



Lincoln Metropolitan Planning Organization

County-City Building
555 South 10th Street - Suite 213
Lincoln, Nebraska 68508
(402) 441-7491

MPO Proposal to Adopt the City of Lincoln’s – Title VI Civil Rights Plan and Limited English Proficiency Program Plan

Recommendation: Endorsement a proposal to adopt the City of Lincoln’s – Title VI Civil Rights Plan and Limited English Proficiency Program and initiate an amendment to the *Public Participation Plan* of the Lincoln Metropolitan Planning Organization (MPO).

Title VI Civil Rights Plan

Overview

Title VI of the Civil Rights Act of 1964, prohibits discrimination based upon race, color, and national origin. Specifically, 42 USC 2000d states that “*No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.*”

Title VI serves as the legal foundation for what is today referred to as environmental justice. The Lincoln MPO adheres to Title VI and environmental justice principles and a program for ongoing public participation in the transportation planning process. Education and outreach are an essential part of informing the public about how these decisions are made at the metropolitan level. The Lincoln MPO seeks to improve the understanding of the opportunities for every person to voice their ideas and values about transportation.

For the MPO to better meet this goal, it is proposing he following revisions in the transportation planning outreach process and the *Public Participation Plan*.

Title VI

The Lincoln MPO planning activities are to fully integrate the City of Lincoln Title VI and Limited English Proficiency Program into the MPO transportation planning process. This includes identifying a Title VI coordinator, contact, and complaint process, as well as ensuring the Limited English Proficiency Policy (LEP) is covered in the *Public Participation Plan* of the Lincoln MPO. The City of Lincoln Title VI and Limited English Proficiency Program Plan is currently in draft form but is expected to be adopted prior to the end of this calendar year. Once adopted, this is to be incorporated into the MPO’s *Public Participation Plan*.

Americans with Disabilities Act (ADA)

The Americans with Disabilities policy is stated in the *Public Participation Plan* (page 7) of the Lincoln MPO but implementation of these requirements needs to be clearly posted for public outreach events, on documents, and in the *Public Participation Plan* of the MPO. This is to ensure all persons with disabilities have access to planning activities.

Public Participation Plan statement for special accommodations:

11. **Accommodations for persons with disabilities** are made so that no person is excluded from participation in the planning process. This is done by facilitating locations for meetings such that persons with disabilities have easy and risk-free access and facilitating outreach, education and information programs in various formats for people with sight, hearing and mobility impairments.

Special Accommodations

If any person requires special accommodations at public meetings for language interpretation, sign language, or large print, please contact our office at 441-7491, and we will make our best efforts to accommodate you.

Limited English Proficiency Policy

In 2000, the U.S. Department of Justice issued its *Executive Order 13166: Improving Access to Services for Persons with Limited English Proficiency*. The Executive Order requires Federal agencies to examine the services they provide, identify any need for services to those with Limited English Proficiency (LEP), and develop and implement a system to provide those services so LEP persons can have meaningful access to them. A LEP Policy Guidance Document issued by the U.S. Department of Justice sets forth compliance standards that recipients of Federal financial assistance must follow to ensure that LEP persons are in receipt of these services.

As a recipient of federal funds, the Lincoln MPO is responsible for involving and providing meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are considered limited English proficient. LEP persons are individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English. These individuals may be entitled language assistance.

The Lincoln MPO intends to integrate the City of Lincoln Limited English Proficiency Policy and Program into the transportation planning process. A draft policy is stated in the *Public Participation Plan* (page 6) of the Lincoln MPO submitted in 2010 but needs to be updated to comply with federal LEP regulations and to guide the MPO staff through the requirements for providing language assistance for any given public participation process. It is recommended that the MPO incorporate the City of Lincoln LEP program (when adopted) into the MPO's *Public Participation Plan* to be applied in the transportation planning process.

Public Participation Plan Revisions

The Public Participation Plan (PPP) is a core document that contains public engagement strategies and policies for the Lincoln MPO transportation planning process. The current plan was adopted November 16, 2010. Revisions to the PPP are to be based on evaluations on the effectiveness of public participation techniques and in meeting the legal framework of relevant federal legislation.

Proposed revisions are to be posted on the MPO website for public review and comment. The proposed revisions will be open for public review and further public comment for a minimum of forty-five (45) calendar days. Written and oral comments received will be documented and recorded in the plan. All relevant state and federal agencies will be informed and provided with an opportunity to further comment on the revisions. Additional changes as advised by the comments will be considered for this revision to the PPP.

Following the public review period, the final revisions to the PPP will be recommended by the MPO Technical Committee which includes a public comment process. The MPO Officials Committee is the guiding policy body for the MPO and acts to formally adopt the revisions to the Public Participation Plan for MPO planning activities.

The FHWA and FTA approve the final plan based upon the Statewide and Metropolitan Planning processes being substantially compliant with 23 CFR Part 450.