

Title VI Non-Discrimination Program and Limited-English Proficiency Plan

To be approved on:
September 20, 2017
La Crosse Area Planning Committee

TITLE VI NON-DISCRIMINATION PROGRAM AND LIMITED- ENGLISH PROFICIENCY PLAN

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This Title VI Plan and other LAPC documents, meeting minutes and agendas, and other information may also be obtained on our website at:

www.lapc.org

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Yog hais tias cov lus qhia uas yuav tsum tau nyob rau hauv lwm hom lus, hu rau (608) 785-6141.

La Crosse Area Planning Committee

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Title VI Non-Discrimination Program

Purpose

As a subrecipient of federal funds administered by the Federal Transit Administration (FTA), the La Crosse Area Planning Committee (LAPC) is required to comply with U.S. Department of Transportation (“DOT” or “the Department”) Title VI regulations (49 CFR part 21) and to integrate into its programs and activities considerations expressed in the Department’s Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (“LEP”) Persons (70 FR 74087, December 14, 2005).

The purpose of these regulations is to assure that no person 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 program or activity administered by the LAPC.

These regulations also prohibit the LAPC from discriminating on the basis of race, color, or national origin in its programs or activities and ensure that the LAPC will provide meaningful access to services for persons with Limited English Proficiency.

Content of Title VI Program

The LAPC, as a subrecipient of FTA funds, must submit to the Wisconsin and Minnesota Departments of Transportation, which are the primary recipients of transit funds:

- All [general requirements](#) set out in FTA Circular 4702.1B;
- A [demographic profile of the metropolitan area](#) that includes identification of the locations of minority populations in the aggregate;
- A description of the [procedures](#) by which the mobility needs of minority populations are identified and considered within the planning process;
- [Demographic maps](#) that overlay the percent minority and non-minority populations, and charts that analyze the impacts of the distribution of State and Federal funds in the aggregate for public transportation purposes; and,
- An [analysis of impacts](#) that identify any disparate impacts on the basis of race, color, or national origin; legitimate justification for the policy that resulted in the disparate impacts; and alternatives that could be employed that would have a less discriminatory impact.

General Requirements

The general requirements outlined in FTA Circular 4702.1B *Title VI Requirements and Guidelines for Federal Transit Administration Recipients* include requirements for:

- Providing Title VI assurances;
- First-time applicants (not applicable);
- Preparing and submitting a Title VI Program;
- Notifying beneficiaries of protection under Title VI;
- Developing Title VI complaint procedures and complaint form;
- Recording and reporting transit-related Title VI investigations, complaints, and lawsuits;



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- Promoting inclusive public participation;
- Providing meaningful access to limited-English proficient (LEP) persons;
- Minority representation on planning and advisory bodies;
- Providing assistance to subrecipients (not applicable);
- Monitoring subrecipients (not applicable);
- Determining of site or location of facilities (not applicable); and,
- Providing additional information upon request.

Because the LAPC is a subrecipient of FTA funds and does not apply for funds directly, the general requirements noted as “not applicable” will not be addressed here.

Providing Title VI Assurances

The LAPC Title VI Assurances are included with this program in [Appendix A](#).

Preparing and Submitting a Title VI Program

The following is a list of the required contents of the Title VI Program and where the information can be found, if applicable:

1. Public notice: See [Appendix A](#).
2. Discrimination complaint procedure: See [Appendix B](#).
3. List of investigations, complaints, or lawsuits: Not applicable. The LAPC has had no investigations, complaints, or lawsuits against it.
4. Public participation plan: See the *La Crosse & La Crescent Metropolitan Area Public Participation Plan for LAPC Transportation Plans and Programs* at www.lapc.org.
5. Plan for providing language assistance: See [Language Assistance](#) in this document.
6. Transit-related advisory committees: See [Minority Representation on Planning and Advisory Bodies](#) in this document.
7. Monitoring by primary recipients of subrecipients: Not applicable; we are a subrecipient.
8. Equity analysis for transit facility location: Not applicable; we are a subrecipient.
9. [Additional information](#) as needed.

The *Contents* are discussed in more detail below.

Notifying Beneficiaries of Protection Under Title VI

The LAPC Title VI notice is included in [Appendix A](#) and is posted on the LAPC website and at the LAPC office. The LAPC does not provide transit services; other requirements of this section are not applicable.

Developing Title VI Complaint Procedures and Complaint Form

The LAPC Title VI complaint procedures and complaint form are in [Appendix B](#). The complaint procedure and complaint forms are posted on the LAPC website and at the LAPC office.

2 Recording and Reporting Transit-related Title VI Investigations, Complaints, and Lawsuits

There have been no Title VI investigations, complaints, or lawsuits filed with the LAPC.

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Promoting Inclusive Public Involvement

The LAPC maintains a Public Participation Plan (PPP) that is available on the LAPC website. The LAPC Title VI Program is integrated into the PPP by reference.

Providing Meaningful Access to Limited-English-Proficient (LEP) Persons

See the [Limited-English Proficiency Plan](#) later in this document.

Minority Representation on Planning and Advisory Bodies

The LAPC Policy Board is the sole decision-making body of the LAPC. The Board is comprised of the highest elected official of each member community and so minority representation is under the control of the electorate.

All other LAPC committees serve in an advisory role. LAPC staff encourages participation by all groups on the advisory committees by invitation to monthly meetings, public information meetings, etc. as outlined in the Public Participation Plan. Contacts are maintained in e-mail distribution lists and mail address lists.

Minority representation on LAPC committees is illustrated in Table 1. We recognize that the minority representation on our boards is not reflective of the minority representation of our planning area, but members of minority groups have been invited to participate by e-mail. Although we continue to conduct outreach through e-mailings, we need to expand our efforts with more direct and better targeting.

TABLE 1: Minority Composition of LAPC Committees

Committee	Race						
	Non Hispanic White	Black or African American	American Indian/ Alaska Native	Asian	Native Hawaiian/ Pacific Islander	Hispanic or Latino	Some Other Race
Policy Board	100%	0%	0%	0%	0%	0%	0%
Technical Advisory Committee	100%	0%	0%	0%	0%	0%	0%
Committee on Transit and Active Transportation	96%	0%	4%	0%	0%	0%	0%

Providing Additional Information Upon Request

FTA may request information other than that required by FTA Circular 4702.1B in order for FTA to investigate complaints of discrimination or to resolve concerns about possible noncompliance with DOT's Title VI regulations. The LAPC has not to date been asked by FTA for additional information.



Demographic Profile of the Metropolitan Area

The LAPC uses the HISPANIC OR LATINO ORIGIN by RACE variable from the most recent American Community Survey (ACS) as of the update to determine the distribution of minority and white populations as summarized in Table 2. Minorities are defined as Black or African American Alone, American Indian and Alaska Native Alone, Native Hawaiian or Other Pacific Islander Alone, Some Other Race Alone, Two-or-more Races, and Persons of Hispanic or Latino origin. More simply, anyone who is not identified as non-Hispanic White is classified as Minority.

TABLE 2: MINORITY AND WHITE POPULATIONS BY COMMUNITY IN THE MPA, 2011-2015 ACS

Community	Total Population	Non-Hispanic White Population	Total Minority ¹ Population	Percent Minority
<i>Cities</i>				
La Crescent	4,815±21	4,673±83	142±86	2.9±1.8
La Crosse	51,993±60	45,795±415	6,198±419	11.9±0.8
Onalaska	18,255±60	15,922±447	2,333±451	12.8±2.5
<i>Villages</i>				
Holmen	9,432±44	8,647±259	785±263	8.3±2.8
West Salem	4,936±24	4,713±130	223±132	4.5±2.7
<i>Towns</i>				
Barre	1,169±133	1,132±136	37±190	3.2±16.3
Campbell	4,397±18	4,274±96	123±98	2.8±2.2
Dresbach	428±78	408±73	20±107	4.7±25.0
Greenfield	2,107±210	2,044±209	63±296	3.0±14.0
Hamilton	2,498±25	2,479±37	19±45	0.8±1.8
Holland	3,799±33	3,739±63	60±71	1.6±1.9
La Crescent	1,508±163	1,475±164	33±231	2.2±15.3
Medary	1,528±152	1,436±157	92±219	6.0±14.3
Onalaska	5,699±31	5,152±272	547±274	9.6±4.8
Shelby	4,818±25	4,541±146	277±148	5.7±3.1
Bergen ²	1,258±100	1,186±99	72±141	5.7±11.2
<i>Urban (cities & villages)</i>	89,431±101	79,750±680	9,681±688	10.8±0.8
<i>Rural (towns)</i>	27,951±348	26,680±478	1,271±592	4.5±2.1
<i>Planning Area²</i>	117,382±362	106,430±832	10,952±907	9.3±0.8

¹ Minorities are defined as Black or African American Alone, American Indian and Alaska Native Alone, Native Hawaiian or Other Pacific Islander Alone, Some Other Race Alone, Two-or-more Races, and Persons of Hispanic or Latino origin.

² The Town of Bergen is included in the table because a very, very small part of it is in the planning area. Its statistics are not, however, included in the calculations for the rural or planning areas.

Source: B03002 Hispanic or Latino Origin by Race, 2011-2015 American Community Survey (ACS).

Procedures for the Planning Process

The procedures by which the mobility needs of minority populations are identified and considered in the LAPC planning process include public outreach and GIS analysis:

- Public outreach involves inviting members of minority organizations to participate on our committees and in planning activities (i.e. public input meetings, focus groups). Participation, however, has been underwhelming. The 2017 Public Participation Plan outlines an expanded process for inviting participation.
- GIS analysis is used to identify the locations of minority persons. The LAPC completes a transit development plan for the La Crosse Municipal Transit Utility that identifies block groups exhibiting higher percentages of minority or low-income persons than the percent of those groups for the City of La Crosse. The LAPC uses the same methodology for its MTP and TIP except the percentages for the planning area are used for comparison.

Demographic Maps and FTA Funding Charts

Figure 1 illustrates the block groups in the planning area that have a percent minority higher than the percent minority of the planning area (9.3%). Within the four-year TIP, each year of projects is mapped against the areas identified as having a high percent minority to determine the potential for disproportionately high and adverse impacts on minority populations. The minority map is updated annually with the most recent ACS data available. Figure 1 illustrates data from B03002 Hispanic or Latino Origin by Race from the 2011-2015 ACS.

Table 3 illustrates the distribution of federal and state funds for public transportation for the year 2017 as provided in the LAPC Transportation Improvement Plan adopted October 19, 2016.

Total federal transit funding decreased 46.7% from \$5,193,300 in 2014 (the previous Title VI document) while state funding increased 10.3% from \$1,881,400. Because total TIP funds decreased substantially in 2017 from 2014 (federal down 65.4% and state down 71.8%), the proportion of total TIP funds as transit funds increased significantly (up 7 percentage points from 13.0% to 20.0% in federal and up 35.3 percentage points from 12.1% to 47.4% in state).



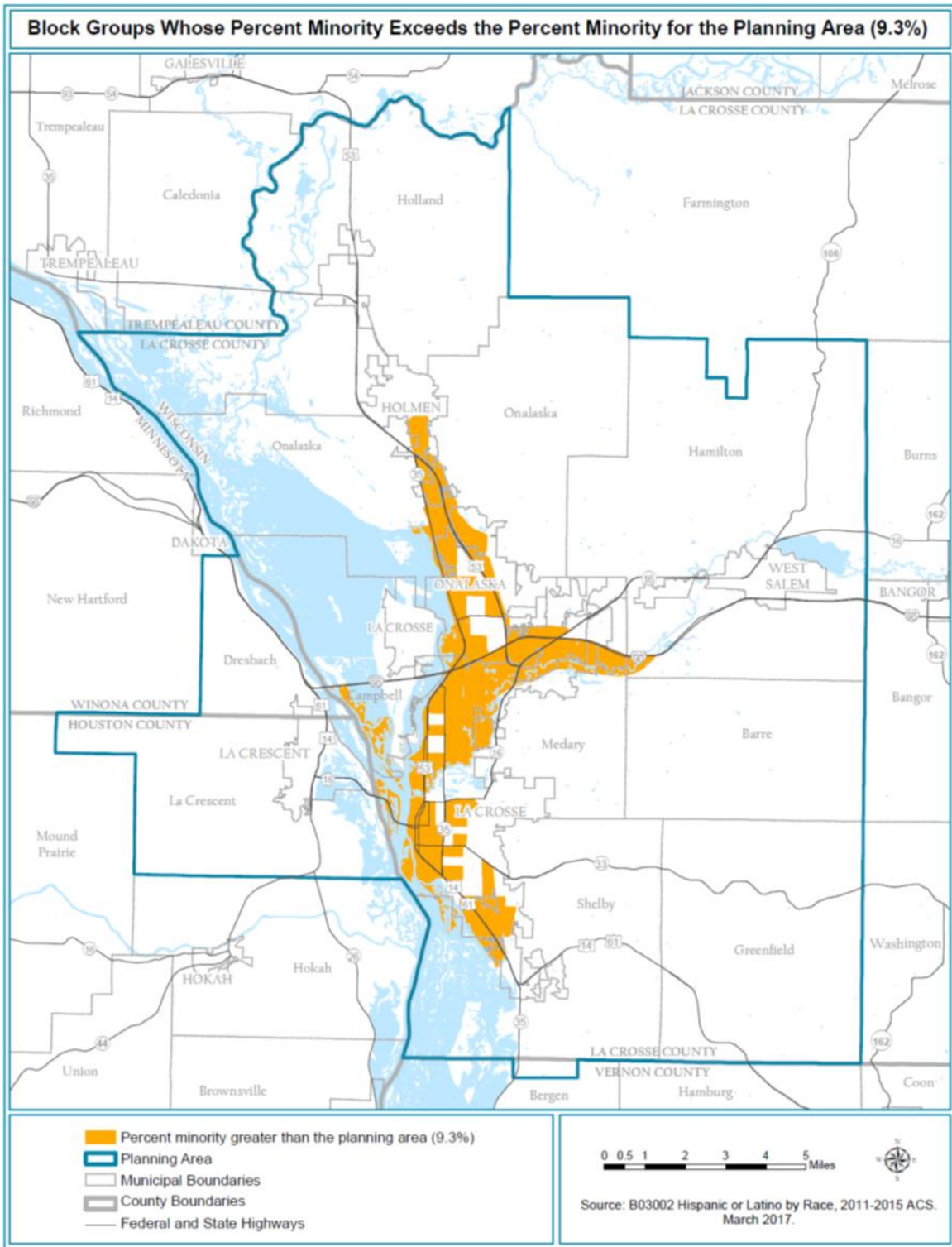


FIGURE 1: BLOCK GROUPS WITH A PERCENT MINORITY GREATER THAN THE PERCENT MINORITY OF THE PLANNING AREA.

Source: B03002 Hispanic or Latino Origin by Race, 2011-2015 ACS.

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TABLE 3: Distribution of Federal & State Funds for Public Transportation, 2017

Project	Program	Federal	State	Service Area
La Crescent Transit Operating Assistance	5307	\$94,000		City of La Crescent, MN
La Crosse County Minibus & Volunteer Driver Program	85.21		\$250,200	La Crosse County
Municipal Transit Utility of City of La Crosse Operating Assistance	5307; 85.20	\$1,971,200	\$1,538,400	City of La Crosse and contracting communities
Vernon County Aging Unit Mobility Manager & Volunteer Drivers	5310; 5317	\$125,000	\$76,000	La Crosse and Vernon Counties
City of Prairie du Chien Rural Transit Service	5311	\$204,000		La Crosse, Crawford, and Vernon Counties
City of Onalaska Shared Ride Public Transit Operations & Vans	STP; 5307; 5309	\$375,400	\$210,900	Onalaska, Holmen, West Salem
Total Public Transportation Funds (2017)		\$2,769,600	\$2,075,500	
Total TIP Funds (2017)		\$13,850,900	\$4,376,800	
Percent of TIP for Public Transportation		20.0%	47.4%	

Source: 2017-2020 Transportation Improvement Program for the LAPC; adopted October 19, 2016.

Analysis of Impacts

An analysis of impacts identified in paragraph (4) that identifies any disparate impacts on the basis of race, color, or national origin, and, if so, determines whether there is a substantial legitimate justification for the policy that resulted in the disparate impacts, and if there are alternatives that could be employed that would have a less discriminatory impact.

The TIP document includes a discussion of if or how transportation projects in the region impact minority (and low-income) persons. Under the current TIP, no projects have a direct or disproportionately negative impact on minority populations.



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Limited-English Proficiency Plan

Plan Summary

This *Limited-English Proficiency Plan* has been prepared to address LAPC's responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited-English language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq, and its implementing regulations, which state that no person shall be subjected to discrimination on the basis of race, color or national origin.

Executive Order 13166 titled, *Improving Access to Services for Persons with Limited-English Proficiency*, indicates that differing treatment based upon a person's inability to speak, read, write, or understand English is a type of national origin discrimination. It directs each agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies which receive federal funds.

LAPC has developed its *Limited-English Proficiency Plan* to help identify reasonable steps for providing language assistance to persons with limited English proficiency (LEP) who wish to access services provided. As defined by Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English. This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available.

In order to prepare this plan, LAPC used the four-factor LEP analysis which considers the following factors:

1. The number or proportion of LEP persons in the La Crosse and La Crescent Planning Area who may be served by the LAPC.
2. The frequency with which LEP persons come in contact with LAPC programs or services.
3. The nature and importance of programs or services provided by LAPC to the LEP population.
4. The interpretation services available to LAPC and overall cost to provide LEP assistance. A summary of the results of the four-factor analysis is in the following section.

Meaningful Access: Four Factor Analysis

Factor 1: The number or proportion of LEP persons in the service area who may be served or are likely to require LAPC services.

Data are obtained from the Census variable B16001 Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over by municipality and aggregated to the LAPC planning area. The data in this Title VI plan are from the ACS 2011-2015 5-year estimates.

Table 4 illustrates the total estimated population in the planning area age 5 and older and the number and percent of the population that is limited-English proficient (speaks English less than very well). The table also breaks out the percentages of the Hmong and Spanish populations estimated to be limited-English proficient as those two minority groups are the most prevalent in the area.



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TABLE 4: Language Spoken at Home by Ability to Speak English for the Population 5 Years and Older in the MPA¹

Demographic	Estimate	Margin of Error
Total population 5 years and older	110,868	588
Speaks only English	103,398	887
Percent speaks only English	93.3	0.6
Speaks other language at home	7,470	1,064
Percent speaks other language at home	6.7	1.0
Speaks English less than very well	3,049	544
Percent speaks English less than very well	2.8	0.5
Total Hmong-speaking population	3,245	596
Total that speaks English less than very well	1,425	405
Percent that speaks English less than very well	43.9	9.5
Total Spanish-speaking population	2,171	386
Total that speaks English less than very well	1,108	293
Percent that speaks English less than very well	51.0	10.0
Total “Other”-speaking population	2,054	397
Total that speaks English less than very well	516	215
Percent that speaks English less than very well	25.1	9.3

¹Metropolitan Planning Area.

Source: B16001 Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over, 2011-2015 ACS.

Factor 2: The frequency with which LEP persons come in contact with LAPC services or programs.

LAPC staff reviewed the frequency with which it’s Policy Board, staff, and contractors have, or could have, contact with LEP persons. This includes documenting phone inquiries or office visits. To date, the LAPC has had no requests for interpreters and no requests for translated program documents. The LAPC Policy Board, LAPC staff, and LAPC contractors have had very little contact with LEP persons.

Factor 3: The nature and importance of services and programs provided by LAPC to the LEP population.

Because over 93% of the population of the planning area speaks only English and LEP and minority persons in general have not to date participated in LAPC plans and programs, we have experienced no need for services. With improved outreach activities, however, the Policy Board, LAPC staff, and LAPC contractors may have increased contact with LEP individuals at public meetings and other general public involvement activities.

10 Factor 4: The resources available to LAPC and overall costs to provide LEP assistance.

La Crosse County has a contract with Certified Languages International for language interpreter services. Anyone in need of language interpretation may call the LAPC staff office at 608-785-5977 for assistance.

But based on a history of no requests, the LAPC has determined that is in not cost effective to publish documents in a language other than English.

Language Assistance

A person who does not speak English as their primary language and who has a limited ability to read, write, speak or understand English may be a Limited English Proficient person and may be entitled to language assistance with respect to LAPC's programs and services. Language assistance can include interpretation, which means oral or spoken transfer of a message from one language into another language and/or translation, which means the written transfer of a message from one language into another language.

How LAPC staff may identify an LEP person who needs language assistance:

- Post notice of LEP Plan and the availability of free interpretation or translation services in languages common to LEP persons in the area (i.e. Spanish and Hmong).
- LAPC staff will be informally surveyed periodically on their experience concerning any contacts with LEP persons during the previous year.
- A notice will be posted on the LAPC website and at the LAPC office specifying that special needs related to offering interpreter services for LEP or hearing impaired individuals can be available by request when LAPC sponsors an informational meeting or event.

Language Assistance Measures

Although only 2.8% of the population 5 years and older in the La Crosse are limited-English proficient, LAPC staff will take all reasonable measures to:

- Provide opportunities for LEP persons to have meaningful access to LAPC plans and programs. Within reason, LAPC staff will work to obtain:
 - Interpretive services for public meetings, with advance notice. Occasions may arise when an interpreter is unavailable.
 - Translation services (or the interpretation of relevant sections) of any LAPC document upon request within a reasonable time frame and if resources permit.

Staff Training

The following training will be provided to all LAPC staff:

- Information on the Title VI Policy and LEP responsibilities.
- Description of language assistance services offered to the public.
- Documentation of language assistance requests.
- How to handle a potential Title VI/LEP complaint.

All contractors or subcontractors performing work for LAPC will be required to follow the Title VI/LEP guidelines.



Translation of Documents

LAPC weighed the cost and benefits of translating documents for potential LEP groups. Considering the expense of translating the documents, the likelihood of frequent changes in documents and other relevant factors, LAPC staff will consider a request for the translation of documents (or portions thereof) on a case by case basis.

Monitoring

LAPC will review the LEP Plan annually with its self-certification procedure per 23 CFR 450.334. An annual review and update (if appropriate) will include the following:

- The number of documented LEP person contacts encountered annually.
 - We have had no contact with LEP individuals.
- How the needs of LEP persons have been addressed.
 - Not applicable.
- Determination of the current LEP population in the service area.
 - See Table 3.
- Determination whether the need for translation services has changed.
 - The need for services does not seem to have changed; however, the resources for those services have been updated.
- Determine whether local language assistance programs have been effective and sufficient to meet the need.
 - Not applicable. We have had no need for services up to this point.
- Determine whether LAPC's financial resources are sufficient to fund language assistance resources needed.
 - The LAPC can utilize the services contracted by La Crosse County.
- Determine whether LAPC fully complies with the goals of this LEP Plan.
 - Yes.
- Determine whether complaints have been received concerning the agency's failure to meet the needs of LEP individuals.
 - The LAPC staff office has received no complaints to date.

Notice of LAPC LEP Plan

The LAPC will provide notice of the LEP Plan by:

- Posting notice of the LEP Plan signs at conspicuous and accessible locations in the LAPC's office notifying LEP persons of the LEP Plan and how to access language services.
- Including as part of public notices and/or related materials on the LAPC website that LEP persons needing interpretative service may contact the LAPC.
- Posting the LEP Plan on the LAPC website.

Appendix A: LAPC Title VI Policy Documents

TITLE VI ASSURANCES

The La Crosse Area Planning Committee (LAPC), (hereinafter referred to as the Recipient) HEREBY AGREES THAT, as a condition to receiving any federal financial assistance from the U. S. Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 42 U.S.C. 2000d-4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted Programs of the U.S. Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations), and other pertinent directives to the end that, in accordance with the Act, regulations, and other pertinent directives, 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 through the Minnesota and/or Wisconsin Department of Transportation or the U.S. Department of Transportation; and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by Subsection 21.7(a)(1) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to its Federal Aid Highway or Transit Programs:

1. That the Recipient agrees that each “program” and each “facility,” as defined in Subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a “program”) conducted, or will be (with regard to a “facility”) operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or materials subject to the regulations and made in connection with the Federal-Aid Highway or Transit Programs and, in adapted form, in all proposals for negotiated agreements:

The Recipient, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4, and Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted Programs of the U.S. Department of Transportation, issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, Disadvantaged Business Enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

3. That the Recipient shall insert the clauses of Appendix A in every contract subject to the Act and the Regulations.
4. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation, or the official to whom he or she delegates specific authority, to



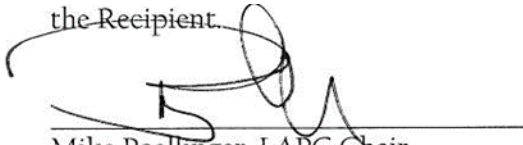
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give reasonable guarantee that it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed by or pursuant to the Act, the Regulations, and this assurance.

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

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all federal grants, loans, contracts, discounts, or other Federal financial assistance extended after the date hereof to the Recipient by the U.S. Department of Transportation under the Federal-Aid Highway or Transit Programs and is binding on it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants in the Federal-Aid Highway or Transit Programs. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.

the Recipient.



Mike Poellinger, LAPC Chair

11/19/2014
November 19, 2014



Tom Faella, LAPC Executive Director

11/19/2014
November 19, 2014

RESOLUTION 9 - 2014
APPROVING THE
La Crosse Area Planning Committee (LAPC) Title VI Program

WHEREAS, the United States Department of Transportation regulations require the LAPC to establish and maintain a Title VI Program to carry out U.S. Department of Transportation Title VI regulations (49 CFR part 21) and to integrate into its programs and activities considerations expressed in the Department's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons (70 FR 74087, December 14, 2005).; and

WHEREAS, the LAPC intends that no person 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 LAPC program or activity, regardless of funding source; and

WHEREAS, the LAPC will affirmatively ensure that in any contract entered into, Disadvantaged Business Enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color or national origin; and

NOW, THEREFORE, BE IT RESOLVED: that the MPO approves the *La Crosse and La Crescent Metropolitan Area Title VI and Non-Discrimination Program / Limited English Proficiency Plan* as being consistent with metropolitan plans and policies.

LA CROSSE AREA PLANNING COMMITTEE


Mike Poellinger, Chair


Tom Faella, Executive Director

Dated: November 19, 2014



Public Notice of Rights Under Title VI La Crosse Area Planning Committee (LAPC)

The La Crosse Area Planning Committee (LAPC) operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes he or she has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the LAPC.

For more information on the LAPC's Title VI program and the procedures to file a complaint, please contact Tom Faella at the LAPC office, 212 6th St N, Room 1200, La Crosse, WI 54601, (608) 785-5977, TFaella@LaCrosseCounty.org.

Complaint instructions and forms can be found in the LAPC *Title VI Non-Discrimination Program and Limited-English Proficiency Plan* posted at www.LAPC.org. If you would like a hard copy of the complaint instructions and/or forms mailed or emailed to you, please contact the LAPC office.

If Title VI information is needed in another language or another format, please contact (608) 785-6141.

Si se necesita informacion en otro idioma de contacto, (608) 785-6141.

Yog hais tias cov lus qhia uas yuav tsum tau nyob rau hauv lwm hom lus, hu rau (608) 785-6141.

Appendix B: LAPC Title VI Complaint Procedures

The scope of Title VI covers all external LAPC activities. Adverse impacts resulting in Title VI complaints can arise from many sources, including advertising, bidding, and contracts.

Complaints can originate from individuals or firms alleging inability to bid upon or obtain a contract with LAPC for the furnishing of goods and/or services. Examples include advertising for bid proposals; prequalification or qualification; bid proposals and awards; selection of contractors, subcontractors, material and equipment suppliers, lessors, vendors, consultants, fee appraisers, universities, etc.

Complaints can originate as a result of project impacts on individuals or groups. For example, social and economic, traffic, noise, air quality, access, accidents, and failure to maintain facilities.

Formal Title VI Complaint Procedure

The LAPC Title VI Policy assures that no person or groups of persons 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 and all programs, services, or activities administered by LAPC, its recipients, subrecipients, and contractors.

The LAPC uses the following procedures for prompt processing of all Title VI complaints received directly by it. These procedures include but are not limited to:

1. Any person or groups of persons who believe they have been aggrieved by an unlawful discriminatory practice under Title VI may individually, or through a legally authorized representative, make and sign a complaint and file the complaint with LAPC. Allegations received do not have to use the key words “complaint,” “civil rights,” “discrimination,” or their near equivalents. It is sufficient if such allegations imply any form of unequal treatment in one or more of LAPC’s programs for it to be considered and processed as an allegation of a discriminatory practice.
2. The complaint **must** be filed, in writing, no later than 180 calendar days after the date of the alleged discrimination. LAPC’s Title VI [Complaint Form](#) **must** be used. (See Appendix E.)
3. The complaint may also be filed with the U. S. Department of Transportation, Office of the Secretary, 1200 New Jersey Avenue, SE (S-33), Washington, D.C. 20590. The complaint **must** be filed, in writing, no later than 180 days after the date of the alleged discrimination, unless the time for filing is extended by the Secretary, U. S. Department of Transportation.
4. Immediately, upon receipt of a Title VI complaint, LAPC determines a course of action. Possible courses of action include:
 - a. Title VI complaints filed against LAPC are referred to the Minnesota Department of Transportation (MnDOT) or Wisconsin Department of Transportation (WisDOT) for processing. MnDOT or WisDOT notifies the U.S. Department of Transportation Division Office of the complaint.



Title VI Non-Discrimination Program and Limited-English Proficiency Plan

- b. Title VI complaints filed against LAPC recipients and subrecipients (e.g., contractors, subcontractors, material and equipment suppliers, lessors, vendors, consultants, fee appraisers, universities, etc.) are processed by LAPC in accordance with U.S. Department of Transportation approved complaint procedures. MnDOT and/or WisDOT is available to provide assistance.
 - (1) A copy of the complaint, together with a copy of LAPC report of the investigation and recommendations, are forwarded to U.S. Department of Transportation within sixty (60) days of the date the complaint was received by LAPC.
 - (2) A copy of the complaint, together with a copy of LAPC report of the investigation and recommendations, are provided to MnDOT or WisDOT's Title VI Coordinator for informational purposes only.
 - (3) The U.S. Department of Transportation makes the final agency decision.
5. LAPC reviews and determines the appropriate action regarding every complaint. LAPC will recommend to the U.S. Department of Transportation, with a copy to MnDOT or WisDOT, not to proceed with or continue a complaint investigation if:
 - a. The complaint is, on its face, without merit.
 - b. The same allegations and issues of the complaint have been addressed in a recently closed investigation or by previous federal court decisions.
 - c. The complainant's or injured party's refusal to cooperate (including refusal to give permission to disclose his or her identity) has made it impossible to investigate further.
6. If an investigation is to be initiated, LAPC determines the method of investigation and who will conduct the investigation.
7. The entire investigation process, including the submission of the final report of the investigation and recommendations to the U.S. Department of Transportation, with a copy to MnDOT or WisDOT, is to be carried out in a period not to exceed sixty (60) calendar days from the date the original complaint was received by LAPC.
8. LAPC acknowledges receipt of the allegation(s) within ten (10) working days. The complainant is notified of the proposed action to be taken to process the allegation(s). The notification letter contains:
 - a. The basis for the complaint.
 - b. A brief statement of the allegation(s) over which LAPC has jurisdiction.
 - c. A brief statement of LAPC jurisdiction over the recipient to investigate the complaint; and
 - d. An indication of when the parties will be contacted.
 - e. Depending on the nature of the complaint, the complaint will be referred to the following for final decision:
 - (1) U.S. Department of Transportation
 - (2) U. S. Department of Justice (USDOJ)

9. LAPC also notifies U.S. Department of Transportation, with a copy to MnDOT or WisDOT, within ten (10) calendar days of receipt of the allegations. The following information is included in the notification to U.S. Department of Transportation:
 - a. Name, address, and phone number of the complainant.
 - b. Name(s) and address(es) of persons alleged to have been involved in the act.
 - c. Basis of alleged discrimination (i.e., race, color, national origin).
 - d. Date of alleged discriminatory act(s).
 - e. Date complaint was received by LAPC.
 - f. A brief statement concerning the nature of the complaint.
 - g. Other agencies (federal, state, or local) with which the complaint has been filed.
 - h. An explanation of the actions LAPC proposes to take to resolve the issues raised in the complaint.
10. The investigation consists of an in-depth, personal interview with the complainant(s). Information gathered in this interview includes but is not limited to: identification of each complainant by race, color, or national origin; a complete statement concerning the nature of the complaint, including names, dates, places, and incidents involved in the complaint; the date the complaint was filed; and any other pertinent information the investigator(s) feels is relevant to the complaint. The interview(s) is recorded, either digitally or by an investigator taking notes. The investigator(s) arranges for the complainant to read, make necessary changes to, and sign the interview transcript or interview notes.
11. Following the interviews, the investigator(s) develops a report of the investigation and recommendations based on the facts. The report contains the investigator's(s') findings, conclusions concerning each issue raised in the complaint, and recommendations for corrective action. The report is the last document prepared by the investigator(s). Any other actions taken as a result of the investigator's(s') findings and conclusions are the responsibility of LAPC management.
12. The complainant receives a letter from LAPC detailing the findings and any recommendations for corrective action to be taken based on the facts. All issues in the complaint are addressed. The complainant is informed that the final determination is made by the U.S. Department of Transportation.
13. LAPC forwards the report of the investigation and recommendations to the U.S. Department of Transportation, with a copy to MnDOT or WisDOT. Included with the report is a copy of the complaint, copies of all documentation pertaining to the complaint, the date the complaint was filed, the date the investigation was completed, and any other pertinent information.
14. The U.S. Department of Transportation makes the final agency decision.



LAPC Title VI Complaint Form

TITLE VI COMPLAINT FORM

PART I - COMPLAINANT INFORMATION (Print all items legibly.)

Name		Telephone
Street Address/P.O. Box		Email Address
City	State	Zip Code

PART II - CAUSE OF DISCRIMINATION BASED ON [Check all appropriate boxes.]

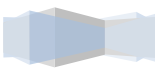
Race Color National Origin

PART III - THE PARTICULARS ARE: (Include names, dates, places, and incidents involved in the complaint.) [If additional space is needed, attach extra sheets.]

PART IV - REMEDY SOUGHT [State the specific remedy sought to resolve the issues.]

PART V - VERIFICATION

Complainant's Signature _____ Date _____



INSTRUCTIONS

1. Under Title VI of the Civil Rights Act of 1964 and the related statutes and regulations, no person or groups(s) of persons shall, on the grounds of race, color, national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by the LAPC. Any person or groups(s) of persons who feel they have been discriminated against may file a complaint.
2. Instructions provided within this form are not meant to be all inclusive. Complainants are responsible for all procedural requirements.
3. Complainants **must** include all required information and **must** meet all timeframes as defined in the LAPC Title VI Complaint Procedure. (NOTE: The complaint **must** be filed in writing no later than 180 days after the date of the alleged discrimination.)
4. Legible copies of all available pertinent documentation should be attached to this form.
5. All inquiries should be directed to LAPC, attn: Tom Faella, Executive Director, 212 6th St. N, La Crosse, WI, 54601.

PART I : Complete all information in this section.

PART II: Check all boxes that apply indicating the basis for the complaint. The discrimination **must** be based on at least one of the listed categories.

PART III: State the specific complaint in a manner that clearly identifies the issues upon which the complaint is based.

PART IV: State the minimum remedy acceptable for resolution of this complaint.

PART V: Sign and date this section to verify the information contained in Parts I through IV.

Complaints filed with U. S. Department of Transportation

Discrimination complaints based on race, color, or national origin may be filed with the Secretary, U.S. Department of Transportation, Room 4132, 400 Seventh Street, Southwest, Washington, D.C. 20590. The complaint **must** be filed, in writing, no later than 180 days after the date of the alleged discrimination, unless the time for filing is extended by the Secretary, U.S. Department of Transportation.



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