

MARC TITLE VI PROGRAM MANUAL

“It has been The Federal Highway Administration's (FHWA's) and the Federal Transit Administration's (FTA's) longstanding policy to actively ensure nondiscrimination under Title VI of the 1964 Civil Rights Act (http://www.fhwa.dot.gov/environment/title_vi.htm) in federally funded activities. Under Title VI and related statutes, each Federal agency is required to ensure that no person is excluded from participation in, denied the benefit of, or subjected to discrimination under any program or activity receiving Federal financial assistance on the basis of race, color, sex, or national origin. The Civil Rights Restoration Act of 1987 (http://www.fhwa.dot.gov/environment/ejustice/facts/restoration_act.htm) clarified the intent of Title VI to include all program and activities of federal-aid recipients, subrecipients and contractors whether those programs and activities are federally funded or not.” (United States Department of Transportation)

Introduction

The Mid-America Regional Council (MARC) is an association of city and county governments for the bistate Kansas City region. MARC also serves as the federally designated metropolitan planning organization (MPO) for the region and is responsible for ensuring that transportation programs using federal funds in the Kansas City region are based on a continuing, comprehensive and coordinated planning process.

MARC seeks to build a stronger regional community through cooperation, leadership and planning. Through MARC's leadership, area jurisdictions and diverse community interests sit down together to address the region's problems and identify opportunities for cooperative solutions. These efforts enhance the effectiveness of local government.

As a voluntary association, MARC strives to foster better understanding and cooperation on issues that extend beyond the jurisdiction of a single city, county or state. These issues include transportation, child care, aging, emergency services, environmental issues and a host of others.

MARC plays an active leadership role in strengthening the metropolitan community by providing:

- a forum for addressing regional objectives and diverse community issues;
- long-range planning and public policy coordination; and
- technical assistance and services to enhance the effectiveness of local government.

Members

MARC serves the nine-county Kansas City region, which includes 120 city governments. A bistate MPO, MARC's transportation-planning boundaries include the following seven counties:

- In Missouri:
 - Cass
 - Clay
 - Jackson
 - Platte
- In Kansas:
 - Johnson
 - Leavenworth
 - Wyandotte

MARC's Board of Directors consists of 33 locally elected leaders representing the nine counties (including Miami County, Kan., and Ray County, Mo.). More information on MARC's members can be found at <http://www.marc.org/members.htm>.

In addition to the above geographic jurisdictions, MARC also works closely with the following:

- Transit Operators:

- Kansas City Area Regional Transportation Authority (KCATA)
- Johnson County Transit (The JO)
- Unified Government Transit (UGT)
- State Departments of Transportation:
 - Missouri Department of Transportation (MoDOT)
 - Kansas Department of Transportation (KDOT)
- Federal Transit Administration (FTA)
- Federal Highway Administration (FHWA)

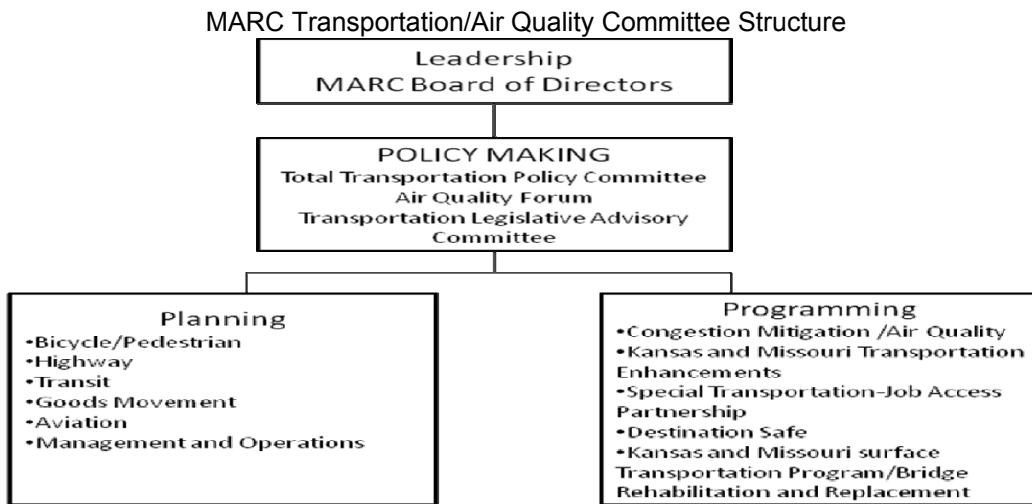
Benefits of working with the MPO include a voice in key regional decisions, distribution of federal transportation dollars, technical assistance to obtain federal and state funding, education and training opportunities, data to meet special planning needs, access to Geographic Information Systems (GIS) databases, access to data products, and technical expertise.

Boards and Committees

MARC is governed by a Board of Directors consisting of 33 locally elected leaders from the nine member counties and the six largest cities in the region, as well as representatives from other cities in the area. The six largest cities are Kansas City, Mo., Kansas City, Kan., Overland Park, Kan., Independence, Mo., Lee’s Summit, Mo., and Olathe, Kan. The board oversees a variety of committees with topics ranging from transportation and environment to aging, early learning, emergency services and public safety, and research services.

MARC’s Total Transportation Policy Committee (TTPC) serves as the local decision-making and policy-development body for multimodal transportation in the region. TTPC is overseen by the MARC Board of Directors, and is the parent committee to a variety of other transportation planning and programming committees, as shown in Figure 1.1.

Figure 1.1



The programming and modal committees housed at MARC are composed of representatives from a variety of backgrounds and interests, including engineering and planning professionals, bicycle and pedestrian advocacy groups, business interests and local elected officials, interested citizens, and others. The variety of professions and interests represented contributes to the balance under which MARC planning activities occur.

Policy Statement and Authorities

The Mid-America Regional Council (MARC) assures that no person shall, on the grounds of race, color, sex or national origin, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (PL 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. MARC further assures that every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not. In the event MARC distributes federal aid funds to another governmental entity, MARC will include Title VI language in all written agreements and will monitor for compliance. MARC's Title VI Coordinator is responsible for initiating and monitoring Title VI activities, preparing required reports, and other MARC responsibilities as required by Title 23 Code of Federal Regulations (CFR) Part 200, and Title 49 CFR Part 21.



David Warm, Executive Director

10/24/2011

Date

Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, sex or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance (refer to 23 CFR 200.9 and 49 CFR 21). The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of the terms "programs or activities" to include all programs or activities of federal aid recipients, subrecipients and contractors, whether such programs and activities are federally assisted or not (Public Law 100259 [S. 557] March 22, 1988).

Additional Authorities and Citations Include: Title VI of the Civil Rights Act of 1964, 42 USC 2000d to 2000-4; 42 USC 4601 to 4655; 23 United States Code 109(h); 23 United States Code 324; Department of Transportation Order 1050.2; Executive Order 12250; Executive Order 12898; 28 CFR 50.

Organization

MARC's executive director is responsible for ensuring implementation of the agency's Title VI program. The Title VI Coordinator, under supervision of the executive director, is responsible for coordinating the overall administration of the Title VI program, plan and assurances (See Appendix 1).

Five areas of MARC's work program have been identified as applicable to Title VI regulations — they are referred to as the five Title VI program areas:

1. Communications and public involvement
2. Planning and programming
3. Environmental affairs
4. Consultant contracts
5. Education and training

The agency's Title VI-related responsibilities fall into two main categories: "general responsibilities," applicable to all five Title VI Program Areas, and "program area responsibilities" that are specific to each Title VI Program Area. It is important to note that the first three Title VI program areas noted above are interrelated — they have been treated separately for purposes of clarity and corresponding to agency organization. For example, the communications and public involvement program area applies to and affects the agency work program as a whole, particularly agency efforts and responsibilities related to planning, programming and environmental affairs.

MARC's Title VI Coordinator is generally responsible for overseeing Title VI compliance in each of the program areas. Other staff members are expected to provide information and support to assist the Title VI Coordinator perform his or her tasks.

General Responsibilities

Following are general Title VI responsibilities of the agency applicable to all five Title VI Program Areas. . The Title VI Coordinator, with involvement and assistance from other members of 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 and sex of participants in, and beneficiaries of, federally funded programs is to be gathered and maintained as described in the Program Area Responsibilities section of this document. The data-gathering process will be reviewed regularly to ensure sufficiency of the data in meeting the requirements of the Title VI program.
2. **Annual Report and Update.** An Annual Report and Update is to be submitted by the end of October each year, to MoDOT's and KDOT's offices of Civil Rights, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA). The Title VI Coordinator is responsible for gathering information from appropriate staff members and consolidating this information into the final document. The final document is to include:
 - a. A report on the previous year's Title VI-related activities and efforts, including accomplishments and program changes.
 - b. An update on Title VI-related goals and objectives for the upcoming year.
3. **Annual Review of Title VI Program.** Each year, in preparing for the Annual Report and Update, the Title VI Coordinator will review the agency's Title VI program to assure compliance with Title VI. In addition, he or she will review agency operational guidelines and publications, including those 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 the agency's Title VI program is to be disseminated to agency employees, contractors, and beneficiaries, as well as to the public, as described in the Program Area Responsibilities section of this document, and in other languages when needed.
5. **Resolution of Complaints.** Any individual may exercise his or her right to file a complaint with MARC, if that person believes that 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 or national origin. MARC will make a concerted effort to resolve complaints as put forth in its Title VI Complaint Procedure, found in Appendix 2.
6. **Procedures Manual.** A procedures manual for the agency's Title VI program, incorporating the day-to-day procedures necessary to maintain the program, will be developed by MARC and updated regularly to incorporate changes and additional responsibilities.

Responsibilities of the Title VI Coordinator

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

- Identify, investigate and work to eliminate discrimination when found to exist.
- Process Title VI complaints received by MARC, as described in Appendix 2.
- Meet with appropriate staff members to monitor and discuss progress, implementation, and compliance issues related to MARC's Title VI program.

- Periodically review the agency's Title VI program to assess whether administrative procedures are effective, staffing is appropriate, and adequate resources are available to ensure compliance.
- Work with staff involved with consultant contracts and the subrecipient to resolve any deficiency status found, and write a remedial action if necessary, as described in the Consultant Contracts section of this plan.
- Review important Title VI-related issues with the executive director, as needed.
- Assess communications and public involvement strategies to ensure adequate participation of impacted Title VI-protected groups and address additional language needs when needed.

Responsibilities of Other Staff Members

Other staff members, under supervision of the Title VI 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 the Program Area Responsibilities section 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 that 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 agency documents, as appropriate.

Program Area Responsibilities

Program Area 1: Communications and Public Involvement

The Communications and Public Involvement program area applies to and affects the agency work program as a whole, particularly efforts and responsibilities related to the Planning and Programming and Environmental Affairs program areas. It has been treated as a separate program area for purposes of clarity, and corresponding to agency organization. See Appendix 4 for the agency's adopted Public Participation Plan.

As stated in the agency's Public Participation Plan, "MARC's goal is to have significant and ongoing public involvement in the transportation planning process...MARC also seeks to empower the public to voice their ideas and values regarding transportation issues. MARC strives to ensure early and continuous public involvement in all major actions and decisions." This Public Participation Plan provides the outline of MARC's procedures for ensuring open and effective communication with citizens in the Kansas City region.

Principles of MARC's Public Participation Plan:

- Equal access is an essential part of the public involvement process.
- Public notification is one of the primary functions of the metropolitan planning organization.
- It is the responsibility of the agency to offer access to information and provide timely public notice, as well as to educate the public about the planning process.

Elements of MARC's Public Participation Plan:

- **Meetings:** MARC's committee structure provides an opportunity for local governments and citizens to interact in order to address transportation and air quality issues. The committees allow those who work in the field and those with interests in transportation to meet on a regular basis to discuss issues, share information, and coordinate planning activities. MARC complies with Chapter 610 of the Revised Statutes of Missouri, as amended, known as the Sunshine Law as it pertains to open records and open meetings, and encourages any interested citizen to attend open meetings.
- **Website:** MARC maintains an extensive website, www.marc.org. This site includes information on the agency's responsibilities, programs, publications and press releases; contact information for all staff; a search function; the Title VI Plan, complaint procedures, and complaint form; and will provide the ability for the public to provide comments on MARC's

programs and policies. MARC is also involved with OneKCVoice.org, which conducts citizen engagement on regional issues.

- **Publications:** MARC publishes a number of newsletters — including *ReMARC* and *Transportation Matters* — in addition to other publications such as reports and maps, about other MARC programs and projects. Of note is the “Citizen’s Guide to Transportation Decision Making,” which is designed to help area residents understand the complex process of transportation decision making and learn how they can more effectively provide input. These materials are available through the MARC website, or directly by contacting MARC staff. Most publications, including the agency newsletters, are provided free of charge, though a charge may be levied for some publications, when appropriate, to recover reproduction costs.
- **Press releases:** Press releases are routinely sent to news media in the nine-county region, when press coverage of specific events or decisions are warranted.
- **Opportunities for public comment:** MARC routinely provides opportunities for public comment, and continues to work to fund new and innovative ways to solicit public comments and involve all segments of the population in the Kansas City metropolitan region. Comments are accepted by phone, fax, e-mail, U.S. mail, and in person at any open meeting. See the Opportunities for Public Comments section for more information.
- **Staff is accessible:** The MARC staff is accessible in person, on the phone, by mail, by fax, by e-mail, or by online comment forms. Contact information for all staff members is provided on the agency’s website.
- **Events:** Events such as workshops, open houses, and forums are held on an as-needed basis. These events are open to the public.

Opportunities for Public Comments

MARC routinely offers three different ways for people to comment on transportation activities, programs and decisions made at the agency. These four ways are:

- **Comments are accepted at any time:** Comments are accepted via an online comment form, by phone, fax, e-mail, U.S. mail, and in person at any board or committee meeting. Contact information for all staff is provided on the agency website, and contact information for MARC is included in all publications produced for MARC. MARC makes every effort to respond to all comments received.
- **Citizen comments are requested at agency meetings:** All MARC Board and committee meetings are open to the public. Meeting dates are posted well in advance on the agency’s website, and in the monthly *Transportation Matters* newsletter. Public comments and responses made during these meetings are kept on record in the official meeting summaries. All committees maintain mailing lists, to which anyone can request to be added.
- **Formal public comment periods for major activities:** Formal public comment and review periods are used to solicit comments on major planning and programming activities, such as proposed distributions of funds, major amendments to the Transportation Improvement Program (TIP), changes to MARC policies (such as the Public Involvement Plan), and updates to *Transportation Outlook 2040*, MARC’s long-range transportation plan. Generally, information is reviewed by one or more of MARC’s committees and then passed on to the parent committee (such as the Total Transportation Policy Committee or Air Quality Forum) for the recommendation to release for a formal public review and comment period. The comment period is highlighted in *Transportation Matters*, other agency publications, on the MARC website, and in various press releases. Comments can be made in person, using a comment form on the agency’s website, by e-mail, by U.S. postal mail, fax, or telephone. MARC will make every effort to respond to any comments received, and will forward comments to other agencies when appropriate. Received comments and staff responses will be reviewed at the next applicable committee meeting(s), at which time the committee(s) will determine whether it is appropriate to proceed with the recommended action.

Strategies for Engaging Title VI Protected Groups

MARC realizes that there are large segments of the population from whom input is rarely received. In an effort to hear a truly representative voice of the public, MARC will take the approach of “going to the public,” in addition to receiving public comment from and educating those already interested and involved. As part of this effort, MARC will take the following steps:

- **Plan meeting locations carefully:** Public meetings should be held in locations that are accessible by public transit. Also, facilities should be compliant with the Americans with Disabilities Act. If a targeted population is located in a certain geographic area, then the meeting location should be in that area for their convenience.
- **Seek help from community leaders and organizations:** To facilitate involvement of traditionally underserved populations, community leaders and organizations that represent these groups should be consulted about how to most effectively reach their members. Relationships with these groups should be maintained for future partnerships in the planning process.
- **Use alternative news organizations:** In addition to mainstream media organizations, advertisements and news releases announcing public participation opportunities should be targeted to media that reaches minority and ethnic populations.
- **Provide services for the disabled:** Upon advance notice, deaf interpreters, translators and Braille documents can be provided for public meetings. Notifications of opportunities for public involvement will include contact information for people needing these or other special accommodations.
- **Be sensitive to diverse audiences:** At public meetings, MARC staff should attempt to communicate as effectively as possible. Technical jargon should be avoided, and appropriate dress and conduct are important. For some meetings, it may be best to use trained facilitators or language translators to better communicate with the audience.

Strategies for Engaging Individuals with Limited English Proficiency

According to Census 2000 data, approximately 8 percent of persons in the eight MARC counties speak a language other than English at home, with Spanish, German, and French being the most used non-English languages. Only Spanish (at 4.4 percent) was in use at home by more than 1 percent of Kansas City area residents. MARC will endeavor to ensure that public notices and advertisements are advertised in Spanish in minority newspapers, and will maintain a list of staff members who speak a language other than English to provide points of contact for persons needing information. In addition, MARC will regularly update its list of qualified interpreters and businesses that can provide translation services in the event that translation is needed (Appendix 6).

Title VI Responsibilities

Staff involved in public participation are responsible for evaluating and monitoring compliance with Title VI requirements in all aspects of the agency’s public involvement process. These staff members will:

- Ensure that all communications and public participation efforts comply Title VI.
- Develop and distribute information on Title VI and agency programs to the general public. Provide information in languages other than English, as needed.
- Disseminate information to minority media and ethnic/gender related organizations, to help ensure all social, economic, and ethnic interest groups in the region are represented in the planning process.
- Include the Title VI Notice to the Public — full or abbreviated versions (see Appendix 5) — in committee meeting agendas, relevant press releases, and on the agency website.
- Notify affected, protected groups of public hearings regarding proposed actions, and make the hearings accessible to all residents. This includes the use of interpreters when requested, or when a strong need for their use has been identified.
- Collect statistical information on attendees of public meetings to track how well different segments of the population are represented.

- Encourage MARC’s committee structure to include representation from Title VI relevant populations.

Program Area 2: Planning and Programming

MARC is responsible for developing long- and short-range transportation plans to provide efficient transportation services to the Kansas City metropolitan area. A comprehensive transportation-planning process is used, which entails the monitoring and collection of data pertaining to transportation issues. MARC coordinates with MoDOT, KDOT, cities, counties and area transit agencies; seeks public involvement; and provides technical support when needed. Refer to “Program Area I: Communications and Public Involvement” for a description of how interaction with the public is handled in regards to this program area and the agency in general.

Operational Guidelines

Primary guidance is provided by:

- The Metropolitan Planning Organization (MPO) Regulations 23 CFR 450
- The Safe, Affordable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU)
- State and Federal Clean Air Acts and Amendments

Key Planning and Programming Activities

As the designated MPO for the Kansas City region, MARC receives federal funds to develop regional transportation plans and programs, and to coordinate technical and policy studies on a wide range of transportation and other programs. The primary products of the transportation planning process include:

- Transportation Outlook 2040 long-range transportation plan
- Transportation Improvement Program
- Congestion Management Process
- Public Participation Plan
- Regional Intelligent Transportation System Architecture
- Unified Planning Work Program
- Disadvantaged Business Enterprise Program

The agency also provides forecasts of population, housing, economic and transportation trends that form a base for addressing current needs and identifying and preparing for future needs.

Considerations of Title VI

Considerations of Title VI legislation are made throughout MARC’s planning and programming activities, for example:

- **Data collection:** A large part of the agency’s work program involves collecting, analyzing and reporting on data for the Kansas City metropolitan region. This task includes information on population, housing, employment, poverty, income, wages, transportation, traffic and growth. Member agencies and other groups use this data for activities such as planning and the distributing funds. MARC’s Research Services department collects data on an ongoing basis, and published on the Web at Metro Dataline (<http://www.metrodataline.org/>). Information is gathered from a variety of sources, including the U.S. Census, and each reference source is noted on each data set. Information published on Metro Dataline is free and available to the public. MARC will comply with all data collection and reporting requirements as outlined in Appendix 7.
- **Transportation Outlook 2040:** The development of MARC’s long-range transportation plan includes an environmental justice analysis to ensure that the burdens and benefits of planned transportation activities are equitably distributed across racial and socioeconomic groups. MARC staff reviewed the impacts that planned programs and

projects would have on low-income and minority residents in such areas as transportation investments, effect of projects on travel times of area residents, and access to transit.

- **Transportation Improvement Program:** The region's five-year TIP includes an analysis of effects of planned transportation investments on disadvantaged residents, similar to that of Transportation Outlook 2040.

Title VI Responsibilities

Staff members involved in planning and programming are responsible for evaluating and monitoring compliance with Title VI requirements in all aspects of the agency's planning and programming processes. These staff members will:

- Ensure that all aspects of the planning and programming process operation comply with Title VI.
- Prepare and update a demographic profile of the region using the most current and appropriate statistical information available on race, income, and other pertinent data. Make the document available to the public and member agencies on MARC's website or in hard copy format, if requested.
- Develop a process for assessing the distributional effects of transportation investments in the region as part of actions on plan and programming documents.
- Continue to ensure that the staff makes concerted efforts to involve members of all social, economic and ethnic groups in the planning process

Program Area 3: Environmental Affairs

The concept of environmental justice includes the identification and assessment of disproportionately high and adverse effects of programs, policies or activities on minority and low-income population groups. Within the context of regional transportation planning, environmental justice considers the relative distribution of costs and benefits from transportation investment strategies and policies among different segments of society.

Operational Guidelines

- Executive Order 12898 on environmental justice, and federal and state administrative guidelines for implementing environmental justice requirements.

Title VI Responsibilities

Staff members are responsible for evaluating and monitoring environmental justice compliance with Title VI. Staff members will:

- Ensure Title VI environmental justice compliance.
- Analyze and make findings regarding the population affected by the action.
- Analyze and make findings regarding the impacts of planned projects on protected Title VI groups, and determine if there will be a disproportionately high and adverse impact on these groups.
- Disseminate information to the public on the processes used and findings of any analysis, in accordance with all agency public involvement procedures. This includes dissemination to groups representing minority media and ethnic/gender related organizations, and the use of public comment periods and public hearings, interpreters, and materials in other languages, as needed.

Program Area 4: Consultant Contracts

MARC is responsible for selection, negotiation and administration of its consultant contracts. MARC operates under its internal contract procedures and all relevant federal and state laws.

Operational Guidelines:

- MARC's Disadvantaged Business Enterprise Program
- Title 48, Chapter 1, Part 31 – Contract Cost Principles and Procedures
- Title 23, CFR 172 – Administration of Engineering and Design-Related Service Contracts

Contract Procedures

MARC's contract procedures are outlined in the Mid-America Regional Council Purchasing Policy. MARC verifies Title VI compliance by consultants (subrecipients of federal funds) in the contracting process. Signature of the terms of the contract is used to verify compliance on the part of the consultant. In addition, Title VI text is included in all MARC requests for proposals.

Disadvantaged Business Enterprise (DBE) Program

MARC maintains a DBE program that is updated as needed, and corresponding DBE participation goals that are updated annually. MARC reports on DBE participation to FTA and FHWA annually. At the end of each fiscal year, actual DBE participation is evaluated in comparison to established goals, and efforts are made to "create a level playing field" for DBE and non-DBE consultants when MARC does not meet the established goals.

Title VI Responsibilities

Title VI responsibilities associated with consultant contracts include the following:

- Ensure inclusion of Title VI language in contracts and requests for proposals.
- Review consultants for Title VI compliance as described below:
 - Ensure that all consultants verify their compliance with Title VI procedures and requirements.
 - If a recipient or subrecipient is found to be not in compliance with Title VI, the Title VI Coordinator and relevant staff will work with the recipient or subrecipient to resolve the deficiency status and will write a remedial action if necessary.
- Maintain the DBE program as described below:
 - Monitor, update, and maintain the agency's DBE program.
 - Submit annual reports on DBE participation to FTA and FHWA.
 - Establish and adjust DBE participation goals, as appropriate.
 - Annually review and evaluate DBE participation in relation to DBE goals, and continue efforts to "create a level playing field" for DBE and non-DBE consultants when MARC does not meet its established goals.

Program Area 5: Education and Training

Minorities, women, veterans, individuals with a disability, and other individuals are protected by Title VI and federal and state antidiscrimination laws are provided with equal opportunity and fair treatment in all employment-related decisions, including opportunities for education and training.

Operational Guidelines

- MARC Affirmative Action Program

Employees Encouraged to Participate in Training

All MARC employees are encouraged to participate in professional development and training. All materials received by the agency on training and education opportunities are made available to all employees, which includes all information on federally funded training, such as courses provided by the National Highway Institute (NHI) and National Transit Institute (NTI).

Title VI Responsibilities

Under the category of education and training, Title VI responsibilities include:

- Assisting in the distribution of information to MARC staff on training programs regarding Title VI and related statutes.
- Ensure equal access to, and participation in, applicable NHI and NTI courses for qualified MARC employees.
- Track staff participation in Title VI, NHI and NTI courses.

- Establish, maintain, and update a Title VI procedures manual containing general information pertaining to the administration of MARC's Title VI program, as well as related documents (such as a complaint form).

Questions

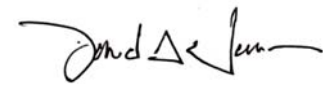
For questions on MARC's Title VI plan and procedures, please contact the Title VI Coordinator at (816)-474-4240 or by email at dblo@marc.org. For information on MARC's work programs or publications, please see the MARC website at www.marc.org.

Appendix 1
MARC Title VI Assurances

The Mid-America Regional Council HEREBY CERTIFIES THAT, as a condition of receiving federal financial assistance under the Federal Transit Act of 1964, as amended, it will ensure that:

1. No person on the basis of race, color, sex or national origin will be subjected to discrimination in the level and quality of transportation services and transit-related benefits.
2. The Mid-America Regional Council will compile, maintain and submit in a timely manner Title VI information required by FTA Circular 4702.1 and in compliance with the Department of Transportation's Title VI regulation, 49 CFR Part 21.9.
3. The Mid-America Regional Council will make it known to the public that those person or persons alleging discrimination on the basis of race, color, sex or national origin as it relates to the provision of transportation services and transit-related benefits may file a complaint with the Federal Transit Administration and/or the U.S. Department of Transportation.

The person or persons whose signature appears below are authorized to sign this assurance on behalf of the grant applicant or recipient.



Date: 10/24/2011

David A. Warm, Executive Director
Mid-America Regional Council

Part A
Department of Transportation Title VI Assurance

The Mid-America Regional Council (hereinafter referred to as the "Recipient") HEREBY AGREES THAT as a condition to receiving any federal financial assistance from the Department of Transportation it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the "Act"), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations) and other pertinent directives, to 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, sex, 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 the Department of Transportation, including the Federal Transit Administration, 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) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to its FTA Programs 5307 and 5309:

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 material subject to the Regulations and made in connection with all FTA Programs 5307 and 5309 and, in adapted form in all proposals for negotiated agreements:


The Mid-America Regional Council, 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, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, sex or national origin in consideration for an award.

3. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to this Act and the Regulations.
4. That the Recipient shall insert the clauses of Appendix B of this assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where the Recipient receives federal financial assistance to construct a facility, or part of a facility, the assurance shall 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 shall extend to rights to space on, over or under such property.
7. That the Recipient shall include the appropriate clauses set forth in Appendix C of this assurance, as a covenant running with the land, in any future deeds, leases, permits,

licenses, and similar agreements enter into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under the FTA Programs 5307 and 5309; and (b) for the construction or use of or access to space on, over, or under real property acquired, or improved under FTA Programs 5307 and 5309.

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 shall 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, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.
10. 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, property, discounts or other federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under the FTA Programs 5307 and 5309 and is binding on it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest and other participants in the FTA Programs 5307 and 5309. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.



David A. Warm, Executive Director
Mid-America Regional Council

Date: 10/24/2011

Part B
Contract Assurances

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 shall comply with the Regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the "Regulations"), which are herein incorporated by reference and made a part of this contract.
- (2) Nondiscrimination: The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, sex or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- (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 shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, sex or national origin.
- (4) Information and Reports: The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Mid-America Regional Council or the Federal Transit Administration to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to the Mid-America Regional Council, or the Federal Transit Administration as appropriate, and shall set forth what efforts it has made to obtain the information.
- (5) Sanctions for Noncompliance: In the event of the contractor's noncompliance with nondiscrimination provisions of this contract, the Mid-America Regional Council shall impose contract sanctions as it or the Federal Transit Administration may determine to be appropriate, including, but not limited to:
 - (a) withholding of payments to the contractor under the contract until the contractor complies; and/or
 - (b) cancellation, termination, or suspension of the contract, in whole or in part.
- (6) Incorporation of Provisions: The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the Mid-America Regional Council or the Federal Transit Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the Mid-America Regional Council to enter into such litigation to protect the interests of the Mid-America Regional Council, and, in addition,

the contractor may request the United States to enter into such litigation to protect the interests of the United States.

Part C

The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

(GRANTING CLAUSE)

NOW, THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that the (Name of Recipient) will accept title to the lands and maintain the project constructed thereon, in accordance with (Name of Appropriate Legislative Authority), the Regulations for the Administration of (Name of Appropriate Program) and the policies and procedures prescribed by (Name of Appropriate Administration) of the Department of Transportation and, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation (hereinafter referred to as the Regulations) 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 (Name of Recipient) all the right, title and interest of the 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 (Name of Recipient) and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on the (Name of Recipient), its successors and assigns.

The (Name of Recipient), in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person shall on the grounds of race, color, sex, 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 (Name of Recipient) shall 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, Department of Transportation, Subtitle A, Office of the Secretary,

Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended, and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to re-enter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the 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 effectuate the purposes of Title VI of the Civil Rights Act of 1964.

Part D

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by the Mid-America Regional Council pursuant to the provisions of Assurance 7(a).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for herself/himself, 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 in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee lessee, permittee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination of Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

[Include in licenses, leases, permits, etc.]*

That in the event of breach of any of the above nondiscrimination covenants, the Mid-America Regional Council shall have the right to terminate the [license, lease, permit, etc.] and to re-enter and repossess said land and the facilities thereon, and hold the same as if said [licenses, lease, permit, etc.] had never been made or issued.

[Include in deeds]*

That in the event of breach of any of the above nondiscrimination covenants, the Mid-America Regional Council shall have the right to re-enter said lands and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the Mid-America Regional Council and its assigns.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by the Mid-America Regional Council pursuant to the provisions of Assurance 7(b).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for herself/himself, his/her personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in case of deeds, and leases add "as a covenant running with the land") that (1) no person on the grounds of race, color, sex or national origin shall be excluded from participation in, be 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 services thereon, no person on the grounds of race, color, sex or national origin shall be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination, and (3) that the (grantee, licensee, lessee, permittee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

[Include in licenses, leases, permits, etc.]*

That in the event of breach of any of the above nondiscrimination covenants, the Mid-America Regional Council shall have the right to terminate the [license, lease, permit, etc.] and to re-enter and repossess said land and the facilities thereon, and hold the same as if said [license, lease, permit, etc.] had never been made or issued.

[Include in deeds]*

That in the event of breach of any of the above nondiscrimination covenants, the Mid-America Regional Council shall have the right to re-enter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the Mid-America Regional Council and its assigns.

* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI of the Civil Rights Act of 1964.

APPENDIX 2

Title VI Complaint Procedures

The following pertains only to Title VI complaints regarding the federally funded programs of the Mid-America Regional Council (MARC). For Title VI complaints against other Kansas City region agencies, or if you believe you have suffered housing or employment discrimination, please contact the appropriate agency as listed in Section 5.

Title VI, 42 U.S.C. §2000d et seq., was enacted as part of the Civil Rights Act of 1964. At the heart of the regulation is the statement that:

No person in the United States shall, on the ground of race, color, sex or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

The Mid-America Regional Council has in place a Title VI complaint procedure, which outlines a process for local disposition of Title VI complaints and is consistent with guidelines found in Chapter VII of the Federal Transit Administration Circular 4702.1, dated May 26, 1988. If you believe that MARC's federally funded programs have discriminated against your civil rights on the basis of race, color, sex or national origin, you may file a written complaint by following the procedure outlined below:

TITLE VI COMPLAINT PROCEDURE

1. **Submission of Complaint.** Any person who feels that he or she, individually or as a member of any class of persons, on the basis of race, color, sex, or national origin has been excluded from or denied the benefits of, or subjected to discrimination caused by the MPO may file a written complaint with MARC's executive director. A sample complaint form may be downloaded or is available in hard copy from the Mid-America Regional Council. Such complaints must be filed within 180 calendar days after the date the discrimination occurred. *Note: Upon request, assistance in the preparation of any necessary written material will be provided to a person or persons who are unable to read or write.* Complaints should be mailed to:

Mid-America Regional Council
Title VI Administrator
600 Broadway, Suite 200
Kansas City, MO 64105-1659

2. **Referral to Review Officer.** Upon receipt of the complaint, MARC's executive director shall appoint one or more staff review officers, as appropriate, to evaluate and investigate the complaint, in consultation with an approved MARC Attorney. The complainant shall meet with the staff review officer(s) to further explain his or her complaint. The staff review officer(s) shall complete their review no later than 45 calendar days after the date the MPO received the complaint. If more time is required, MARC's executive director shall notify the complainant of the estimated timeframe for completing the review. Upon completion of the review, the staff review officer(s) shall make a recommendation regarding the merit of the complaint and whether remedial actions are available to provide redress. Additionally, the staff review officer(s) may recommend improvements to the MPO's processes relative to Title VI, as appropriate. The staff review officer(s) shall forward their recommendations to MARC's executive director for concurrence. If MARC's executive director concurs, he or she shall issue the MPO's written response to the complainant. *Note: Upon receipt of a complaint, MARC shall forward a copy of this complaint and the resulting written response to the appropriate MoDOT, KDOT and FTA Region 7 contacts.*

3. **Request for Reconsideration.** If the complainant disagrees with MARC's executive director's response, he or she may request reconsideration by submitting the request in writing to MARC's executive director within 10 calendar days after receipt of MARC's executive director's response. The request for reconsideration shall be sufficiently detailed to contain any items the complainant feels were not fully understood by MARC's Executive Director. MARC's executive director will notify the complainant of his or her decision either to accept or reject the request for reconsideration within 10 calendar days. In cases where MARC's executive director agrees to reconsider, the matter shall be returned to the staff review officer(s) to reevaluate in accordance with paragraph 2 above.
4. **Appeal.** If the request for reconsideration is denied, the complainant may appeal MARC's executive director's response by submitting a written appeal to the MPO Board no later than 10 calendar days after receipt of MARC's executive director's written decision rejecting reconsideration.
5. **Submission of Complaint to the Federal or State Transportation Agency/Department.** If the complainant is dissatisfied with the MPO's resolution of the complaint, he or she may also submit a written complaint within 180 days after the alleged date of discrimination to an appropriate federal and/or state transportation agency/department for investigation.

KDOT
 Office of Civil Rights
 700 SW Harrison 3rd Fl West
 Topeka, KS 66603
 785-296-7940

Missouri Department of Transportation
 External Civil Rights Division
 1617 Missouri Blvd
 PO Box 270
 Jefferson City, MO 65102
 573-751-2859
 Relay Missouri 1.800.735.2966
 7.1.1 (Toll Free TTY)

FHWA
 Office of Civil Rights
 1200 New Jersey Avenue, S.E., 8th Floor E81-314 Washington, DC 20590
 Phone: 202-366-0693 | Fax: 202-366-1599

FTA
 Federal Transit Administration Office of Civil Rights
 Attention: Title VI Program Coordinator
 East Building, 5th Floor - TCR
 1200 New Jersey Ave., SE
 Washington, DC 20590

Federal Coordination and Compliance Section - NWB
 Civil Rights Division
 U.S. Department of Justice
 950 Pennsylvania Avenue, N.W.
 Washington, D.C. 20530
 (888) 848-5306 - English and Spanish (inglés y español)
 (202) 307-2222 (voice)
 (202) 307-2678 (TDD)

**APPENDIX 3
Title VI Complaint Form
Mid-America Regional Council**

The purpose of this form is to assist you in filing a complaint with the Mid-America Regional Council (MARC). You are not required to use this form; a letter containing the same information will be sufficient. It is important, however, to include all information related to items marked with a star (*), whether or not the form is used.

1.* State your name and address

Name: _____

Address: _____

Telephone Number:

Home: (____) _____ Work: (____) _____

2.* Person discriminated against if different from above:

Name: _____

Address: _____

Telephone Number:

Home: (____) _____ Work: (____) _____

Please explain your relationship to this person(s):

3.* Agency, department, or program that discriminated:

Name: _____

Any individual (if known): _____

Address: _____

Telephone Number: (____) _____

4A.* Non-Employment: Does your complaint concern discrimination in the delivery of services or in other discriminatory actions of the MPO in its treatment of you or others? If so, please indicate

below the base(s) on which you believe these discriminatory actions were taken (e.g., "Race: African American" or "Sex: Female").

_____ Race/Color: _____

_____ National Origin: _____

_____ Sex: _____

_____ Religion: _____

_____ Age: _____

_____ Disability: _____

4B.* Employment: Does your complaint concern discrimination in employment by the MPO? If so, please indicate below the base(s) on which you believe these discriminatory actions were taken (e.g., "Race: African American" or "National Origin: Canadian").

_____ Race/Color: _____

_____ National Origin: _____

5. What is the most convenient time and place for us to contact you about this complaint?

6. If we will not be able to reach you directly, you may wish to give us the name and phone number of a person who can tell us how to reach you and/or provide information about your complaint:

Name: _____

Telephone Number: (____) _____

7. If you have an attorney representing you concerning the matters raised in this complaint, please provide the following:

Name of attorney: _____

Address of attorney: _____

Telephone number of attorney: (____) _____

8.* To your best recollection, on what date(s) did the alleged discrimination take place?

Earliest date of discrimination: _____

Most recent date of discrimination: _____

9.* Please explain as clearly as possible what happened, why you believe it happened, and how you were discriminated against. Please indicate who was involved. Be sure to include how other persons were treated differently from you. (Please use additional sheets if necessary and attach a copy of written materials pertaining to your case).

13. What remedy are you seeking for the alleged discrimination?

14. Have you (or the person discriminated against) filed the same or any other complaints with other agencies such as the MoDOT or KDOT Office of Civil rights, etc.?

Yes _____

No _____

If so, do you know the complaint number?

Against what agency and department or program was it filed?

Address: _____

Telephone Number: (____) _____

Date of filing: _____

Agency: _____

Briefly, what was the complaint about?

What was the result?

15. Have you filed or do you intend to file a charge or complaint concerning the matters raised in this complaint with any of the following?

_____ U.S. Equal Employment Opportunity Commission

_____ Federal or State Court

_____ Your State Equal Opportunity Office and/or local Office of Human Rights

16. If you have already filed a charge or complaint with an agency indicated in question 15 above, please provide the following information (attach additional pages if necessary):

Agency: _____

Date Filed: _____

Case or Docket Number: _____

Date of Trial/Hearing: _____

Location of Agency/Court: _____

Name of Investigator: _____

Status of Case: _____

Comments:

17. How did you learn that you could file this complaint?

18.* We cannot accept a complaint if it has not been signed. Please sign and date this complaint form below.

(Signature) (Date)

Please feel free to add additional sheets to explain the present situation to us.

Please mail the completed, signed Discrimination Complaint Form (please make one copy for your records) to:

Mid-America Regional Council

Attn: Title VI Administrator

600 Broadway, Suite 200

Kansas City, MO 64105-1659

Phone: (816) 474-4240

APPENDIX 4
Public Participation Plan

MARC's Public Participation Plan may be accessed at http://www.marc.org/transportation/pdf/public_participation_plan.pdf, or you may contact the MARC offices to request a hard copy.

APPENDIX 5 Notice to the Public

The paragraph below will be inserted into all significant publications that are distributed to the public, such as future versions and updates of the long-range transportation plan. The text will be placed permanently on the agency's website (www.marc.org). The version below is the preferred text, but where space is limited or in publications where cost is an issue, the abbreviated version can be used in its place.

The Mid-America Regional Council (MARC) hereby gives public notice that it is the policy of the agency to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice, and related statutes and regulations in all programs and activities. Title VI requires that no person in the United States of America shall, on the grounds of race, color, sex, or national origin, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which MARC receives federal financial assistance. Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with MARC. Any such complaint must be in writing and filed with MARC's Title VI Coordinator within one hundred and eighty (180) days following the date of the alleged discriminatory occurrence. For more information, or to obtain a Title VI Discriminatory Complaint Form, please see our website at www.marc.org.

A shortened version of the above paragraph, such as the example below, may be used in publications where space or cost is an issue:

MARC programs do not discriminate against anyone on the basis of race, color or national origin, according to Title VI of the Civil Rights Act of 1964. For more information, or to obtain a Title VI Complaint Form, see http://www.marc.org/transportation/title_vi.htm or call 816-474-4240.

APPENDIX 6
Interpreters and Translation Service Providers

<p>Language Link Corporation 3100 Broadway St Kansas City, MO 64111-2658 (816) 753-3122</p>	<p>International Translators Association 10330 Meadow Ln Shawnee Mission, KS 66206-2651 (913) 381-9696</p>
<p>Transimpex Translators 1 E 34TH St Ste 305 Kansas City, MO 64111-1271 (816) 561-3777</p>	<p>Shins Chinese Japanese Trnsltn 6609 W 99TH St Shawnee Mission, KS 66212-1529 (913) 381-0260</p>
<p>AIT 1 E 34TH St Kansas City, MO 64111-1271 (816) 561-5150</p>	<p>Interpreters 10530 Mersington Ave Kansas City, MO 64137-1626 (816) 761-5334</p>
<p>Span-Trans 1 E 34TH St Ste 305 Kansas City, MO 64111-1271 (816) 561-3777</p>	<p>Interpretations Incorporated 14324 S Twilight Ln Olathe, KS 66062-4572 (913) 782-9449</p>
<p>Able Hands Interpreting Service 4505 Madison Ave Kansas City, MO 64111-3509 (816) 751-0590</p>	<p>Russian Translators & Tutoring 9808 W 96th St Shawnee Mission, KS 66212 (913) 541-1522</p>
<p>Spanish Voice Group LLC 1427 W 9TH St Ste 201 Kansas City, MO 64101-1219 (816) 921-2484</p>	<p>Propio Spanish Service 9814 England Dr Overland Park, KS 66212-5026 (913) 381-6991</p>
<p>ALS Translation 8014 State Line Rd Ste 110 Shawnee Mission, KS 66208-3712 (913) 341-3167</p>	<p>Translations-Foreign Language 17222 W 70TH St Shawnee Mission, KS 66217-9523 (913) 631-5966</p>
<p>World Languages 8815 Outlook Dr Overland Park, KS 66207-2110 (913) 383-0400</p>	<p>Sh3 Incorporated 5338 Longview Rd Kansas City, MO 64137-2731 (816) 767-1117</p>
<p>Ibh Spanish Translations 5779 Norfleet Rd Kansas City, MO 64133-3644 (816) 356-5151</p>	<p>Around The World Translations 11456 Lowell Ave Shawnee Mission, KS 66210-2624 (913) 831-7898</p>
<p>Spanish Language Resources 1019 W 93RD St Kansas City, MO 64114-3215 (816) 444-7441</p>	<p>Elanguages Incorporated 11920 College Blvd Ste 115 Overland Park, KS 66210-3943 (913) 915-0922</p>

Appendix 7 Data Collection & Reporting Requirements

MARC will comply with the following data collection and reporting requirements as outlined in Urban Mass Transit Administration (UMTA) [now FTA] Circular 4702.1:

General Reporting Requirements:

All applicants, recipients, and subrecipients are required to maintain and provide to FTA* the information outlined below. The information is required under Department of Justice regulation and must be submitted prior to the approval of any grant application. Recipients and subrecipients should provide updated information as conditions warrant. Updates must at a minimum be provided every three years. Information previously submitted under the General Reporting Requirements may be referenced in subsequent submissions, as appropriate.

All applicants, recipients and subrecipients shall maintain and submit the following general requirements:

- a. A list of any active lawsuits of complaints naming the applicant, which allege discrimination on the basis of race, color, sex or national origin with respect to service or other transit benefits. The list should include: the date the lawsuit or complaint was filed; a summary of the allegation; and the status of the lawsuit or complaint, including whether the parties to the lawsuit have entered into a consent decree. For applicants of assistance under Section 6, 10, 16(b)(2) and 18, this information should be maintained and made available to FTA on request. For all applicants for FTA assistance, this information should be relevant to the organizational entity actually submitting the application, not necessarily the larger agency or department of which the entity is a part (e.g., not all information on all modes of transportation).
- b. A description of all pending applications for financial assistance, and all financial assistance currently provided by other federal agencies. For applicants of assistance under Section 6, 10, 16(b)(2) and 18, this information should be maintained and made available to FTA on request. For all applicants for FTA assistance, this information should be relevant to the organizational entity actually submitting the application, not necessarily the larger agency or department of which the entity is a part.
- c. A summary of all civil rights compliance review activities conducted in the last 3 years. The summary should include: the purpose or reason for the review; the name of the agency or organization that performed the review; a summary of the findings and recommendations of the review; and, a report on the status and/or disposition of such findings and recommendations. For all applicants for FTA assistance, this information should be relevant to the organizational entity actually submitting the application, not necessarily the larger agency or department of which the entity is a part.
- d. A signed FTA Civil Rights Assurance that all of the records and other information required under Circular 4702.1 have been or will be compiled, as appropriate, and maintained by the applicant, recipient, or subrecipient. In the case of state-administered programs, this assurance should be provided by the primary and subrecipient (Appendix 1).
- e. A signed standard DOT Title VI Assurance. This assurance will be maintained as part of the FTA "One-Time Submission" file (Appendix 1, Part A).
- f. For construction projects, a fixed-facility impact analysis to assess the effects on minority communities. If this information has been prepared as a result of an environmental assessment or environmental impact statement, the applicant, recipient or subrecipient

* The original circular references UMTA. The wording in this document been changed to FTA to reflect the agency's name modification.

should reference the relevant information by document, page number(s), and date of submission to FTA. The analysis should include:

- A discussion of the potential impact on minority communities and minority-owned businesses during and after construction;
- A discussion of all potential negative environmental impact, such as noise, air or water pollution;
- A detailed list of minority-owned businesses and households that will be affected by the construction project;
- A description of other significant changes or impacts on the minority community, such as increased traffic, reductions in the amount of available parking, etc.; and
- A description of the relocation program and/or other measures adopted by the applicant that will be used to mitigate any identified adverse social, economic, or environmental effect of the proposed construction project.