



OZARKS TRANSPORTATION ORGANIZATION  
A METROPOLITAN PLANNING ORGANIZATION

## TITLE VI/ADA POLICY AND COMPLAINT PROCEDURE

Title VI, 42 U.S.C. § 2000d et seq., was enacted as part of the landmark Civil Rights Act of 1964. It prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. As President John F. Kennedy said in 1963:

*Simple justice requires that public funds, to which all taxpayers of all races [colors, and national origins] contribute, not be spent in any fashion which encourages, entrenches, subsidizes or results in racial [color or national origin] discrimination.*

Two Executive Orders and related statutes define populations that are protected under Title VI. Executive Order 12898 is concerned with environmental justice for minority and low-income populations. Executive Order 13166 is concerned with providing equal access to services and benefits for individuals with limited English proficiency.

The Ozarks Transportation Organization has in place a Title VI/ADA Complaint Procedure, which outlines a process for local disposition of Title VI/ADA complaints and is consistent with guidelines found in Chapter VII of the Federal Transit Administration Circular 4702.1B, dated October 1, 2012. If you believe that the MPO has discriminated your civil rights on the basis of race, color, national origin, age, disability, religion, sex or English proficiency you may file a written complaint by following the procedure outlined below under Title VI/ADA Complaint Procedure:

### OTO RESPONSIBILITIES FOR TITLE VI/ADA

According to Federal Law the Ozarks Transportation Organization shall be responsible for the following:

- Analyze regional data to identify minority and low-income population concentrations as well with individuals with limited English proficiency within the region. Commitment of staff and financial resources for this technical work can be demonstrated in the Work Program. The MPO staff can explain how the technical resources (models, Geographic Information Systems (GIS), data bases and analysis, etc.) are used for Title VI-related planning and analysis. The MPO might be asked to discuss this and how the technical information generated is used in planning.
- Where necessary, provide member agencies with regional data that assists them to identify minority and low-income populations in their subregion or service area. The team might discuss the extent to which this information is useful and used by participating agencies.
- Establish appropriate standards, measures, and benchmarks, and analyze the transportation process, TIP, and other MPO actions, plans, and investments to ensure they are consistent with, and do not violate, Title VI of the Civil Rights Act and the Executive Order on Environmental

Justice. Effort in these areas might be demonstrated in the UPWP, as well as within the TIP, and in discussions of how this analysis is used in the planning process.

- Ensure that members of low income and minority communities, including Indian tribal governments, are provided with full opportunities to engage in the regional transportation planning process. This includes acting to eliminate language, mobility, temporal, and other obstacles to allow them to fully participate in the process. The MPO is concerned with providing equal access to services and benefits for individuals with limited English proficiency. The MPO should be able to provide documentation such as public meeting agendas and minutes, and a discussion of how successfully related staff uses information with the described groups.
- Where appropriate, monitor the activities of member agencies and other transportation agencies in the region regarding compliance with Title VI, Limited English Proficiency, Americans with Disability Act and Environmental Justice requirements. This can be done through on-going reviews as part of oversight of documents, including agendas, minutes, technical memoranda, federal attendance at meetings, in desk reviews, and in discussions with local participants in the site visit.
- Evaluate the regional transportation system to ensure that services are accessible to person with disabilities.

Over the past few years, the U.S. DOT has encouraged a proactive approach to the participation of protected groups and implementation of Title VI requirements. This approach is intended to ensure compliance with other related requirements, such as the National Environmental Policy Act.

Addressing requirements successfully requires several categories of actions:

- Establishing *goals and measurements* for substantiating compliance. These measurements should be used to verify that the multi-modal system access and mobility performance improvements in the Transportation Plan, TIP, and underlying planning process comply with Title VI and related requirements.
- The MPO must consider the needs of low-income and minority populations in the existing conditions analysis prepared as part of the transportation process. This information will provide the planning context for future transit and road projects.
- The MPO must have a public involvement process that proactively seeks out and addresses the needs of those traditionally underserved by existing transportation systems, including but not limited to low-income and minority households.
- The MPO has a role in public involvement, but must also *work with the MODOT, City Utilities, and Missouri State University* to carry out the metropolitan planning process, including public involvement.
- The *products of the transportation process*—Long Range Transportation Plan, TIP, and the UPWP must demonstrate consistency with Title VI and related requirements and principles.

## TITLE VI/ADA COMPLAINT PROCEDURE

**Submission of Complaint:** Any person or group who feels that he or she, individually, or as a member of any class of persons, on the basis of race, color, national origin, age, sex, disability, religion, low-income status, or English proficiency has been unfairly deprived of benefit, or unduly burdened by the transportation planning process, or denied the benefits of, or subjected to discrimination caused by the MPO may file a written complaint with the OTO Title VI/ADA Coordinator. A sample Title VI/ADA complaint form may be downloaded from our website [ozarkstransportation.org](http://ozarkstransportation.org). It is not required to use this form; a letter with the same information is sufficient. However, the information requested in the items marked with a star (\*) must be provided, whether or not the form is used. Such complaints must be filed within 180 calendar days after the date the person or group believes the discrimination or encumbrance occurred. Note: Upon request, assistance, in preparation of any necessary written material, will be provided to a person(s) who is unable to read or write. Complaints should be mailed or sent to the OTO Title VI/ADA Coordinator, 205 Park Central East, Suite 205, Springfield, MO 65806.

### **Title VI/ADA general steps of the OTO complaint process:**

1. Alleged act of discrimination
2. Formal complaint received and logged by OTO
3. Formal complaint review by OTO
4. OTO letter of response issued
5. Corrective action or closure letter issued

**Alleged act of discrimination:** If someone believes that OTO has discriminated their civil rights on the basis of race, color, national origin, age, disability, religion, sex or English proficiency, then that person may file a written complaint by following the Title VI/ADA Complaint Procedure.

**Formal complaint received and logged by OTO:** The Ozarks Transportation Organization has in place a Title VI/ADA Complaint Procedure, which outlines a process for local disposition of Title VI/ADA complaints and is consistent with guidelines found in Chapter VII of the Federal Transit Administration Circular 4702.1B, dated October 1, 2012. OTO does not discriminate on the basis of race, color, national origin, age, disability, religion, sex, or English proficiency and makes available a Title VI/ADA Complaint Procedure and guidance for formal complaints against the OTO.

Submission of a civil rights complaint should be filed immediately following the alleged act of discrimination against the complainant. Complaints must be filed with OTO within 180 calendar days of the date the complainant believes the discrimination occurred.

**Formal complaint reviewed by OTO:** If needed, the Title VI Coordinator shall meet with the complainant within 45 calendar days after receiving the official complaint to clarify any part of the official complaint.

**OTO letter of response issued:** If it is determined that more time is need to review or investigate the complaint the OTO Executive Director will notify the complainant with an estimated time frame of completing the review.

**Corrective action or closure letter issued:** If the Title VI Coordinator and the Executive Director concur there was no Title VI violation a letter of closure will be issued summarizing the allegations and stating that there were no Title VI/ADA violations or, if a violation did occur then a letter of finding will be

issued stating the corrective action. Either response will be notification that the complaint has been resolved and closed.

The complainant may request reconsideration in writing to the OTO Executive Director no later than 10 days of an issued response letter from the OTO. The Executive Director will accept or reject the request for reconsideration within 10 calendar days and notify the complainant of the decision.

The complainant may further appeal in writing a denied decision no later than 10 calendar days after an issued notification. All information will be presented to the OTO Board of Directors to decide whether they agree or disagree with the decision.

A dissatisfied complainant may also file a complaint to the State of Missouri Department of Transportation or Federal Transit Administration or Federal Highway Administration no later than 180 days after the alleged date of discrimination.

### **COLLABORATION WITH OTHER AGENCIES**

In the event a formal complaint is received, OTO will prepare a written statement within 10 working days describing the complaint. OTO will use the written statement to notify the agencies listed below and any local agencies affected. Up-to-date information will be uniformly shared with each agency during the complaint review process. OTO may request input or guidance from any of these agencies, if needed. Agencies may request more or less information during the steps of collaboration.

Ozarks Transportation Organization Title VI Coordinator 205 Park Central East, Suite 205 Springfield, MO 65806 Phone #: 417-865-3042 Fax #: 417-862-6013 <a href="mailto:staff@ozarkstransportation.org">staff@ozarkstransportation.org</a>	Missouri Department of Transportation External Civil Rights Division Title VI Coordinator 1617 Missouri Blvd P.O. Box 270 Jefferson City, Mo 65102-0270
Federal Highway Administration Missouri Division Civil Right Specialist 3220 W. Edgewood, Suite H Jefferson City, Missouri 65109	Federal Transit Administration Region 7 Regional Civil Rights Officer 901 Locust Street Suite 404 Kansas City, Missouri 64106

#### **Steps to collaborate with above agencies:**

1. Notify agencies of complaint
2. Coordinate with other agencies as appropriate in the investigation efforts
3. Provide a copy of the Letter of Response/Corrective Action/Closure Letter to agencies
4. Provide a semi-annual report of all Title VI/ADA complaints to agencies



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## Notifying the Public of Rights Under Title VI/ADA

Ozarks Transportation Organization (OTO) operates its programs and services without regard to race, color, or national origin in accordance with Title VI ACT of the Civil Rights Act of 1964 and Americans with Disabilities Act of 1990 (ADA). OTO does not discriminate on the bases of disability during hiring or employment practices and complies with Equal Employment Opportunity under Title I of the ADA Act. Any person or group who feels that he or she, individually, or as a member of any class of persons, on the basis of race, color, national origin, age, sex, disability, religion, or low-income status has been unfairly deprived of benefit, or unduly burdened by the transportation planning process, or denied the benefits of, or subjected to discrimination caused by the MPO may file a written complaint with the Title VI Coordinator.

For information on the Ozarks Transportation Organization Civil Rights program, or the procedure to file a Title VI/ADA complaint, contact the Title VI Coordinator at 205 Park Central East, Suite 205, Springfield MO 65806. To download instructions on how to file a complaint, or download a Title VI Complaint Form, visit OTOs website at [www.ozarkstransportation.org](http://www.ozarkstransportation.org)

*If you need relay services please call the following numbers: 711 - Nationwide relay service; 1-800-735-2966 - Missouri TTY service; 1-800-735-0135 - Missouri voice carry-over service.*

*OTO fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities.*

If information is needed in another language, contact 417-865-3042.

*"Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., and its implementing regulations provide that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination under any program or activity that receives Federal financial assistance.*

*Si necesita información en otro idioma, comuníquese con 417-865-3042.*

*"Título VI de la Ley de Derechos Civiles de 1964, 42 U.S.C 2000d y ss., y su reglamentaciones implementadas establecen que ninguna persona en los Estados Unidos será, por motivos de raza, color o origen nacional, excluida de participar en, negado los beneficios de, o de otra manera sujeto a discriminación bajo cualquier programa o actividad que recibe asistencia financiera federal.*