Mankato/North Mankato Area Planning Organization

2017 Title VI Program

In Compliance with FTA Circular 4702.1B

September 8, 2017

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# Table of Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Table of Contents</td>
<td>i</td>
</tr>
<tr>
<td>Definitions</td>
<td>ii</td>
</tr>
<tr>
<td>Introduction</td>
<td>1</td>
</tr>
<tr>
<td>About The Mankato/North Mankato Area Planning Organization</td>
<td>1</td>
</tr>
<tr>
<td>Title VI Requirements</td>
<td>2</td>
</tr>
<tr>
<td>Title VI Assurances</td>
<td>3</td>
</tr>
<tr>
<td>TITLE VI Coordinator Responsibilities</td>
<td>6</td>
</tr>
<tr>
<td>General Requirements</td>
<td>7</td>
</tr>
<tr>
<td>Title VI Notice and Complaint Procedures</td>
<td>7</td>
</tr>
<tr>
<td>Complaint Procedures</td>
<td>8</td>
</tr>
<tr>
<td>List of Title VI Investigations, Complaints, and Lawsuits</td>
<td>10</td>
</tr>
<tr>
<td>Public Participation and LEP Assistance Plan</td>
<td>10</td>
</tr>
<tr>
<td>MAPO Staff Guide to Involve the Public</td>
<td>10</td>
</tr>
<tr>
<td>Racial Breakdown of TAC and Policy Board</td>
<td>14</td>
</tr>
<tr>
<td><strong>Appendix A: Title VI Notice to the Public</strong></td>
<td>16</td>
</tr>
<tr>
<td><strong>Appendix B: Title VI Complaint Form</strong></td>
<td>17</td>
</tr>
<tr>
<td><strong>Appendix C: Demographic Profile Maps</strong></td>
<td>19</td>
</tr>
<tr>
<td><strong>Appendix D: Language Assistance Plan</strong></td>
<td>21</td>
</tr>
<tr>
<td>I. Introduction</td>
<td>23</td>
</tr>
<tr>
<td>Purpose and Contents</td>
<td>23</td>
</tr>
<tr>
<td>About The Mankato/North Mankato Area Planning Organization</td>
<td>23</td>
</tr>
<tr>
<td>Language Assistance Plan</td>
<td>24</td>
</tr>
<tr>
<td>II. LEP Needs Assessment: Four-Factor Analysis</td>
<td>25</td>
</tr>
<tr>
<td>III. Language Assistance Measures</td>
<td>27</td>
</tr>
<tr>
<td>IV. Staff Training</td>
<td>28</td>
</tr>
<tr>
<td>V. Notice to LEP Persons</td>
<td>28</td>
</tr>
<tr>
<td>VI. Monitoring, Evaluation, and Updating the Plan</td>
<td>28</td>
</tr>
<tr>
<td><strong>Appendix E: Board Resolution</strong></td>
<td>30</td>
</tr>
</tbody>
</table>
1. **Discrimination** refers to any action or inaction, whether intentional or unintentional, in any program or activity of a Federal aid recipient, subrecipient, or contractor that results in disparate treatment, disparate impact, or perpetuating the effects of prior discrimination based on race, color, or national origin.

2. **Disparate impact** refers to a facially neutral policy or practice that disproportionately affects members of a group identified by race, color, or national origin, where the recipient’s policy or practice lacks a substantial legitimate justification and where there exists one or more alternatives that would serve the same legitimate objectives but with less disproportionate effect on the basis of race, color, or national origin.

3. **Disproportionate burden** refers to a neutral policy or practice that disproportionately affects low-income populations more than non-low-income populations. A finding of disproportionate burden requires the recipient to evaluate alternatives and mitigate burdens where practicable.

4. **Disparate treatment** refers to actions that result in circumstances where similarly situated persons are intentionally treated differently (i.e., less favorably) than others because of their race, color, or national origin.

5. **Limited English Proficiency (LEP)** persons refers to persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. It includes people who reported to the U.S. Census that they speak English less than very well, not well, or not at all.

6. **Low-income person** means a person whose median household income is at or below the U.S. Department of Health and Human Services (HHS) poverty guidelines.

7. **Minority person** includes the following racial/ethnic categories:
   a. American Indian and Alaska Native, which refers to people having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.
   b. Asian, which refers to people having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
   c. Black or African American, which refers to people having origins in any of the Black racial groups of Africa.
   d. Hispanic or Latino, which includes persons of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.
   e. Native Hawaiian or Other Pacific Islander, which refers to people having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
f. Persons identifying as having two or more races are designated assigned to the minority category for the purposes of Title VI.

8. **National origin** means the particular nation in which a person was born, or where the person’s parents or ancestors were born.

9. **Noncompliance** refers to an FHWA determination that the recipient is not in compliance with the DOT Title VI regulations, and has engaged in activities that have had the purpose or effect of denying persons the benefits of, excluding from participation in, or subjecting persons to discrimination in the recipient’s program or activity on the basis of race, color, or national origin.

10. **Title VI Program** refers to a document developed by an FHWA recipient to demonstrate how the recipient is complying with Title VI requirements. Direct and primary recipients must submit their Title VI Programs to MnDOT every three years. The Title VI Program must be approved by the recipient’s board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to MnDOT.

11. **MAPO** refers to the Mankato/North Mankato Area Planning Organization.
Introduction

The purpose of the Mankato/North Mankato Area Planning Organization’s (MAPO) Title VI Program is to ensure that no person, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity under the control of MAPO. The MAPO will ensure that members of the public within the MAPO planning area are aware of Title VI provisions and the responsibilities associated Title VI of the Civil Rights Act of 1964.

MPOs receive federal metropolitan planning funds from FHWA and FTA. The funds are combined into a consolidated planning grant that is administered through MnDOT with oversight provided by FHWA. (Prior to 2017, FTA provided oversight.). FHWA gives MnDOT the authority to determine what is appropriate for its subrecipients’ Title VI Plans. All U.S. Department of Transportation operating administrations are required to follow the same Title VI regulations. FTA has more prescriptive guidelines than FHWA in terms of what is required for subrecipients to be in compliance with Title VI. MPOs have submitted previous Title VI plans that comply with the FTA guidelines. While FHWA is the federal oversight agency for MPOs, the MPO Title VI plans will continue to follow the FTA guidelines.

This Title VI Program is to be compliant with Federal Transit Administration (FTA) guidance found in Circular 4702.1B.

About The Mankato/North Mankato Area Planning Organization

The MAPO is a Metropolitan Planning Organization (MPO) designated because the Mankato/North Mankato urbanized area is now larger than 50,000 population. It is charged with carrying out the 3-C metropolitan transportation planning process (continuing, cooperative, and comprehensive). MAPO is comprised of Blue Earth and Nicollet counties; the cities of Mankato, North Mankato, Eagle Lake, and Skyline; and the townships of Belgrade, Lime, South Bend, LeRay and Mankato. The MAPO is guided by two key standing committees:

Technical Advisory Committee (TAC) – the TAC is comprised of 20 individuals representing engineering, planning, transit, public institutions, township, city, county, and state interests. The TAC reviews and formulates recommendations to the Policy Board regarding technical aspects of transportation planning prepared by the MAPO.

Policy Board – the Policy Board is comprised of elected leaders from Blue Earth County, City of Mankato, City of North Mankato, Nicollet County, Mankato Township, and City of Eagle Lake. The MAPO Policy Board reviews, evaluates, comments upon, makes
recommendations, and ultimately endorses the required plans and programs such that federal and state funding eligibility is maintained for the metropolitan area.

**Figure 1. MAPO Planning Area**

![Map of MAPO Planning Area](image)

**Title VI Requirements**

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs receiving federal financial assistance. Title VI 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.”

In 1994, President Clinton issued Executive Order 12898, which states that each federal agency “shall make achieving environmental justice part of its mission by identifying and addressing disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.”

To that end, the Federal Transit Administration (FTA) issued Circular 4702.1B in 2012, which replaced Circular 4702.1A issued in 2007. This document outlines Title VI and Environmental Justice compliance procedures for recipients of FTA-administered transit program funds.
Specifically, the FTA requires recipients, including the MAPO, to “document their compliance with DOT’s Title VI regulations by submitting a Title VI Program to their FTA regional civil rights officer once every three years or as otherwise directed by FTA. For all recipients (including subrecipients), the Title VI Program must be approved by the recipient’s board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to FTA.” Correspondingly, the completed MAPO Title VI Program will be submitted to the MAPO Policy Board for approval.

Title VI Assurances

The MAPO, (hereinafter referred to as the Recipient) HEREBY AGREES THAT, as condition to receiving any Federal financial assistance from the U.S. Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation – Effectuation of Title VI of the Civil Right Act of 1964 (hereinafter referred to as the Regulations), and other pertinent directives to the end that, in accordance with the Act, regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, or, national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance through the Minnesota Department of Transportation or the U.S. Department of Transportation; and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by Subsection 21.7 (a) (1) of the Regulations.

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

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.

That the recipient shall insert the following notification in all solicitations for bids for work or materials subject to the Regulations and made in connection with the Federal-Aid Highway or transit programs and, in adapted form, in all proposals for negotiated agreements:

Nondiscrimination in Federal-assisted programs of the U.S. Department of Transportation, issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, Disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin.

- That the recipient shall require all contracts to provide Title VI certification and assurances in every contract subject to the Act and the Regulations.
- That the Recipient shall require all contracts to provide Title VI certification and assurances, 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.
- 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.
- 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.
- That the Recipient shall require all contracts to provide Title VI certification and assurances, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer for real property acquired or improved under the Federal-Aid Highway program; and (b) for the construction or use of, or access to space on, over, or under, real property acquired or improved under the Federal-Aid Highway program.
- 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.
- The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation, or the official to whom he or she delegates specific authority, to give reasonable guarantee that it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed by or pursuant to the Act, the Regulations, and this assurance.
- 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.
- The MAPO will require all contracts to provide Title VI certification and assurances.
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 U.S. Department of Transportation under the Federal-Aid Highway or transit programs and is binding on it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest, and other participants in the Federal-Aid Highway or transit programs. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.

As of the date signed below, there have been no Title VI investigations, complaints or lawsuits.

__________________________________________  ________________________________
Paul Vogel, MAPO Executive Director            Date

__________________________________________  ________________________________
Mark Piepho, MAPO Chair                        Date
TITLE VI Coordinator Responsibilities

The Title VI coordinator is charged with the responsibility for implementing, monitoring, and ensuring the MAPO’s compliance with Title VI regulations. Title VI responsibilities are as follows:

- Process the disposition of Title VI complaints received by the MAPO.
- Collect Statistical data (race, color, or national origin) of participants in and beneficiaries of highway and transit programs, e.g. affected citizens and impacted communities.
- Conduct annual Title VI reviews to determine the effectiveness of program activities at all levels.
- Conduct Title VI reviews of consultant contractors and other recipients of Federal-Aid Highway and transit fund contracts administered through the MAPO.
- Review the MAPO program directives. Where applicable, include Title VI language and related requirements.
- Conduct training programs on Title VI and other related statutes for the MAPO employees and recipients of Federal Aid Highway or transit funds. Post a copy of the Title VI plan on the MAPO’s web-site. Post the Title VI plan on bulletin boards near the front desk at the MAPO worksite. Inform all employees that a copy of the Title VI plan is available upon request. Instruct all new employees about the Title VI plan during orientation.
- Prepare a yearly report of Title VI accomplishments and goals, as required.
- Develop Title VI information for dissemination to the general public and, where appropriate, in languages other than English. Post the Title VI plan on the MAPO web-site and on bulletin boards near the front desk.
- Conduct post-grant reviews of the MAPO programs and applicants for compliance with Title VI requirements.
- Identify and take corrective action to help eliminate discrimination.
- Establish procedures to promptly resolve identified Title VI deficiencies. Document remedial actions agreed to be necessary. Provide remedial actions within 90 days of identification of a deficiency.
General Requirements

All federal funding recipients are required to meet a base level of Title VI requirements. These include:

- Title VI Notice and Complaint Procedures
- List of Title VI Investigations, Complaints, and Lawsuits
- Public Participation and Limited English Proficiency (LEP) Assistance Plans
- Racial Breakdown of MAPO TAC and Policy Board Members
- Efforts to Ensure Subrecipient Title VI Compliance

Title VI Notice and Complaint Procedures

The Title VI Circular provides the following direction regarding public notice of Title VI protections:

Title 49 CFR Section 21.9(d) requires recipients to provide information to the public regarding the recipient’s obligations under DOT’s Title VI regulations and apprise members of the public of the protections against discrimination afforded to them by Title VI. At a minimum, recipients shall disseminate this information to the public by posting a Title VI notice on the agency’s website and in public areas of the agency’s office(s), including the reception desk, meeting rooms, etc. Recipients should also post Title VI notices at stations or stops, and/or on transit vehicles.

The MAPO’s Title VI notice to the public states the following:

The Mankato/North Mankato Area Planning Organization (MAPO) operates its programs without regard to race, color, national origin. If you believe you have been aggrieved by an unlawful discriminatory practice, or wish to request more information about the MAPO’s obligations under Title VI, please contact us at the following address and telephone number:

Paul Vogel, Executive Director
10 Civic Center Plaza
Mankato, MN 56001-3368 or 507-387-8613

A copy of the Title VI Complaint Form and additional information can be found at [https://www.mnmapo.org](https://www.mnmapo.org). A Title VI complaint may also be made by contacting the MnDOT’s Title VI Coordinator at 651-366-3322 or Jonica.carr@state.mn.us

The MAPO provides notice of Title VI protections through a variety of means. The notice and detailed information and instructions for filing a Title VI complaint are available at the following web address: [https://mnmapo.org/planning-documents/](https://mnmapo.org/planning-documents/).
A copy of this notice is included in Appendix A. Based on the results of the four-factor analysis conducted as part of the LEP Language Assistance Plan and the Safe Harbor Provision, there is no strong evidence that MAPO translate vital documents; rather, it will do so upon request.

**Complaint Procedures**

The Title VI Circular provides the following direction regarding Title VI Complaint procedures:

In order to comply with the reporting requirements established in 49 CFR Section 21.9(b), all recipients shall develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public. Recipients must also develop a Title VI complaint form, and the form and procedure for filing a complaint shall be available on the recipient’s website.

The MAPO Title VI policy assures that no person or groups of persons shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by the MAPO, its recipients, sub-recipients, and contractors.

Any person who believes that he or she, individually, or as a member of a specific race, color or national origin, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, as amended, may file a complaint with the MAPO. A complaint may also be filed by a representative on behalf of such a person. All Title VI complaints will be referred to the MAPO Executive Director for review and action.

In order to have a complaint considered under this procedure, the complainant must file the complaint no later than 180 days after the date of the alleged act of discrimination or, where there has been a continuing course of conduct, the date on which the conduct was discontinued. In either case, the Executive Director may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for doing so.

Complaints shall be in writing and shall be signed by the complainant and/or the complainant’s representative (see Appendix B for Title VI Complaint Form). Complaints shall be mailed to the MAPO Executive Director, 10 Civic Center Plaza, Mankato, MN 56001 and shall set forth as fully as possible the facts and circumstances surrounding the claimed discrimination.

In the event that a person makes a verbal complaint of discrimination to an officer or employee of the MAPO, the person shall be interviewed by the Executive Director. If necessary, the Executive Director will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled in the usual manner.
Within 10 days, the Executive Director will acknowledge receipt of the allegation, inform the complainant of action taken or proposed action to process the allegation, and advise the complainant of other avenues of redress available, such as the Minnesota Department of Transportation (MnDOT), FTA, the Federal Highway Administration (FHWA), and the U.S. Department of Transportation (USDOT).

Within 60 days, the Executive Director will conduct and complete an investigation of the allegation and based on the information obtained, will render a recommendation for action in a “Report of Findings.” The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the Report of Findings. The Report of Findings shall include the following information:

- Name, address and telephone number of the complainant
- Name(s) and address(es) of alleged discriminating official(s)
- Basis of complaint (i.e., race, color, or national origin)
- Date of alleged discriminatory act(s)
- Date of complaint received by the MAPO
- A statement of the complaint
- Other agencies (local, state or federal) where the complaint has been filed
- An explanation of the action(s) the MAPO has taken or proposed to resolve the issue(s) raised in the complaint

Within 90 days of receipt of the complaint, MAPO will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the complainant of her/his right to appeal with MnDOT, FTA, FHWA, or USDOT if she or he is dissatisfied with the final decision rendered by the MAPO.

Efforts will be made to resolve all complaints at the local level whenever possible. If the complaint cannot be resolved satisfactorily at the local level, MnDOT will work with the complainant and the MAPO to resolve the issue. If satisfactory resolution is not achieved at the state level, the FTA, FHWA or USDOT will work with all parties to resolve the issue. The MAPO will report all Title VI complaints received to the MnDOT Title VI Coordinator.
List of Title VI Investigations, Complaints, and Lawsuits

The Title VI Circular states the following regarding Title VI investigations, complaints, and lawsuits:

In order to comply with the reporting requirements of 49 CFR Section 21.9(b), FTA requires all recipients to prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin: active investigations conducted by entities other than FTA; lawsuits; and complaints naming the recipient.

The MAPO has never received any Title VI-related complaints or lawsuits.

Public Participation and LEP Assistance Plan

The Title VI Circular requires the following documentation of public participation policies, practices, activities:

A public participation plan that includes an outreach plan to engage minority and limited English proficient populations. A recipient’s targeted public participation plan for minority populations may be part of efforts that extend more broadly to include other constituencies that are traditionally underserved, such as people with disabilities, low-income populations, and others.

A copy of the recipient’s plan for providing language assistance to persons with limited English proficiency, based on the DOT LEP Guidance.

MAPO Staff Guide to Involve the Public

The following section outlines the MAPO’s proactive strategies, methods, and techniques that underpin public participation activities.

Policy Board Meetings

A Public Notice will be printed in the Mankato Free Press stating the purpose, time and location of the meeting as well as staff contact information at least 7 days prior to the meeting. The MAPO website will list the regular MAPO Policy Board meetings, including time, location and materials.

- All Policy Board meetings will be held at locations that:
- Sufficiently hold the meeting attendees.
- Are accessible to persons with disabilities.
- Are located on or near public transportation routes.
- Provide sufficient parking for meeting attendees.

Unless notified otherwise, all Policy Board meetings will be held at the Intergovernmental Center (IGC) in downtown Mankato. Meeting attendees may make oral comments, submit
written comments, or send comments to the MAPO staff at 507-508-8613 or pvogel@mankatomin.gov.

Upon request, a sign language interpreter will be made available for hearing impaired persons. Persons with limited English proficiency (LEP) may request aid from the MAPO staff. Any requests should be submitted to the MAPO staff at 507-508-8613 or pvogel@mankatomin.gov at least 3 days prior to the meeting.

MAPO staff will display/project the meeting packet. Staff will also provide hard copies of materials. When possible, the MAPO will use visualization techniques such as maps, models, photographs, or project renderings to aid in greater understanding of projects, plans or other topics of discussion at each meeting.

Policy Board meeting dates and times are predetermined each January for the upcoming calendar year. Meetings may be canceled if no actionable items are required by the MAPO Policy Board.

**Technical Advisory Committee (TAC) Meetings**

The MAPO website will list the regular MAPO TAC meetings along with time and location. Meeting materials will also be posted to the website at least 7 days prior to the meeting.

- All TAC meetings will be held at locations that:
  - Sufficiently hold the meeting attendees.
  - Are accessible to persons with disabilities.
  - Are located on or near public transportation routes.
  - Provide sufficient parking for meeting attendees.

Unless notified otherwise, all TAC meetings will be held at the Intergovernmental Center (IGC) in downtown Mankato. Meeting attendees may make oral comments, submit written comments, or send comments to the MAPO staff at 507-508-8613 or pvogel@mankatomin.gov.

Upon request, a sign language interpreter will be made available for hearing impaired persons. Persons with limited English proficiency (LEP) may request aid from MAPO staff. Any requests should be submitted to MAPO staff at 507-508-8613 pvogel@mankatomin.gov at least 7 days prior to the meeting.

The MAPO staff will display/project the meeting packet. Staff will also provide hard copies of materials. When possible, the MAPO will use visualization techniques such as maps, models, photographs, or project renderings to aid in greater understanding of projects, plans or other topics of discussion at each meeting.
TAC meeting dates and times are predetermined each January for the upcoming calendar year. Meetings may be canceled if no items require action by the TAC.

**Procedures for the Planning Process**

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

- Public outreach involves inviting members of minority organizations to participate on our committees and in planning activities (i.e. public input meetings, focus groups). Participation, however, has been underwhelming. The Public Participation Plan outlines an expanded process for inviting participation.
- GIS analysis is used to identify the locations of minority persons. The MAPO is currently working on Transit Development Plan for the Mankato Transit Agency that identifies block groups exhibiting higher percentages of minority or low-income persons than the percent of those groups for the City of Mankato and North Mankato.

**MAPO Website**

The MAPO’s website, www.mnmapo.org, is the MAPO’s primary source for the timely delivery of information to the public. Project specific information, maps, meeting agendas and minutes, and announcements of opportunities to comment and view draft versions will be provided on-line. Hard copy requests should be made by calling 507-508-8613 or emailing: pvogel@mankatomn.gov for pick-up at the IGC or mailing.

**Public Meeting and Open Houses**

Public meetings and/or open houses are held for many of the MAPO’s plans and studies. These opportunities are provided at key decision points during the planning process to involve the public in identifying issues, reviewing data collection and analysis, and developing solutions and recommendations. The MAPO will use a variety of methods to inform stakeholders of Policy Board meetings, special meetings and open houses. Methods may include:

- Post information on the homepage of the MAPO website.
- Publish a meeting notice 7 days in advance in the Mankato Free Press Newspaper.
- Create a meeting informational poster and display at the (IGC).
- Provide meeting informational posters to Mankato Transit agency for distribution (i.e. on buses or in transit facilities).

**Documentation**

Copies of all planning documents will be available in digital format at www.mnmapo.org Hardcopies will be distributed to MAPO member communities, agencies, and other
stakeholders by request. Additionally, hardcopies will be available upon request and can be picked up at Intergovernmental Center. Requests for alternative formats will be accommodated when possible.

Comments or questions can be submitted to:

Mankato/North Mankato Area Planning Organization
10 Civic Center Plaza
Mankato, MN 56001
Telephone: (507) 387-8613
Fax: (507) 387-7530
Email: pvogel@mankatomn.gov
Website: www.mnmapo.org

Outreach Methods and Techniques

There are a variety of techniques to inform and involve the public, which the MAPO uses as necessary. Public involvement is often more effective if multiple techniques are utilized and targeted to the needs and preferences of different groups and individuals. Below are guidelines and examples for public participation in planning, studies, and meetings conducted by the MAPO:

- Provide early and continuous communication:
  - Notify individuals and groups by mail, website, and social media of plans, programs, and changes in service or policy in such a way that facilitates comments to MAPO staff in regards to the plan.
  - Publish a public notice in the Mankato Free Press and on the MAPO website announcing plan development and meeting dates and locations.
  - Notify individuals and groups with updates on the planning process.
  - Notify individuals and groups when a final plan is published.
  - Publish a public notice in the Mankato Free Press and on the MAPO website and social media sites announcing when a final plan is published.

- Incorporate multiple methods of public participation:
  - Newsletters, public notices, targeted mailing, and media releases
  - City of Mankato website, social media, email and written correspondence
  - Contact lists, formal and informal networks of customer and advocacy groups
  - Booths at public festivals and events
  - Public opinion surveys and focus groups
  - Meetings held at times and locations convenient and accessible for minority and LEP populations
  - Different meeting sizes and formats
  - Visualization techniques
  - Audio and video recording to capture oral comments

- Ensure accessibility of technical and policy information through a variety of means:
  - Publish technical and policy information on the MAPO website.
Provide copies of technical and policy information at public libraries, City administration buildings, and the Intergovernmental Center.

Provide hard copies of technical and policy information by request to interested parties.

- Provide adequate notice to the public of involvement opportunities and activities:
  - Publish public notices in the Mankato Free Press at least one (1) week prior to public meetings; include the time and location of the meeting as well as contact information in the notice.
  - Distribute press releases to all local media at least one (1) week in advance of public meetings; include the time and location of the meeting as well as contact information in the notice.
  - Mail and email notices to transportation interests at least one (1) week in advance of public meetings; include the time and location of the meeting as well as contact information in the notice.

**Mankato/North Mankato Area Demographic Profile**

According to the ACS 2015 5-year estimate, the Mankato/North Mankato Area Planning Organization planning boundary consists of a population of 62,478. Of the 62,478 people in the planning boundary 88.13% are Caucasian, 3.32% Latino, 3.98% African American, 2.10% Asian American, 0.4% Native American and 1.89% other. Please see Appendix C for correlating map.

**Racial Breakdown of TAC and Policy Board**

The Title VI Circular states the following regarding the membership of planning and advisory bodies:

| Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar bodies, the membership of which is selected by the recipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees or councils. |

**Policy Board**

The MAPO is directed by a six (6) member Policy Board that is comprised of elected officials within the MAPO jurisdiction. Each jurisdiction is responsible for electing their representative to serve on the MAPO Policy Board. Upon change in Policy Board membership, the MAPO can encourage jurisdictions to appoint minority populations to serve on the Policy Board, but it’s ultimately each jurisdictions responsibility.

**Technical Advisory Committee**

The MAPO is advised by a Technical Advisory Committee (TAC) which reviews and formulates recommendations to the Policy Board regarding the Unified Program Work Plan, Long-Range Transportation Plan, Transportation Improvement Plan, and other plans and
studies prepared by the MAPO. The TAC membership is made of both elected and appointed citizens. The TAC member's term coincides with their employment of the representing jurisdiction. Upon change in TAC membership, the MAPO can encourage jurisdictions to appoint minority populations to serve on the TAC, but it’s ultimately each jurisdictions responsibility.

The demographic profile of the TAC and Policy Board are summarized in Table 1.

MAPO TAC and Policy Board Demographics

The names and self-reported race/ethnicity of each member of each committee are provided in Table 2 below.

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<tr>
<th>Name</th>
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NOTIFICATION OF YOUR RIGHTS UNDER TITLE VI

The Mankato/North Mankato Area Planning Organization operates its programs without regard to race, color, or national origin. If you believe you have been aggrieved by an unlawful discriminatory practice, or wish to request more information about Mankato/North Mankato Area Planning Organizations obligations under Title VI, please contact us at the following address and telephone number:

Paul Vogel  
Executive Director  
10 Civic Center Plaza  
Mankato, MN 56002-3368

Phone: 507-387-8613

A copy of the Title VI Complaint Form and additional information can be found at www.mnmapo.org. A Title VI complaint may also be made by contacting the Title VI specialist at the Minnesota Department of Transportation, office of civil rights at 651-366-3071.
Appendix B: Title VI Complaint Form

Title VI Complaint Form
Mankato/North Mankato Area Planning Organization

Section 1.

1. Please provide the following about yourself (the complainant).
   Name: ______________________________________________________________________
   Address: ____________________________________________________________________
   Telephone (Primary): ___________________________________________________________
   Telephone (Secondary): _________________________________________________________
   Email Address: _______________________________________________________________

2. Accessible format requirements desired? Check all that apply:
   Large Print___    Audio Tape___    TDD___    Other___

Section 2.

3. Are you filing this complaint on your own behalf?   Yes___     No___
   ***If you answered “Yes” to question 3, skip to question 7.

4. If “No” to question 3, please supply the name and relationship of the person for whom you are
   complaining: ___________________________________________________________________
   _______________________________________________________________________________
   _______________________________________________________________________________

5. Please explain why you have filed for a third party: ____________________________________
   _______________________________________________________________________________
   _______________________________________________________________________________

6. Have you obtained permission of the aggrieved party if you are filing on behalf of a third party?   Yes___
   No___

Section 3.

7. I believe the discrimination I experienced was based on (Check all that apply):
   Race___     Color___     National Origin___

8. Date of alleged discrimination (Month, Day, Year): _________________________________

9. Explain, as clearly as possible, what happened and why you believe you were discriminated against.
   Describe all persons who were involved. Include the name and contact information of the person(s) who
   discriminated against you (if known) as well as the names and contact information of any witnesses (if
   known). If more space is needed, please use the back of this form.
   ____________________________________
   ____________________________________
   ____________________________________
   ____________________________________
   ____________________________________

   Continued on following page
Section 4.

10. Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court? Yes___ No___

11. If “Yes” to question 10, check all that apply:

Federal Agency ___ Federal Court___ State Agency___ State Court___ Local Agency___

12. If “Yes” to question 10, please provide information for the contact person at the agency/court where the complaint was filed:

Name: _____________________________________________________
Title: ______________________________________________________
Agency: ____________________________________________________
Address: ___________________________________________________
Telephone: ________________________________________________

Section 5.

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below.

Signature: ________________________________________     Date: ______________________

Please submit this form in person at the address below, or mail this form to:

Paul Vogel
Executive Director
10 Civic Center Plaza,
Mankato, MN 56001
Appendix C: Demographic Profile Maps
Analysis of Impacts An analysis of impacts of projects in the 2018-2021 TIP that identifies any disparate impacts on the basis of race, color, or national origin, and, if so, determines whether there is a substantial legitimate justification for the policy that resulted in the disparate impacts, and if there are alternatives that could be employed that would have a less discriminatory impact.

The MAPO’s 2018-2018 TIP on page 18 of the document includes a discussion of how or if transportation projects in the region impact minority (and low-income) persons. Under the current TIP, no projects have a direct or disproportionately negative impact on minority populations.
Appendix D: Language Assistance Plan

2017 Language Assistance Plan

In Compliance with DOT LEP Guidance

Mankato/North Mankato Area Planning Organization
10 Civic Center Plaza,
Mankato MN 56001

"The preparation of this report has been funded in part by the U.S. Department of Transportation, Federal Highway Administration and Federal Transit Administration, and the Minnesota Department of Transportation. The contents of this document reflect the views of the authors who are responsible for the facts or accuracy of the data presented herein. The contents do not necessarily reflect the official views of the U.S. Department of Transportation or the Minnesota Department of Transportation. The report does not constitute a standard, specification, or regulation."
# Table of Contents

I. Introduction .......................................................................................................................... 23
II. LEP Needs Assessment: Four-Factor Analysis ................................................................. 25
III. Language Assistance Measures ..................................................................................... 27
IV. Staff Training .................................................................................................................... 27
V. Notice to LEP Persons ....................................................................................................... 28
VI. Monitoring, Evaluation, and Updating the Plan ............................................................. 28
VII. Dissemination of Plan ................................................................................................. 28
I. Introduction

Purpose and Contents

The purpose of this Language Assistance Plan is to meet Federal Transit Administration’s (FTA’s) requirements to comply with Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, or national origin. As a recipient of FHWA and FTA metropolitan planning funds, The Mankato/North Mankato Area Planning Organization (MAPO) has pledged to take reasonable steps to provide meaningful access to its transit services for persons who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English. The FTA refers to these persons as Limited English Proficient (LEP) persons.

This plan contains:

- Needs assessment based on the four-factor analysis
- Language assistance measures
- Staff training plan
- Methods for notifying LEP persons about available language assistance
- Methods for monitoring, evaluating and updating plan

Questions or comments about this plan may be submitted to:

Paul Vogel, Executive Director
Mankato/North Mankato Area Planning Organization
10 Civic Center Plaza
Mankato, MN 56001
507-387-8613
pvogel@mankatomn.gov

About The Mankato/North Mankato Area Planning Organization

The MAPO is a Metropolitan Planning Organization (MPO) designated because the Mankato/North Mankato urbanized area is now larger than 50,000 population. It is charged with carrying out the 3-C metropolitan transportation planning process (continuing, cooperative, and comprehensive).MAPO is comprised of Blue Earth and Nicollet counties; the cities of Mankato, North Mankato, Eagle Lake, and Skyline; and the townships of Belgrade, Lime, South Bend, LeRay and Mankato. The MAPO is guided by two key standing committees:

Technical Advisory Committee (TAC) – the TAC is comprised of 20 individuals representing engineering, planning, transit, public institutions, township, city, county, and
state interests. The TAC reviews and formulates recommendations to the Policy Board regarding technical aspects of transportation planning prepared by the MAPO.

**Policy Board** – the Policy Board is comprised of elected leaders from Blue Earth County, City of Mankato, City of North Mankato, Nicollet County, Mankato Township, and City of Eagle Lake. The MAPO Policy Board reviews, evaluates, comments upon, makes recommendations, and ultimately endorses the required plans and programs such that federal and state funding eligibility is maintained for the metropolitan area.

**Figure 2. Mankato/North Mankato Area Planning Organization Planning Area**

![Map of the planning area](image)

**Language Assistance Plan**

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

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

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

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

1. The number or proportion of LEP persons in the MAPO who may be served by the MAPO.
2. The frequency with which LEP persons come in contact with the MAPO programs or services.
3. The nature and importance of programs or services provided by the MAPO to the LEP population.
4. The interpretation services available to the MAPO and overall cost to provide LEP assistance.

A summary of the results of the four-factor analysis is in the following section.

II. LEP Needs Assessment: Four-Factor Analysis

FTA Circular 4702.1B provided the following direction regarding determining LEP language service needs:

In order to ensure meaningful access to programs and activities, recipients shall use the information obtained in the Four-Factor Analysis to determine the specific language service that are appropriate to provide. A Careful analysis can help a recipient determine if it communicates effectively with LEP persons and will inform language access planning.

The following sources of information were used in the Four Factor Analysis to determine LEP needs:

- U.S. Census American Community Survey (ACS) data
- Survey results
- Reports from drivers, dispatchers, others about contact with LEP persons
Factor 1. The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee.

The MAPO staff reviewed the 2010 U.S. Census Report and determined that 2,365 people in the MAPO Urbanized Area (between the ages of 5-64) speak a language other than English. Of those 2,365 persons, 1,014 speak Spanish, 768 speak Indo-European (other than Spanish and English), and 583 speak Asian or other Pacific Islander Languages. Of the 2,365 persons speaking a language other than English, 319 have Limited English Proficiency; that is, they speak English “less than very well”. The breakdown for the 319 people include 123 Spanish, 70 Indo-European and 126 Asian and Pacific Island Languages.

The overwhelming majority of the population 5 years and over (92%) in the MAPO area speak only English. As a result, there are few social services professional and leadership organizations within the MAPO Urbanized area that focus on outreach to LEP individuals. The MAPO Policy Board, the MAPO staff, and the MAPO contractors or sub recipients are most likely to contact LEP individuals through public meetings and other general public involvement opportunities. Additional information on outreach methods is available in the MAPO’s Public Participation Plan.

Staff cannot absolutely determine whether LEP population in any given language is underserved by the recipient due to language barriers. No LEP populations are over the 1,000 or 5% Safe Harbor Provision, translating vital documents into other languages is not required at this time. However, the MAPO will continue to monitor, evaluate and provide outreach to LEP persons of any given language in the Mankato/North Mankato area.

Factor 2. The frequency with which LEP persons come in contact with programs, activities, or services.

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

Factor 3. The nature and importance of programs, activities, or services provided to the LEP population.

The MAPO uses federal funds to plan transportation projects. While those projects are important, the MAPO does not provide any programs, activities, or services involving vital, immediate, or emergency assistance, such as medical treatment, or any programs, activities, or services involving basic needs, such as food or shelter. And, while it is encouraged, involvement in the MAPO planning and decision-making process by residents is entirely voluntary. Anyone can participate in the planning and decision-making process simply by contacting MAPO staff. Furthermore, the MAPO does not require residents to complete application forms or to submit to interviews prior to their participation in the MAPO transportation planning and decision-making process.
Inclusive public participation is a priority of the MAPO. Because its planning and decision-making process impacts all residents within the planning area, the MAPO encourages input and involvement from all residents and makes every effort to make the planning and decision-making process as inclusive as practicable. The MAPO outlines ways in which the public can become involved in the MAPO planning and decision-making process in its Public Participation Plan (PPP), which is posted online and copies of which are available at the MAPO office.

**Factor 4. The resources available to the transit system and the overall cost to provide language assistance.**

The MAPO does not serve significant number of LEP persons. For this reason, the MAPO weighed the cost and benefits of translating documents for potential LEP groups. Considering the expense of translating the documents, the likelihood of frequent changes in documents and other relevant factors, the MAPO will consider the translation of documents (or portions thereof) on a case by case basis, as requested.

Spanish language assistance is available through the Spanish relay. This service is provided free of charge through the Minnesota Department of Commerce and allows a Spanish speaking person to use Minnesota Relay. The communications assistant relays calls between a Spanish speaking person with a hearing or speech disability and a Spanish speaking hearing person. To place a Spanish Relay call, dial: 1-877-627-5448 (voice, TTY, ASCII).

In addition, an individual staff member from the Community Development Department from the City of Mankato is available for interpretive services in Arabic and Somali. Likewise, web based translations services such as Google Translate can also provide limited assistance. The City of Mankato’s Housing Department also has a LEP Plan and resources available if needed.

**III. Language Assistance Measures**

There is a low percentage of LEP individuals in the MAPO planning area, that is, persons who speak English “less than very well” the MAPO will strive to offer the following measures:

- The MAPO staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating in English.
- The following resources will be available to accommodate LEP persons: Interpretive services, within reason, will be provided for public meetings, if advance notice is provided to the MAPO and such services are readily available; The MAPO will make translated versions (or provide for the interpretation of relevant section) of all documents/publications available upon request, within a reasonable time frame and if resources permit.
IV. Staff Training

To ensure effective implementation of this plan, GMTS will schedule training at orientations for new staff and will review all relevant information on an annual basis:

- The transit system’s Language Assistance Plan
- Demographic data about local LEP population
- Printed LEP persons’ materials
- How to handle verbal requests in a foreign language
- Responsibility to notify the MAPO Executive Director about any LEP persons’ unmet needs

V. Notice to LEP Persons

MAPO plans to notify LEP persons in their own language about the language assistance available to them without cost by using the following methods:

- Posters
- Website notices

VI. Monitoring, Evaluation, and Updating the Plan

Monitoring and updating the LEP plan – the MAPO will update the LEP plan annually with its self-certification procedure per 23 CFR 450.334. An annual review and update will include the following:

- The number of documented LEP person contacts encountered annually.
- How the needs of LEP persons have been addressed.
- Determine current LEP population in the service area.
- Determine whether the need for translation services has changed.
- Determine whether local language assistance programs have been effective and sufficient to meet the need.
- Determine whether the MAPO financial resources are sufficient to fund language assistance resources needed.
- Determine whether the MAPO fully complies with the goals of this LEP plan.
- Determine whether complaints have been received concerning the agency’s failure to meet the needs of LEP individuals.
- Maintain a Title VI complaint log, including LEP to determine issues and basis of complaints.

VII. Dissemination of Plan

This Language Assistance Plan is available on the MAPO’s website: www.mnmapo.org
This plan is also available at no cost in English upon request by telephone, fax, and mail or in person. If requested to be provided in another language and it is feasible to have it translated, it shall be provided at no cost to the requester.
RESOLUTION OF THE MANKATO / NORTH MANKATO AREA PLANNING APPROVING THE MAPO’S TITLE VI PROGRAM

WHEREAS, the Mankato / North Mankato Area Planning Organization (MAPO) was created as the MPO for the Mankato/North Mankato urbanized area through a joint powers Agreement between all local units of government located within the urbanized area; and

WHEREAS, MAPO is the metropolitan planning body responsible for performing transportation planning in conformance with State and Federal regulation for Metropolitan Planning Organizations; and

WHEREAS, the MAPO intends that no person shall, on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any MAPO program or activity, regardless of funding source; and

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

NOW, THEREFORE, BE IT RESOLVED: that the MAPO approves the Mankato/North Mankato Area Planning Organization Title VI and Non-Discrimination Program / Limited English Proficiency Plan as being consistent with metropolitan plans and policies.

CERTIFICATION

State of Minnesota

I hereby certify that the foregoing Resolution is a true and correct copy of the resolution presented to and adopted by the Mankato/North Mankato Area Planning Organization at a duly authorized meeting thereof, held on the 7th day of July, as shown by the minutes of said meeting in my possession.

[Signature]
Chair
Date

[Signature]
Executive Director
Date