VI puede ser presentada con la Oficina de Derechos Civiles del Iowa DOT por cualquier persona que alegue que ha sido objeto de discriminación o impacto adverso bajo cualquier programa o actividad del Iowa DOT basado en raza, color, origen nacional, sexo, edad, discapacidad, ingreso salarial o represalias.

¿Cómo puedo presentar una queja del Título VI?

Para presentar una queja, complete el formulario en línea en:
iowadot.seamlessdocs.com/f/TitleVIComplaintForm
Envíe su formulario completo por correo electrónico a: Civil.Rights-iowadot.us, o

Envíe por correo o fax una copia impresa a:
Iowa DOT Civil Rights Bureau
800 Lincoln Way | Ames, Iowa 50010
Fax: 515-232-6739

¿Qué información está incluida en una queja del Título VI?

Una queja escrita y firmada del Título VI debe presentarse dentro de los 180 días de la fecha del presunto acto de discriminación. La queja debe incluir la siguiente información.

- Su nombre, dirección y número de teléfono. Si usted está presentando una solicitud a nombre de otra persona, incluya su nombre, dirección, número de teléfono y su relación con el demandante (amigo, abogado, padre, etc.).
- El nombre y la dirección de la agencia, programa u organización que cree que lo discriminó.
- Una descripción de cómo, cuándo y por qué usted cree que fue discriminado. Incluya la información de antecedentes que más le sea posible sobre los presuntos actos de discriminación.
- La queja debe estar firmada y fechada.

¿Qué es el Título VI?

El Título VI de la Ley de Derechos Civiles de 1964 es la ley federal que protege a los individuos y grupos de ser discriminados por motivos de raza, color y origen nacional en programas y actividades que reciben asistencia financiera federal.

Política del Título VI del Iowa DOT

Conforme con el Título VI de la Ley de Derechos Civiles de 1964, según enmendada, la Ley de Restauración de Derechos Civiles de 1987 y otras autoridades de no discriminación, es la política del Departamento de Transporte de Iowa (Iowa DOT, por sus siglas en inglés) que la discriminación basada en la raza, color, origen nacional, sexo, edad, discapacidad o estado de ingresos no deberá ocurrir en conexión con ninguno en de sus programas o actividades.

Autoridades

Las dos autoridades principales que permiten la implementación, el cumplimiento, y la ejecución del Título VI son la Ley de Derechos Civiles de 1964 y la Ley de Restauración de Derechos Civiles de 1987. Sin embargo, otros estatutos, leyes, reglamentos, órdenes ejecutivas y la Constitución de los Estados Unidos proporcionan orientación para la ejecución efectiva de los objetivos del Título VI.

Éstas incluyen:

- **Ley de Carreteras de Ayuda Federal del 1973 (Federal-Aid Highway Act of 1973)**
Prohíbe la discriminación por motivos de sexo.
- **Sección 504 de la Ley de Rehabilitación del 1973 (Section 504 of the Rehabilitation Act of 1973)**
Prohíbe la discriminación contra individuos con discapacidad.
- **Enmiendas de la Ley sobre Estadounidenses con Discapacidades (Americans with Disabilities Act Amendments Act)**
Prohíbe la discriminación contra individuos con discapacidades.
- **Ley de Restauración de los Derechos Civiles de 1987 (Civil Rights Restoration Act of 1987)**
Restablece el alcance y la amplia cobertura de todos los estatutos de no discriminación de la institución

para incluir todos los programas y actividades de los beneficiarios, subreceptores y contratistas de ayuda federal, ya sea que dichos programas y actividades reciban asistencia federal o no

- **Ley de Discriminación por Edad de 1975 (Age Discrimination Act of 1975)**
Prohíbe la discriminación basada en la edad
- **Ley de Reubicación Uniforme de 1970 (Uniform Relocation Act of 1970)**
Prohíbe el trato injusto de las personas desplazadas o cuya propiedad se adquirirá como resultado de un proyecto de carretera
- **Orden ejecutiva 12898 (Executive order 12898)**
Justicia Ambiental
- **Orden ejecutiva 13166 (Executive order 13166)**
Dominio limitado del inglés

El cumplimiento del Título VI

El cumplimiento del Título VI se logra cuando el Iowa DOT haya implementado efectivamente todos los requisitos del Título VI o puede demostrar que se han realizado todos los esfuerzos de buena fe para lograr este fin.

Conforme con 23 U.S.C. 302, el destinatario principal de la Administración Federal de Carreteras (FHWA, por sus siglas en inglés) es la agencia estatal de carreteras (transporte). El Iowa DOT es el principal receptor. El Iowa DOT y sus subreceptores y contratistas, están obligados a prevenir la discriminación y asegurar la no discriminación en todos los programas y actividades, ya sean financiados por el gobierno federal o no.

Los subreceptores de asistencia federal incluyen ciudades, condados, contratistas, consultores, proveedores, universidades, colegios, agencias de tránsito y agencias de planificación regionales y metropolitanas.

Programas cubiertos

Programas con asistencia federal incluyen cualquier proyecto, programa o actividad de transporte para la provisión de servicios y/u otros beneficios. Dichos programas incluyen educación, entrenamiento, oportunidades laborales, salud,

bienestar, rehabilitación, vivienda u otros servicios, ya sean proporcionados directamente por el Iowa DOT o indirectamente a través de contratos u otros arreglos con otros agentes.

¿Qué discriminación está prohibida bajo del Título VI?

La discriminación bajo el programa de Título VI del Iowa DOT es una acción o inacción, intencional o no, a través de la cual cualquier beneficiario previsto, únicamente debido a la raza, color, origen nacional, sexo, edad, discapacidad, estado de ingresos o represalias, ha sido objeto de un trato desigual o impacto adverso bajo cualquier programa o actividad del Iowa DOT.

La discriminación basada en los motivos mencionados anteriormente limita la oportunidad para que individuos y grupos obtengan el mismo acceso a los servicios y programas. Al administrar programas y actividades con asistencia federal, el Iowa DOT no discriminará directamente ni a través de medios contractuales u otros por:

- Negar servicios del programa, ayuda financiera u otros beneficios.
- Proporcionar diferentes servicios del programa, ayuda financiera u otros beneficios, o proporcionarlos de una manera diferente a la que se les brinda a otros.
- Segregar o tratar por separado a individuos o grupos de cualquier manera relacionada con la recepción de cualquier servicio o beneficio del programa.
- Restringir de cualquier manera el disfrute de cualquier ventaja o privilegio del que disfrutan otros que reciben cualquier servicio del programa u otros beneficios.
- Negar a la(s) persona(s) la oportunidad de participar como miembro de un organismo de planificación, asesoría o similar.
- Negarle a la(s) persona(s) la oportunidad de participar en un programa a través de la provisión de servicios o brindando la oportunidad de hacerlo de manera diferente a la que ofrecen otros.

Legal Basis for the Title VI Compliance

- Title I Voting Rights
- Title II Public Accommodations
- Title III Public Facilities
- Title IV Public School
- Title V Commission on Civil Rights
- **Title VI Programs and Activities**
- *Title VII Fair Employment*
- Title VIII Registration and Voting

Exhibit #2

<p>Recipient/Subrecipient</p>	<p>Contractor/Subcontractor, Consultant, Vendor</p>
<ul style="list-style-type: none"> ■ Provides services 	<ul style="list-style-type: none"> ■ Sells deliverables (goods & services)
<ul style="list-style-type: none"> ■ Signs an Assurance ■ Not necessarily in business to make profit (Usually, public entity) 	<ul style="list-style-type: none"> ■ Signs a Contract with contract provisions ■ In business (buy & sell) to make profit (Operates in a competitive environment)
<ul style="list-style-type: none"> ■ Receives FFA (or paid) whether service is expensed as a deliverable or not 	<ul style="list-style-type: none"> ■ Is paid for a specific deliverable *Receipt of payment with FFA does not establish a recipient/subrecipient relationship
<ul style="list-style-type: none"> ■ Designs a program to meet a broader goal 	<ul style="list-style-type: none"> ■ Provides specific product or service ancillary to a Federal program
<ul style="list-style-type: none"> ■ Is receiving Federal financial assistance 	<ul style="list-style-type: none"> ■ Could become a recipient with provision of [Federal financial] assistance.

Environmental Justice

Title VI

