



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.

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 (OTO) 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 Metropolitan Planning Organization (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, Transportation Improvement Program (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 Unified Planning Work Program (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. Department of Transportation (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 <https://www.ozarkstransportation.org/our-resources/civil-rights>. It is not required to use this form; a letter with the same information is sufficient to file a complaint. 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, 2208 W Chesterfield Blvd, Suite 101, Springfield, MO 65807.

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 reviewed and investigated by OTO or FHWA: Once the complaint is received, the OTO will review it to determine which agency has jurisdiction. The complainant will receive an acknowledgement letter informing which agency will investigate the complaint. If the complaint is related to a program or service through the Federal Highway Administration (FHWA), the complaint will be directly forwarded to Missouri Department of Transportation (MoDOT), which should forward the complaint to the State's FHWA Division Office, which should forward the complaint to the FHWA Headquarters Office of Civil Rights (HCR). HCR is responsible for conducting review and investigation of all FHWA-related complaints following FHWA guidance. More information on FHWA procedures and responsibilities can be found on FHWA's webpage: <https://highways.dot.gov/civil-rights/title-vi-civil-rights-act-1964-and-additional-nondiscrimination-requirements>. As outlined in the Collaboration with Other Agencies section, OTO will notify FHWA of all complaints received.

For non-FHWA related complaints, OTO will generally complete an investigation within 90 days from receipt of a completed complaint form. If it is determined that more time is needed to review or investigate the complaint, the OTO Executive Director will notify the complainant with an estimated time frame for completing the review.

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, if needed. If additional information is needed, OTO will notify complainant via letter and the complainant has 10 business days from the date of letter to send requested information to the Title VI Coordinator. If the complainant fails to contact or

provide additional requested information within 10 business days, OTO can administratively close the case. A case can also be administratively closed if the complainant no longer wishes to pursue their case.

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 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 with the State of Missouri Department of Transportation, Federal Highway Administration, or Federal Transit Administration no later than 180 days after the alleged date of discrimination.

Contact Information for MoDOT, FHWA, and FTA Civil Rights Offices		
MoDOT External Civil Rights Division Attn: Title VI Program Coordinator 1617 Missouri Blvd P.O. Box 270 Jefferson City, MO 65102	Federal Transit Administration Office of Civil Rights Attention: Complaint Team East Building, 5th Floor - TCR 1200 New Jersey Ave., SE Washington, DC 20590	Federal Highway Administration Office of Civil Rights 1200 New Jersey Avenue, SE 8 th Floor E81-105 Washington, DC 20590

Collaboration with Other Agencies: In the event a formal complaint is received, the OTO will prepare a written statement within 10 working days describing the complaint. The 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 for non-FHWA related complaints. The 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 2208 W Chesterfield Blvd., Suite 101 Springfield, MO 65807 Phone: 417-865-3042 Fax: 417-862-6013 dknaut@ozarkstransporation.org	Missouri Department of Transportation External Civil Rights Title VI Coordinator 1617 Missouri Blvd. PO Box 270 Jefferson City, MO 65102-0270
Federal Highway Administration Missouri Division Civil Rights Specialist 3220 W Edgewood, Suite H Jefferson City, MO 65109	Federal Transit Administration Region 7 Regional Civil Rights Officer 901 Locust St., Suite 404 Kansas City, MO 64106

Steps to collaborate with above agencies for non-FHWA related complaints:

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, including FHWA-related complaints



OZARKS TRANSPORTATION ORGANIZATION
A METROPOLITAN PLANNING ORGANIZATION

Notifying the Public of Rights Under Title VI

Ozarks Transportation Organization (OTO) posts Title VI notices on our agency's website and in public areas of our agency.

Ozarks Transportation Organization (OTO) operates its programs and services without regard to race, color, or national origin, in accordance with Title VI of the Civil Rights Act of 1964.

To obtain additional information about your rights under Title VI, contact the Ozark Transportation Organization located at 2208 W Chesterfield Blvd. Suite 101 in Springfield MO 65807 per mail or via phone at (417) 865 3042.

If you believe you have been discriminated against on the basis of race, color, or national origin by the Ozarks Transportation Organization you may file a Title VI complaint by completing, signing, and submitting the agency's Title VI Complaint Form.

How to file a Title VI complaint with Ozarks Transportation Organization:

1. To obtain a Complaint Form from the Ozarks Transportation Organization contact Title VI Coordinator at 2208 W Chesterfield Blvd, Suite 101, Springfield MO 65807. To download instructions on how to file a complaint, or download a Title VI/ ADA Complaint Form, visit OTO's website at <https://www.ozarkstransportation.org/our-resources/civil-rights>
2. In addition to the complaint process at Ozarks Transportation Organization complaints may be filed directly with the 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
3. Complaints must be filed within 180 days following the date of the alleged discriminatory occurrence and should contain as much detailed information about the alleged discrimination as possible.
4. The form must be signed and dated, and include your contact information.

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.

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."