



LUC Regional Planning Commission

Title VI Program **Policy & Procedure**

DECEMBER 2020



LUC Regional Planning Commission

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Logan County Electrical Cooperative

Beau Michael, 1st Vice President

Union Rural Electric

Tyler Bumbalough, 2nd Vice President

City of Urbana

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LUC Regional Planning Commission

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LUC Regional Planning Commission Title VI Program

Policy Statement

LUC Regional Planning Commission assures the Ohio Department of Transportation (ODOT) that no person shall, on the basis of race, color, national origin, sex, age, disability, or low-income status, as provided by Title VI of the Civil Rights Act of 1964 be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination or retaliation under any program or activity.

The Ohio Department of Transportation (ODOT) has required LUC, as a recipient of Federal funds, to establish a Title VI Program. LUC hereby agrees to follow these responsibilities with respect to its programs and activities:

1. Designate a Title VI Program Coordinator that maintains a position within the organization and has access to the Transportation Director and/or the Executive Committee.
2. Issue a Title VI Program approved by the LUC Executive Committee and Signed by the Executive Committee Chairman which expresses its commitment to the nondiscrimination provisions of Title VI. This Policy Statement shall be circulated throughout the organization and the general public. Such information shall be published, where appropriate, in languages other than English.
3. Develop a complaint process and attempt to resolve complaints of discrimination. Complaints shall be handled in accordance with the Title VI Complaint Procedure.
4. Participate in Title VI training opportunities offered by ODOT, Federal Transit Administration (FTA), and/or Federal Highway Administration (FHWA).

This assurance is given in consideration of and for the purpose of obtaining any and all federal funds, grants, loans, contracts or other federal financial assistance under all Regional Transportation Planning programs and activities.

Bradley Bodenmiller
Director

Date



LUC Regional Planning Commission

Section 1 - Introduction

Purpose of this Document

LUC Regional Planning Commission (LUC) receives Federal funds and is responsible for directing the cooperative, continuous, and comprehensive transportation planning process in Logan and Champaign Counties, Ohio. This responsibility entails the development of transportation policies, plans and programs including the development of a long range Transportation Plan and short-range Transportation Improvement Program.

The Ohio Department of Transportation (ODOT) has required LUC, as a recipient of Federal funds, to establish a Title VI Program.

Title VI of the Civil Rights Act of 1964 states that no person in the United States of America shall, on the basis of race, color, religion, national origin, sex, disability, or low-income status be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance. The law also makes it illegal to retaliate against a person because he or she complained about discrimination, filed a charge of discrimination or participated in a discrimination investigation or lawsuit. Title VI prohibits intentional discrimination as well as disparate impact on protected groups. Transportation planning regulations require consistency with Title VI and subsequent civil rights laws and regulations.

LUC staff are responsible for ensuring the agency's programs, policies and services, are developed, conducted and implemented without regard to a person's race, color, national origin, sex, disability, age, low-income status. Staff must ensure that ethnic minorities and low-income populations are not adversely impacted and strive to achieve full participation by these groups in LUC programs, policies and activities.

Any person who declares a denial of benefits or exclusion from participation in the services of any program or activity administered by LUC or its sub-recipients, consultants or contractors may file a complaint pursuant to Title VI or related statutes.



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Document Background

Federal law requires LUC to provide, for consideration of projects and strategies, that:

- Support the economic vitality of the region.
- Increase the safety and security of the transportation system for motorized and non-motorized users.
- Increase the accessibility and mobility.
- Protect and enhance the environment, promote energy conservation, improve quality of life, and promote consistency between transportation improvements and State and Local planned growth and economic development patterns.
- Enhance the integration and connectivity of the transportation system, across and between modes.
- Promote efficient system management and operation.
- Emphasize the preservation of the existing transportation system.



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Section 2 - Title VI Assurances

LUC Non-discrimination Policy Statement

It is the policy of LUC to provide an environment of non-discrimination and equal opportunity in employment as well as in the development of Logan and Champaign County's transportation policies, plans and programs included in the Long Range transportation Plan, Transportation Improvement Program, Planning Work Program and all plans, policies and programs contained within.

Annually, LUC assures the planning process is carried out in accordance with Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d1) and 49 CFR, part 21. Self-certification will be achieved with Executive Committee acceptance of the Title VI Plan and each subsequent Plan update.

Title VI Complaint Process

Complaints filed must be in regard to a LUC Executive Committee decision; a planning process currently followed by LUC; or the current version of a LUC work product, procurement or document. Additionally, the proper procedure handling of Title VI complaints shall be:

- Any person(s), or legally authorized representative claiming to be aggrieved by an alleged discriminatory act or practice may complete and sign a Title VI Complaint form.
- The LUC Director and Title VI Coordinator will both review the complaint to determine its applicability to Executive Committee decisions, planning processes, or work products of LUC.
- If the complaint is determined applicable, copies of the complaint, will be forwarded to the appropriate State and/or Federal agencies within ten (10) business days. These agencies may include, Ohio Department of Transportation (ODOT), Federal Highway Administration (FHWA), and Federal Transit Administration (FTA). The complainant shall be notified in writing that the complaint is being processed. Complainant notification shall include copies of correspondence with ODOT, FHWA, and/or FTA.
- The LUC Executive Committee will be notified of the complaint at the next scheduled Executive Committee meeting. During the meeting the LUC Title VI Coordinator will discuss the complaint, facts, and findings with the Executive Committee.
- The LUC staff will provide assistance to ODOT, FHWA, and FTA in resolving the complaint.



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- Within Five (5) business days of receiving a response from ODOT, FHWA, or FTA, the complainant will be notified in writing regarding the resolution of the complaint.
- The LUC Executive Committee will be notified of the complaint resolution at their next scheduled meeting after the response is received.
- FHWA Headquarters Office of Civil Rights will be the final decision making agency as it pertains to complaint issues and compliance in all civil rights related areas.

The complaint procedure and form are located in Appendix A of this document.

Disadvantaged Business Enterprises (DBE) Goals

Based on guidance provided in 49CFR26.21, it is the United States Department of Transportation's (USDOT) position that only State Transportation Agencies, such as ODOT, can set program goals, sub-recipients will be required to implement the established goal. Based on this decision, LUC, a sub-recipient, does not set DBE goals and is currently awaiting further guidance from Ohio Department of Transportation regarding DBE Policy.

Consultant Contracts

Occasionally, projects arise that may require the services of Independent Consultants and/or consulting firms. In these cases LUC selects consultants according to the Ohio Department of Transportation's Quality Based Selection process. Additionally, consultant proposals, contracts, and invoices are reviewed to monitor compliance with ODOT's Quality Based Selection process.

All consultant contracts will include Title VI Non-discrimination provisions. Compliance with Title VI contracts provisions are monitored by the Transportation Director, designated Title VI Program Coordinator, and the LUC Executive Committee.



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Section 3 - Title VI / DBE Program Responsibilities and Coordination

General Title VI Program Responsibilities

Listed in this subsection are general Title VI responsibilities of the LUC applicable to all five (5) Title VI Program Areas. The Title VI/DBE Program Coordinator, with involvement and assistance from other members of the LUC staff, is responsible for ensuring these elements of the Plan are appropriately implemented and maintained.

1. **Data Collection** - Statistical data on race, color, national origin, income level, language spoken, disability, and sex of participants in, and beneficiaries of, federally funded programs is to be gathered and maintained. The data gathering process will be reviewed regularly to ensure sufficiency of the data in meeting the requirements of the Title VI Program.
2. **Baseline Assessment Report and Updates** - An annual assessment and update will be submitted to ODOT. The Title VI Coordinator is responsible for gathering information from appropriate staff members and consolidating this information into the final document. The final document will include:
 - A. A report of the previous year's Title VI related activities and efforts, including accomplishments and program changes; and
 - B. An update on Title VI related goals and objectives for the upcoming year.
3. **Annual Review of the Title VI Program** - In preparing for the Annual Assessment Report and Update, the Title VI Coordinator will review LUC's Title VI Program to assure compliance with Title VI. In addition, the Coordinator will review operational guidelines and publications, including those established for contractors, to ensure that Title VI language and provisions are incorporated, as appropriate.
4. **Dissemination of Information Related to the Title VI Program** - Information on LUC's Title VI Program is to be disseminated when applicable to LUC staff, RTPD contractors, and RTPD beneficiaries, as well as the general public, and in other languages when applicable.
5. **Resolution of Complaints** - Any individual may exercise his or her right to file a complaint with LUC, if that person believes he or she or any other program beneficiaries have been subjected to unequal treatment or discrimination, in their receipt of benefits/services or on the grounds of race, color, sex, national origin, sex, disability or low-income status. LUC will make a concerted effort to resolve complaints as put forth in the title VI Complaint Procedure, located in *Attachment A*.



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Responsibilities of the Title VI Program Coordinator

The Title VI Program Coordinator is responsible for supervising staff activities pertaining to Title VI regulations and procedures set forth in federal and state guidance and according to LUC's Title VI Plan. In support of this, the Title VI Program Coordinator will:

1. Identify, investigate, and work to eliminate discrimination when found to exist;
2. Process Title VI complaints received by LUC, as described in *Attachment A*.
3. Meet with appropriate LUC staff members to monitor and discuss progress, implementation, and compliance issues related to LUC's Title VI Program.
4. Periodically review LUC's Title VI Program to assess if administrative procedures are effective, staffing is appropriate, and adequate resources are available to ensure proper compliance.
5. If a contractor/consultant is found to not be in compliance with the LUC Title VI Program, work with LUC staff involved with the contractor/consultant to resolve the deficiency status and construct a remedial action if necessary.
6. Review important Title VI-related issues with the Director. If the Director is also acting as Title VI Program Coordinator, important Title VI-related issues will be addressed with the LUC Executive Committee.
7. Assess communications and public involvement strategies to ensure adequate participation of impacted Title VI protected groups and address additional language needs when necessary.

Responsibilities of LUC Staff

Other LUC staff members, under guidance of the Title VI Program Coordinator, will at times be asked to accept or share responsibility for day-to-day administration of the Title VI Program, including implementation of the Plan and Title VI compliance, program monitoring, reporting, and education within an applicable program area as described in Section 4 "Program Area Responsibilities" of this document. In addition, some staff members may be asked to accept responsibility for drafting text for an assigned section of the Annual Title VI Report and Update, and maintaining the data and documentation necessary for the report. These responsibilities may include reviewing guidelines and procedures for the assigned Title VI Program Area, and incorporating Title VI-related language and provisions into LUC RTPO Documents, as appropriate.



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LUC Title VI / DBE Program Coordinator

Scott Schmid	Coordinator
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Fax:	937.666.6203
Website:	www.LUCplanning.com
Mailing Address:	LUC Regional Planning Commission Attn: Title VI Review Coordinator
	P.O. Box 219
	East Liberty, OH 43319
Building Address:	LUC Regional Planning Commission
	Attn: Title VI Review Coordinator
	James A. Rhodes Conference Center
	10820 State Route 347
	East Liberty, OH 43319



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Section 4 - Incorporating Title VI into the Planning Process

Planning Area Demographic Profile

The LUC RTPO Planning area is made up of two cities, eighteen villages, and twenty-nine townships in Logan and Champaign Counties. Demographic data is utilized in identifying areas by concentrations of population and for the purpose of measuring accessibility and gauging the most appropriate locations for public outreach.

Demographics and Environmental Justice Assessment

Demographic data from US Census are utilized in identifying concentrations of minority and low-income populations. An Environmental Justice analysis is utilized throughout the entire planning process. Additionally, Section 5 of this document defines and addresses Limited English Proficiency populations.

Census data, special surveys, public meetings, neighborhood association meetings and transportation surveillance all provide valuable information that is ultimately used in LUC's planning process.

Public Participation Procedures

Federal regulation requires LUC to develop and follow a Public Participation Plan (PPP). The PPP serves as a guide for the participation process to ensure ongoing public involvement in the development and review of transportation plans, programs, and projects. The Plan should be developed in consultation with interested parties and provide reasonable opportunities for all citizens to comment.

Public meetings are planned in areas that ensure accessibility to individuals who may normally have difficulty due to disability, economic challenges, etc. Public meeting times are established to meet the needs of the population(s) affected by the project or plan being reviewed. Public meetings are held during reasonable hours within the planning area. Transit access and ADA mobility access are also considered when making location selections for public meetings.

For greater detail on LUC's public participation process please refer to the current Public Participation Plan.



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Section 5 - Limited English Proficiency

Identified Populations

Based on demographics data in the US Census 2008-2012 American Community Survey, Spanish is the language most likely to be encountered by LUC staff, other than English, in the course of daily operations and in public meetings. Less than 1% of people in Logan and Champaign Counties are considered to be Limited in English Proficiency. LUC will provide interpretive services for plans, programs, and meetings upon request.



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Section 6- Attachments

Appendix A

Title VI Complaint Procedure

Complaints filed must be in regard to a LUC Executive Committee decision; a planning process currently followed by LUC; or the current version of a LUC work product, procurement or document. Additionally, the proper procedure handling of Title VI complaints shall be:

- Any person(s), or legally authorized representative claiming to be aggrieved by an alleged discriminatory act or practice may complete and sign a Title VI Complaint form.
- The LUC Director and Title VI Coordinator will both review the complaint to determine its applicability to Executive Committee decisions, planning processes, or work products of LUC.
- If the complaint is determined applicable, copies of the complaint, will be forwarded to the appropriate State and/or Federal agencies within ten (10) business days. These agencies may include, Ohio Department of Transportation (ODOT), Federal Highway Administration (FHWA), and Federal Transit Administration (FTA). The complainant shall be notified in writing that the complaint is being processed. Complainant notification shall include copies of correspondence with ODOT, FHWA, and/or FTA.
- The LUC Executive Committee will be notified of the complaint at the next scheduled Executive Committee meeting. During the meeting, the LUC Title VI Coordinator will discuss the complaint, facts, and findings with the Executive Committee.
- The LUC staff will provide assistance to ODOT, FHWA, and FTA in resolving the complaint.
- Within Five (5) business days of receiving a response from ODOT, FHWA, or FTA, the complainant will be notified in writing regarding the resolution of the complaint.
- The LUC Executive Committee will be notified of the complaint resolution at their next scheduled meeting after the response is received.
- FHWA Headquarters Office of Civil Rights will be the final decision making agency as it pertains to complaint issues and compliance in all civil rights related areas.



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Title VI Complaint Form

All information collected on this form will be used exclusively for the purpose of investigation and review of the alleged discriminatory action(s). Upon completion of investigation and review, a hearing may be ordered to complete the review and determine compliance with Title VI requirements, the Civil Rights Act of 1964. In order to ensure a thorough review of the complaint, please complete each section of this form.

Section 1 - Your Contact Information

Name: _____

Address: _____

City: _____ State: _____

Telephone: _____ Email: _____

What is the most convenient time to contact you? _____

What is your preferred method of being contacted? ☐ US Mail ☐ Telephone ☐ Email

Section 2 - Legal Representative Contact

If you have an attorney representing you concerning the matter(s) raised in this complaint, please provide the following:

Name of Attorney: _____

Address of Attorney: _____

Telephone Number of Attorney: (____) _____

Attorney's Email Address: _____

Section 3 - Basis of Discrimination

I believe the discriminatory act was based upon: (Check all that apply)

☐ Race/Color ☐ National Origin ☐ Sex ☐ Disability ☐ Age ☐ Low-Income Status



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Section 6 - Witnesses

Please list any witnesses if known, whom we may contact for additional information to support or clarify your complaint:

Witness Name: _____

Witness Address: _____

Telephone Number: (____) _____ Email Address: _____

Witness Name: _____

Witness Address: _____

Telephone Number: (____) _____ Email Address: _____

Witness Name: _____

Witness Address: _____

Telephone Number: (____) _____ Email Address: _____

Witness Name: _____

Witness Address: _____

Telephone Number: (____) _____ Email Address: _____

Witness Name: _____

Witness Address: _____

Telephone Number: (____) _____ Email Address: _____

Section 7 - Additional Information

Do you have any other information that may be relevant to the investigation of your allegations of discrimination? If yes, please share details: (If additional space is needed, please use the back of this page.)



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Section 8 - Satisfaction of Claim

What remedy are you seeking for the alleged discrimination?

Section 9 - Other Agency Claims

Have you, or your representative, filed a charge or complaint concerning the matter(s) raised in this complaint with any other agencies such as Federal Highway Administration, Federal Transit Administration, Local, State, or Federal Office of Civil Rights, or Local, State, or Federal Court?

_____ Yes _____ No

If yes, with which agency, department or program was it filed?

Address: _____

Date Filed: _____

Complaint, Case or Docket Number: _____

Date of Trial/Hearing: _____

Location of Court: _____

Name of Investigator: _____

Status of Case: _____ Pending _____ Closed with Findings _____ Closed without Findings _____ Other

Section 10 - Certification and Signature

I certify all information herein to be true. I understand that an incomplete form may result in delay and possible closure of the claim without findings.

Claimant Signature

Date

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Section 11 - Response Details

Upon completion of the Title VI Complaint Form packet, please make a copy for your records and return the completed, signed packet to:

Mailing address:
LUC Regional Planning
Commission
Attn: Title VI Review Coordinator
PO Box 219
East Liberty, OH 43319

Hand-delivery:
LUC Regional Planning Commission
Attn: Title VI Review Coordinator
James A. Rhodes Conference Center
10820 State Route 347
East Liberty, OH 43319

Section 12 - Review Process (For Administrative Purposes Only)

Date completed packet received:_____ Time packet received:_____

Received via: ☐ US Postal Service ☐ FedEx ☐ UPS ☐ Hand Delivered

Section 12a - Initial Complaint Review

Initial Review Conducted By: _____ Date(s) reviewed: _____

Initial Reviewer Notes: _____



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Section 12a - Initial Complaint Review (Continued)

Initial Reviewer Notes: (Continued) _____

Initial Review Conducted By: _____ Date(s) reviewed: _____

Initial Review Completed: _____

Initial Review Findings: _____ Forwarded for Policy Board review

Forwarded to: _____ Date: _____

_____ Additional Information Requested, date: _____

_____ Dismissed with Findings

_____ Dismissed without Findings

_____ Recommended for Formal Hearing

Section 12b - Policy Board Complaint Review Notification

Notified By: _____ Date Policy Board Notified: _____

Policy Board Comments: _____



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Section 12b - Policy Board Complaint Review Notification

Policy Board Comments: (Continued) _____

Policy Board Recommendations: _____

Policy Board Findings: _____ Forwarded for Corrective Action

Forwarded to: _____ Date: _____

_____ Additional Information Requested, date: _____

_____ Dismissed with Findings

_____ Dismissed without Findings

_____ Recommended for Formal ODOT Review

Section 12c - Recommended Action

Policy Board Review Completion Date: _____ Minutes Attached? _____

Action to Be Taken as a Result of Findings: _____

Forwarded to: _____ ODOT _____ FHWA _____ FTA Date Notified (If applicable): _____

ODOT/FHWA/FTA Staff Representative Contacted: _____

Contact Number: _____

Section 12d - Conclusion

Date Complainant Notified of Findings: _____

Notified via: _____ US Postal Service

Certified Postage Reference Number: _____



A RESOLUTION
OF THE LOGAN-UNION-CHAMPAIGN-REGIONAL PLANNING COMMISSION ADOPTING THE
2020 TITLE VI PROGRAM FOR LOGAN AND CHAMPAIGN COUNTIES

WHEREAS, the Logan-Union-Champaign Regional Planning Commission (LUC) is designated as the Regional Transportation Planning Organization (RTPO) for Logan and Champaign Counties by the Governor of the State of Ohio, acting through the Ohio Department of Transportation (ODOT), and in cooperation with locally elected officials in the area pursuant to an Agreement between ODOT and LUC; and

WHEREAS, LUC is required to develop and use a documented plan that defines policy and procedures to assure that the transportation planning process is carried out in accordance with Title VI of the Civil Rights Act of 1964, as amended (42 USC 2000d-1) and 49 CFR 21; and

WHEREAS, the 2020 Title VI Program is a document that defines LUC policy and procedures to assure that no person shall, on the basis of race, color, national origin, sex, age, disability, religion, ancestry, or low income status, as provided by Title VI of the Civil Rights Act of 1964 be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination or retaliation under any program or activity.

BE IT THEREFORE RESOLVED:

That the members of the LUC Executive Committee hereby adopt the 2020 Title VI Program for the RTPO planning area.

BY ACTION OF THE LUC EXECUTIVE COMMITTEE

A handwritten signature in blue ink, appearing to read "R. Smith", written over a horizontal line.

Ryan Smith
President, LUC Executive Committee

A handwritten signature in blue ink, appearing to read "Bradley Bodenmiller", written over a horizontal line.

Bradley Bodenmiller
Secretary, LUC Executive Committee

12-10-2020
Date