

## Memorandum

**To:** MPO Committee Members  
**From:** Lucinda Shannon, Transportation Planning Manager  
**Date:** September 8, 2020  
**Reference:** Title VI Plan Update

### Purpose:

This is an initial opportunity for the MPO committees to review updates to the Charlottesville-Albemarle Metropolitan Planning Organization (CA-MPO) Title VI Plan and provide feedback. The federal regulations require that there be a Public Hearing prior to any significant changes to the plan being made. CA-MPO staff will begin a comment period following the MPO committees' initial review of this document and host a Public Hearing before the updated Title VI Plan is brought to the Policy Board for approval.

### Background:

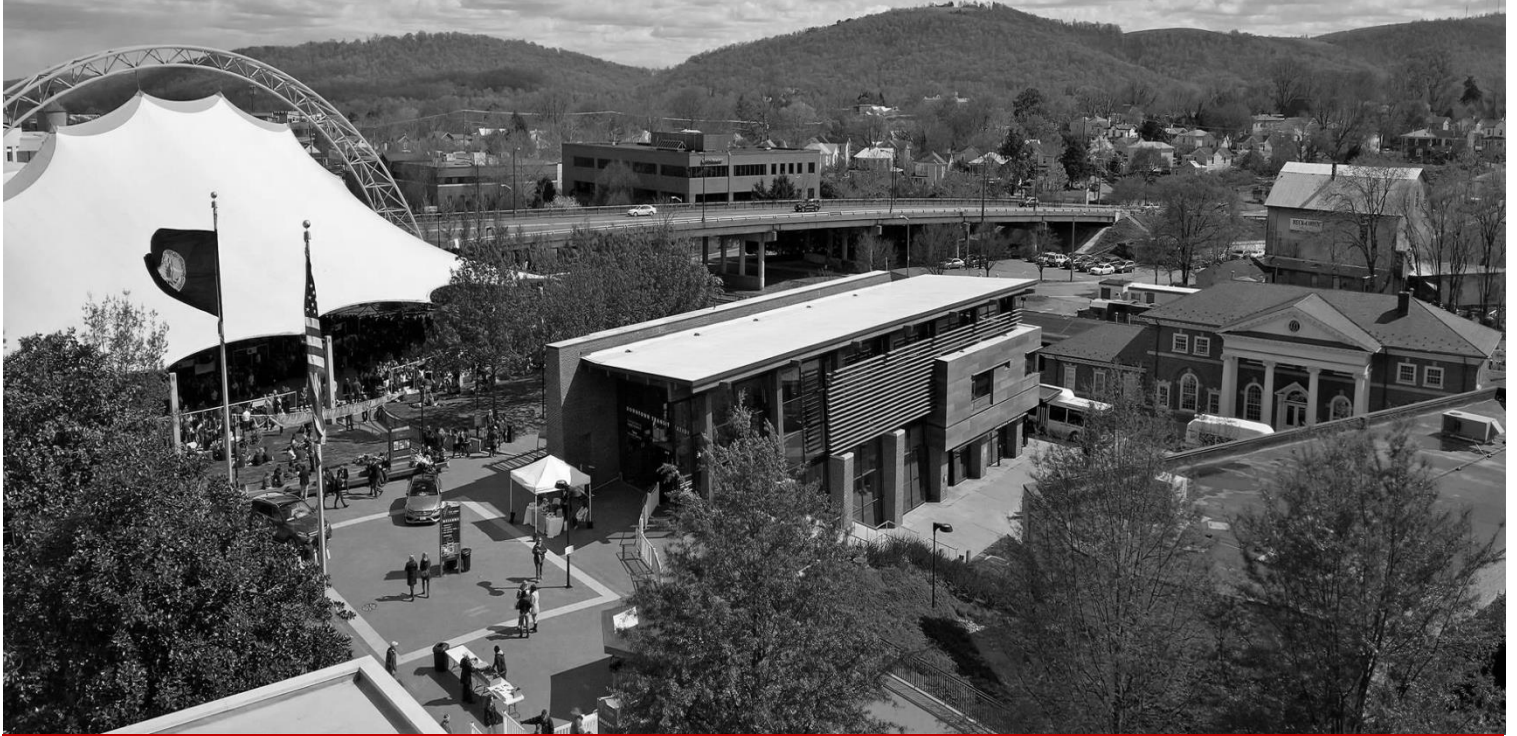
As a sub-recipient of federal financial assistance, the CA-MPO, is required to comply with Title VI and subsequent nondiscrimination laws, as well as provide an overview of how the CA-MPO addresses Executive Order 12898 on Environmental Justice and Executive Order 13166 on Limited English Proficiency (LEP). The CA-MPO Title VI Plan describes the measures taken by the CA-MPO to assure compliance with the rules and regulations associated with Title VI and subsequent nondiscrimination laws, Environmental Justice, and LEP.

The current Title VI Plan was last updated in 2016 and needs another update. The draft of the Title VI Plan included in your packets reflects recommended changes (highlighted in blue). These changes include updating the LEP data from the US Census and the *Communication and Public Participation* section of the plan to match the proposed updates to the CA-MPO's Public Participation Plan.

### Recommendation:

At this time, each of the committees and the Policy Board are being asked to review the current draft of the Title VI Plan and provide feedback to staff. Once staff has received feedback, recommendations for changes will be incorporated and the Title VI Plan will be distributed publicly for comment. Once the committee and public comments are incorporated, the updated Title VI Plan will be brought to the CA-MPO Policy Board for approval.

If there are any questions or comments, please contact Lucinda Shannon at [lshannon@tjpd.org](mailto:lshannon@tjpd.org).



# Title VI Plan

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Approved: DRAFT

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## I. Purpose

This Title VI/Environmental Justice Plan will discuss how the Charlottesville-Albemarle Metropolitan Planning Organization (CA-MPO) mitigates against and avoids inadvertently excluding low-income, minority, limited-English-speaking, disabled, and elderly populations in the planning process and in the development of numerous planning documents. This plan will also include a procedure that allows members of these populations to submit grievances regarding perceived discriminatory actions.

## II. Title VI

In 1964, the United States Congress passed the Civil Rights Act, an Act that enforced constitutional and civil rights for minority populations. This landmark piece of legislation was made up of 11 titles, all of which are listed below. Title VI of this Act is the driving force behind this document.

- I. Voting Rights
- II. Public Accommodation
- III. Desegregation of Public Facilities
- IV. Desegregation of Public Education
- V. Commission of Civil Rights
- VI. Nondiscrimination in Federally-Assisted Programs and Activities
- VII. Equal Employment Opportunity
- VIII. Registration and Voting Statistics
- IX. Intervention and Procedure after Removal in Civil Rights Cases
- X. Establishment of Community Relations Service
- XI. Miscellaneous

Title VI of the 1964 Civil Rights Act is made up of five sections. The first section states the following...



**SEC. 601:** 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.

The remaining four sections discuss how Section 601 will affect federal agencies.

**SEC. 602:** No federal agencies can enact or fund projects that do not adhere to the criteria outlined in Section 601.

**SEC. 603:** Any agency that does not adhere to the parameters outlined in SEC. 601 and 602 are subject to judicial review. Funding for any federal agency can be withdrawn if SEC. 601 and 602 are not met.

**SEC. 604:** Title VI will not affect employment unless said employment is federally-funded.

**SEC. 605:** Title VI will not affect any federal agencies' authority regarding contract of insurance guaranty.

Title VI applies to the Charlottesville-Albemarle MPO in that the MPO is a federally mandated agency, funded primarily through federal tax dollars. Currently the MPO handles Title VI through its public participation plan, last updated in 2016. Title VI has been expanded by numerous other Acts and Executive Orders. Below is a list of nondiscrimination laws that have expanded upon the original scope of Title VI.

#### **Non-Discrimination Acts:**

- **The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970** prohibits unfair and inequitable treatment of persons displaced or whose property will be acquired as a result of federal and federal-aid programs and projects.
- **The Federal Aid Highway Act of 1973** states that no person shall, on the grounds of sex, be excluded from participation in, be denied the benefits of, or be



subjected to discrimination under any program or activity receiving federal assistance under this title or carried on under this title.

- **Section 504 of the Rehabilitation Act of 1973** states that no qualified handicapped person shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity that receives or benefits from federal financial assistance. This Act protects qualified individuals from discrimination based on their disability.
- **The Age Discrimination Act of 1975** states that no person shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. This act prohibits age discrimination in federally-assisted programs.
- **The Civil Rights Restoration Act of 1987, P.L.100-209** amends Title VI of the 1964 Civil Rights Act to make it clear that discrimination is prohibited throughout an entire agency if any part of the agency receives federal assistance.
- **The American Disabilities Act (ADA) of 1990** prohibits discrimination against people with disabilities in employment, transportation, public accommodation, communications, and governmental activities.
- **23 CFR Part 200** – Federal Highway Administration regulations: Title VI Program and Related Statutes – Implementation and Review Procedures.
- **49 CFR Part 21** – Nondiscrimination in Federally-Assisted Programs.
- **23 CFR Part 450** – Federal Highway Administration planning regulations.
- **23 CFR Part 771** – Federal Highway Administration regulations, Environmental Impact Procedures.

#### Non Discrimination Executive Orders:

- **Executive Order 12898** – Environmental Justice (February 11, 1994), a presidential mandate to address equity and fairness toward low-income and minority persons/population. Executive Order 12898 organized and explained the federal government's commitment to promote Environmental Justice. Each





federal agency was directed to review its procedures and make environmental justice part of its mission. U.S. DOT Order 5610.2 (April 15, 1997) expanded upon Executive Order 12898 requirements and describes process for incorporating Environmental Justice principles into DOT programs, policies, and activities. FHWA Order 6640.23 (December 2, 1998) – FHWA Actions to Address Environmental Justice in Minority Populations and Low-Income Populations

- **DOT Order 5610.2** on Environmental Justice summarized and expanded upon the requirements of Executive Order 12898 to include all policies, programs, and other activities that are undertaken, funded, or approved by the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), or other U.S. DOT components.
- **Executive Order 13166** – Limited English Proficiency (August 11, 2000), a presidential directive to federal agencies to ensure people who have limited English proficiency have meaningful access to services. Executive Order 13166 ensures federal agencies and their recipients to improve access for persons with Limited English Proficiency to federally-conducted and federally assisted programs and activities.
- **The National Environmental Policy Act (NEPA) of 1969** addresses both social and economic impacts of environmental justice. NEPA stresses the importance of providing for “all Americans, safe, healthful, productive and aesthetically pleasing surroundings,” and provides a requirement for taking a “systematic interdisciplinary approach” to aid in considering environmental and community factors in decision-making
- **HWA/FTA Memorandum Implementing Title VI Requirements in Metropolitan and Statewide Planning** - This memorandum provides clarification for field officers on how to ensure that environmental justice is considered during current and future planning certification reviews. The intent of this memorandum was for planning officials to understand that environmental justice is equally as important during the planning stages as it is during the project development stages.



### III. Environmental Justice

In 1994, President Bill Clinton signed Executive Order 12898 that directed federal agencies to develop strategies to mitigate against adversely impacting the health or environmental quality of minority and low-income populations. This order also pushed forward efforts to keep these populations more informed about their communities and their rights.

Adverse effects are defined as...

- Bodily or physical harm
- Pollution (noise, water, air, soil, or other)
- Destruction of elements and features that can bind a community, such as available resources, aesthetics, and economic sufficiency
- Displacement of people, employment, or resources
- Isolation from a broader community
- Delay in receiving available resources

Environmental Justice is meant to address the undue burden of these adverse effects on these specialized populations. This Executive Order was structured to not only require federal agencies and those benefitting from federal funding to mitigate potential adverse effects on these specialized populations, but also empower these populations to know their rights and participate in the betterment of their community.

### IV. Limited English Proficiency

Like the Environmental Justice Executive Order, the Limited English Proficiency Executive Order is structured to avoid adversely affecting these populations and to develop strategies to better engage these populations in their community. This order was signed by President Clinton in 2000. Limited English-speaking populations are



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often isolated from engaging in their larger communities. By making materials and opportunities accessible to these populations it becomes easier to communicate and perhaps determine methods of providing necessary resources.

In considering how to access these populations four factors need to be addressed.

These factors include...

- Demographics: Knowing where the populations are located.
- Frequency: Determining how often the populations are contacted or engaged by the agency.
- Importance: Determining if the issues under consideration are important to these communities.
- Resources: Keeping an inventory of the resources available to engage these populations.

This analysis, known as the four-factor analysis, is used to determine which language assistance services are appropriate to address the identified needs of the Limited English Proficiency (LEP) population. Below is the four-step process taken by the Charlottesville-Albemarle MPO.

### Factor 1

*Demographics: Assessment of the Number and Proportion of LEP Persons Likely to be Served or Encountered in the Eligible Service Population.*

The Charlottesville-Albemarle MPO has reviewed census data on the number of individuals in its service area that have LEP, as well as the languages that they speak. This data comes from the American Community Survey (2014-2018). This data indicates the extent to which translations into other language are needed to meet the needs of LEP persons within the community. Because the MPO's boundaries encompass both the City of Charlottesville and portions of Albemarle County, it should be noted that the figures below represent all the population of the City of Charlottesville and all of the population of Albemarle County, thus these numbers are not specific to



the MPO. It should also be noted that these figures are estimates that consider the major language spoken at home. These figures do not assess if these populations are fluent in English.

• Spanish	6,830	4.7%
• Indo-European	5,855	4.0%
• Asian and Pacific Island Languages	4,818	3.3%
• Other Languages	1,712	1.2%

The most pervasive, non-English language in the region is Spanish, which makes up more than 4.7% of the total population. The Indo-European and the Asian and Pacific Island groups represent 4.0% and 3.3% of total population respectively. It is important to note that these broad census categories encompass numerous languages. Please see Appendix B for the full list of languages.

## Factor 2

*Frequency: Determining how often the populations are contacted or engaged by the agency.*

The Charlottesville-Albemarle MPO is rarely approached for information by any populations who do not have a reasonable competent grasp of the English language. This agency has made efforts for certain projects to create materials in both English and Spanish should the project affect these populations, but this need is on a project-by-project basis.

The goal of the Charlottesville-Albemarle MPO is to make sure that for any potential project that could affect this community the MPO staff makes every effort to include all stakeholders that could be affected by the project, including limited-English-speaking populations. The MPO performs outreach when needed and provides assistance when requested.



### Factor 3

*Importance: Determining if the issues under consideration are important to these communities.*

As stated above, the Charlottesville-Albemarle MPO provides materials for limited-English-speaking populations if they are needed for a particular project. For example, the MPO recently did a customer satisfaction survey to determine how riders felt about Charlottesville Area Transit (CAT). The survey was both in English and in Spanish due to the extreme importance of transit to the Hispanic population in our region. This allowed Spanish-speaking citizens the opportunity to contribute input on a service that was important to them. According to the survey responses, the Spanish-speaking population generally had the same opinion about CAT service as the English-speaking population.

### Factor 4

*Resources: Keeping an inventory of the resources available to engage these populations.*

The following language assistance measures are currently being provided by the Charlottesville-Albemarle MPO. The MPO provides translators for MPO meetings for Spanish-speaking citizens if given at least two days' notice. The MPO will do its utmost to provide translators for other languages if requested. The MPO will also make major plans available in a variety of languages if requested to do so. This agency aims to complete a document translation within a reasonable timeframe. Also, for various projects the MPO makes every effort to include all stakeholders in the planning and implementation process. When a project affects a limited-English-speaking population, the Charlottesville-Albemarle MPO takes action to make the information about the



project as accessible as possible. At this time this agency has not had to do any of the actions mentioned above. Because of this, it is very difficult to assess the costs that would be incurred. The MPO is prepared for these costs should the need arise.

### LEP Implementation Plan

Through the four-factor analysis, the Charlottesville-Albemarle MPO has determined that the following types of language assistance are most needed and feasible.

Limited-English-speaking populations make up approximately 11.7% of the total 100,664 residents age 5 years and older in Albemarle County and 16.6% of the total 44,468 residents 5 years and older in the City of Charlottesville. The largest group within this cohort is Spanish-speaking individuals. The MPO will do outreach to the Spanish-speaking population as a part of our general community outreach or our project-specific efforts. Again, the MPO will do its utmost to engage all stakeholder groups and meet all limited-English-speaking requests. Further demographic information may be found in Appendix B.

## V. Title VI Coordinator

The Title VI coordinator is expected to maintain the Title VI plan, develop strategies to maintain Title VI compliance, and oversee the Discrimination Complaint Process. Below is a list of the Title VI Coordinator's specific responsibilities.

- Monitor and review agency programs, policies, and activities for Title VI compliance in primary and special emphasis areas;
- Collect and review statistical data (race, color, sex, age, disability or national origin) of participants and beneficiaries of state highway programs, to prevent or eliminate potential disparate impact or disparate treatment discrimination;
- Work with staff involved in procurement or consulting contracts to insure that Title VI compliance is met; and mitigate any issue if not met;



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- Train new staff members on Title VI compliance procedures;
- Maintain a list of interpretation service providers;
- Periodically review and update the agencies Title VI Plan;
- Attend trainings to keep aware of nondiscrimination opportunities and procedures; and,
- Resolve Title VI complaints in a timely and thorough fashion

The Title VI coordinator will be responsible for incorporating Title VI efforts into various plans produced by the Charlottesville-Albemarle MPO. The Title VI coordinator will also make every effort to insure that all information regarding the Charlottesville-Albemarle MPO is reasonably accessible to all populations. Informational materials will be readily available both on the MPO's website and in the TJPDC offices.

The CA-MPO has designated the Executive Director of the Thomas Jefferson Planning District Commission, Chip Boyles, as the Title VI Coordinator. He may be contacted at 434.422.4821 or by email at [cboyles@tjpdcc.org](mailto:cboyles@tjpdcc.org).

Other MPO employees that could be a part of the Title VI process include the TJPDC's Executive Director, who will be kept informed of all Title VI complaints and has taken numerous Title VI training courses over the course of his/her career. Also, the TJPDC's Administrative Assistant will likely be the first point of contact if a Title VI or Environmental Justice complaint or request is made. The Administrative Assistant will do the initial processing for these situations and will forward the request on to the Title VI coordinator.



## **VI. Charlottesville-Albemarle MPO Community Characteristics**

Figure 1 on the following page is provided to help orient the reader with the Charlottesville-Albemarle area. The large map displays the Charlottesville-Albemarle MPO broken down by block group. Similarly, the informational maps in the following sections (Figure 2 and Figure 3) use Charlottesville-Albemarle data sets on a block group scale. The column of maps on the right of Figure 1, from top to bottom, show the Thomas Jefferson Planning District Commission's jurisdiction, the middle map shows the Charlottesville-Albemarle MPO within the state of Virginia, and the bottom map shows the distinction between the campus and the City of Charlottesville within the city limits.



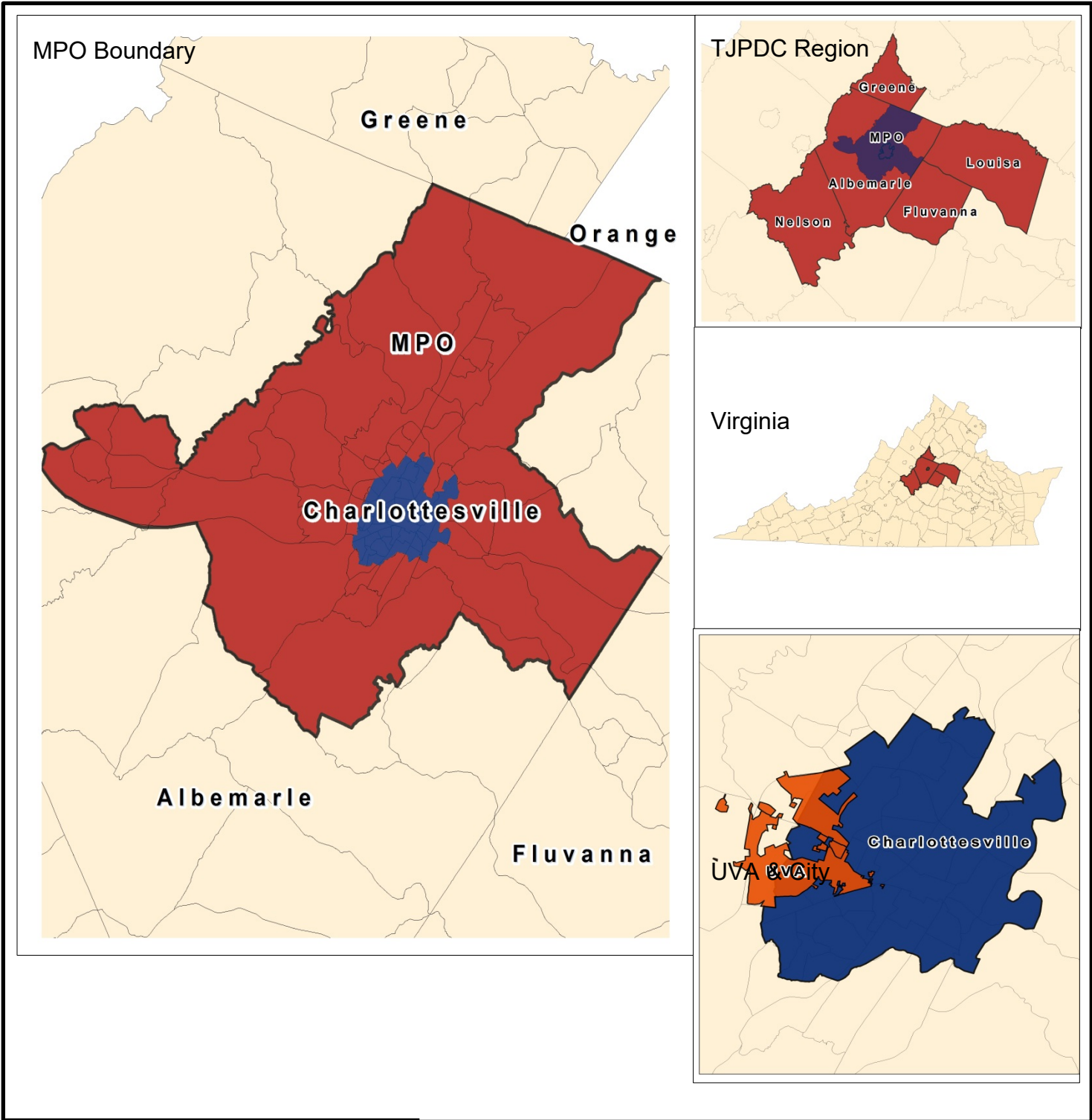


Figure 1: MPO & TJPDC



## Race

The percentage of the minority population for each census tract is shown in figure 2. The data was extracted from the 2014 to 2018 American Community Survey 5-Year Estimates. The percentage of the minority population was calculated by dividing the “White Alone” category by the total population figures for each census tract. Shades of dark blue represent higher concentrations of minority populations. Highly diverse census tracts can be found within the boundaries of the City of Charlottesville, with less diverse census tracts to the west of the City.

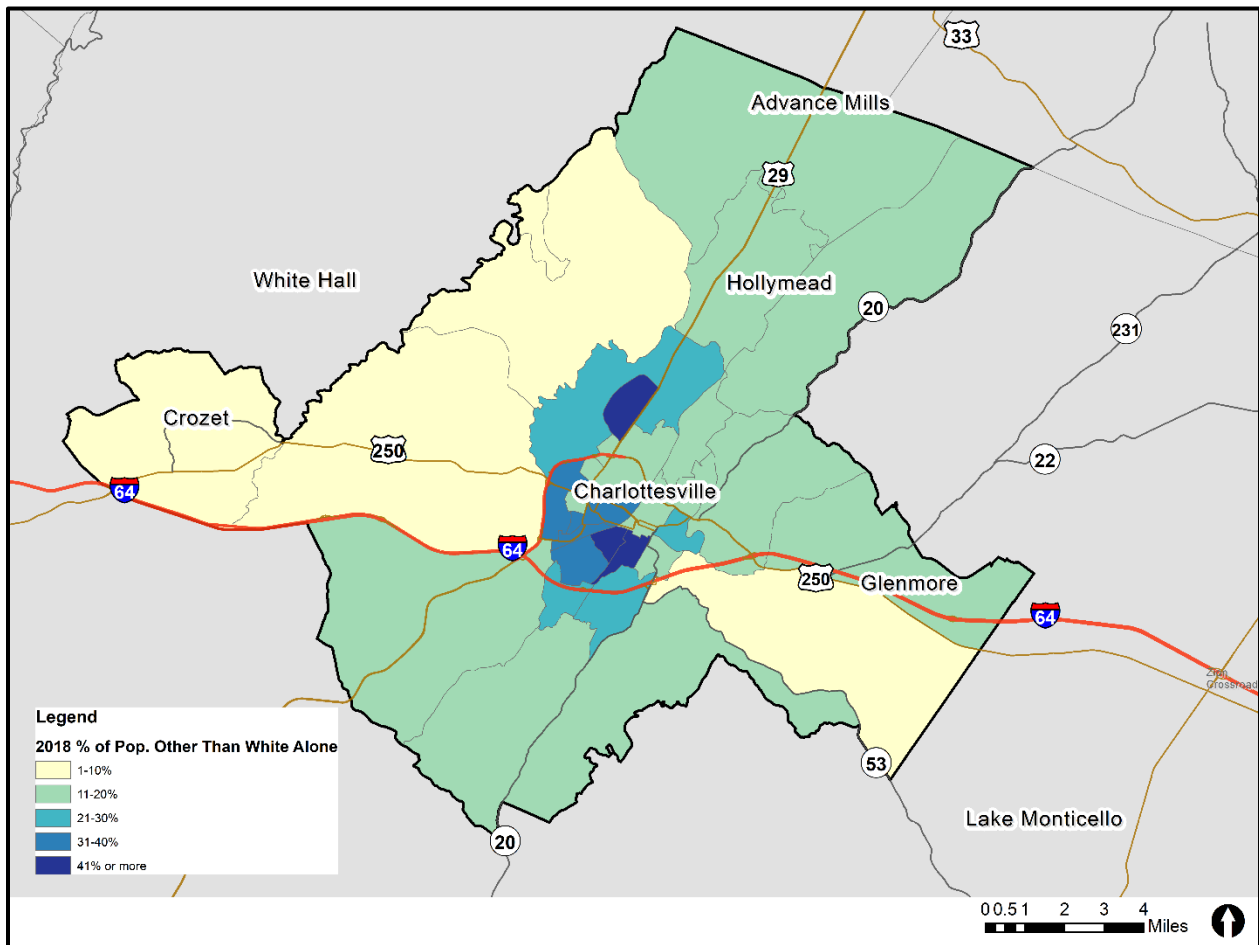


Figure 2: Percent Minority



## Low-Income

The map in figure 3 displays the percentage of the population at the block group level living below the poverty line based on 2018 American Community Survey data estimates. The darker shades of blue denote block groups with higher percentages of individuals living below the poverty line. It is important to note that the data can be misleading, as a large proportion of students occupy block groups within close proximity to the University. Students typically report lower incomes, thus placing them below the poverty threshold and causing the data to skew towards an inflated population in that category.

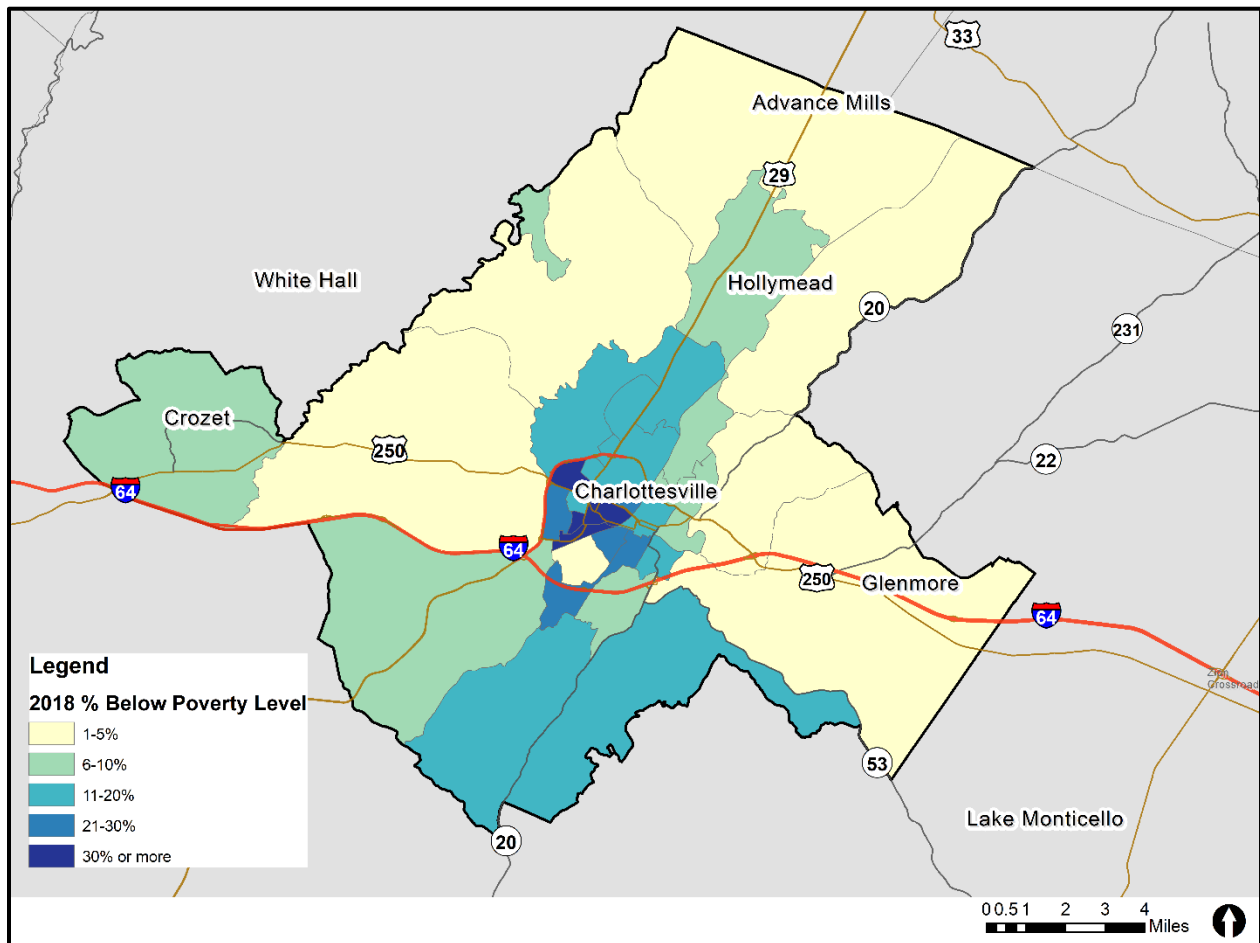


Figure 3: Percent Below Poverty Line



## Age

Figure 4 represents the percentage of individuals in the 65 and older age category by the census tract level, using data extracted from the **2018** American Community Survey. Darker shades of blue denotes higher percentages of individuals in the 65 and older age bracket. As expected, census tracts within close proximity to the UVa grounds have low concentrations of older individuals, while census tracts outside of the City of Charlottesville boundaries have proportionately higher concentrations of older individuals.

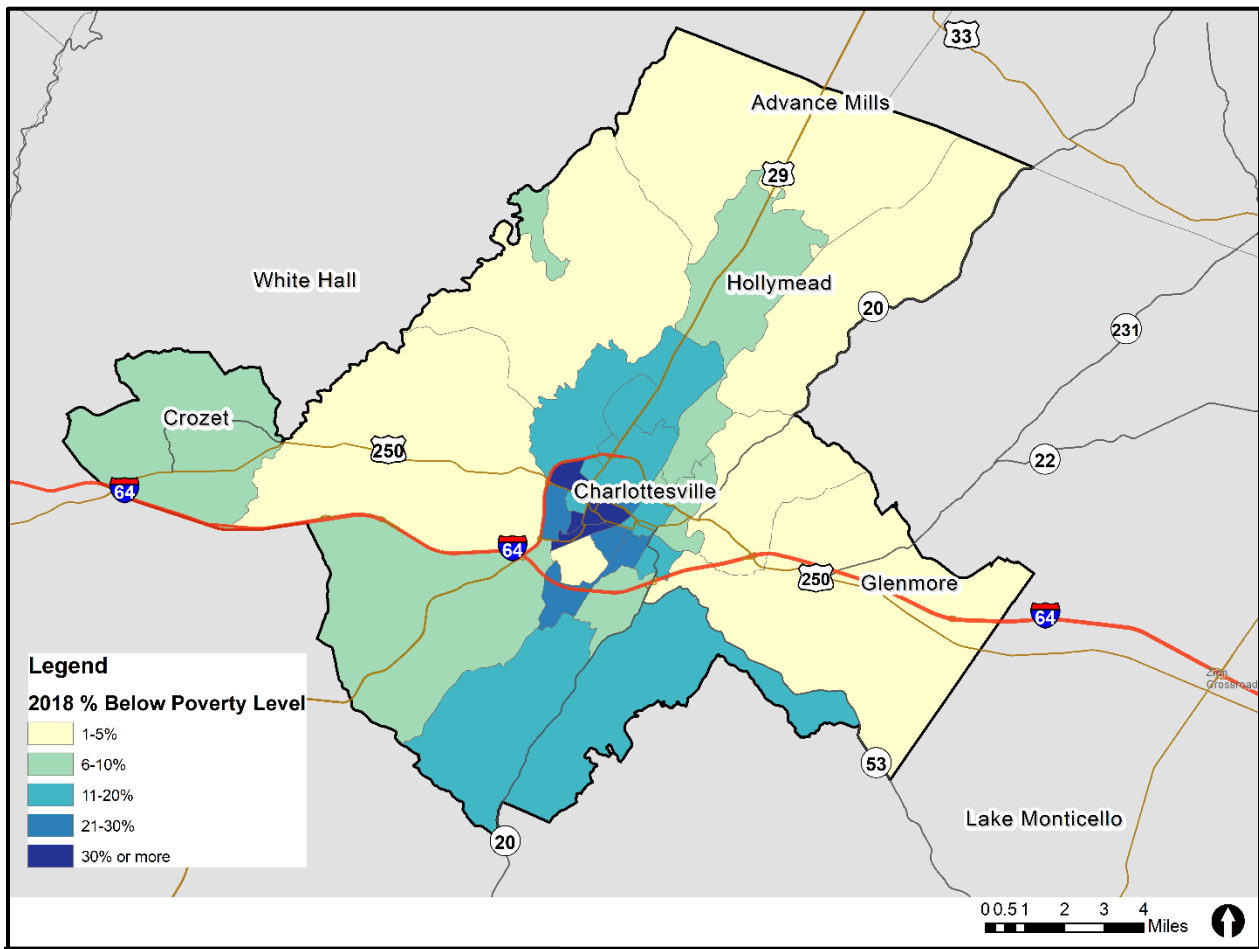


Figure 4: Percent 65 and Older



## Disabled

The 2014 to 2018 American Community Survey five-year estimate data on county/city level estimates regarding disability characteristics shows that, because of the higher density in Charlottesville, the amount of people with disabilities is similar between the county and city. Table 1 below provides estimates of these characteristics for Albemarle County and the City of Charlottesville. This data was pulled from the 2014 to 2018, 5-year ACS estimates. It is important to note that the ACS data is based on sampling data. ACS requires a data confidence level of 90%, meaning that each figure could be off by as much as 10% either high or lower. The figures below should be treated as estimates. Margin of error information is available via American Factfinder.

This data shows that for both Albemarle County and the City of Charlottesville the population with a disability is about 9% of the total population. The estimates increase with age, and estimates begin to skew toward the category “With an ambulatory difficulty”. The amount of minority people with a disability is proportionally lower than the white population with disabilities.



Table 1: Disability Characteristics

<b>Disability Characteristics</b>		
	Albemarle County With a Disability	City of Charlottesville With a Disability
Total civilian noninstitutionalized population	9461	9002
<b>SEX</b>		
Male	4741	3884
Female	4720	5118
<b>RACE AND HISPANIC OR LATINO ORIGIN</b>		
White alone	7811	6359
Black or African American alone	1139	1978
American Indian and Alaska Native alone	22	45
Asian alone	192	314
Native Hawaiian and Other Pacific Islander alone	23	23
Some other race alone	58	41
Two or more races	216	242
White alone, not Hispanic or Latino	7662	6229
Hispanic or Latino (of any race)	209	207
<b>AGE</b>		
Under 5 years	0	0
5 to 17 years	541	337
18 to 34 years	998	1449
35 to 64 years	3055	3239
65 to 74 years	1608	1421
75 years and over	3259	2556
<b>DISABILITY TYPE BY DETAILED AGE</b>		
With a hearing difficulty	2979	2252
With a vision difficulty	1723	1714
With a cognitive difficulty	3018	3174
With an ambulatory difficulty	4731	4862
With a self-care difficulty	1878	1773
With an independent living difficulty	3243	3337

Source: U.S. Census Bureau, 2014-2018 American Community Survey 5-Year Estimates



## VII. Charlottesville-Albemarle MPO Responsibilities and Strategies

As a federally mandated and funded agency the Charlottesville-Albemarle MPO is required to develop strategies to engage populations that are low-income, minority, limited-English-speaking, disabled, and elderly. The MPO makes efforts to ensure that its planning efforts are holistic and will include all populations that are part of the regional community.

In the Unified Planning and Work Program (UPWP), the MPO is responsible for a variety of tasks, including administration tasks, long-range planning, short-range planning and special projects (as needed). All of these tasks fall under several general responsibilities. With all of these tasks the MPO is responsible for communicating its efforts with numerous stakeholders, including the public. Therefore, Communication and Public Participation are a central part to the MPO's activities. MPO staff is also responsible for the development and maintenance of two transportation planning documents, the Long-Range Transportation Plan and the Transportation Improvement Program. All transportation projects that are anticipated to receive federal funds must be included in these documents. Therefore, the MPO and its stakeholders must work together to ensure that the projects listed in these two documents, do not cause adverse effects to these specific population groups.

### Communication and Public Participation

To reach out to the community the MPO makes every effort to be as broad sweeping as possible. As part of our existing Public Participation Plan the MPO has numerous on-going activities to keep the public informed. These activities are listed below and in the Public Participation Plan.

#### Ongoing Activities

- The Thomas Jefferson Planning District publishes a regular report that informs the public about the PDC and MPO's activities. The mailing list for this report includes a broad cross-section of civic organizations, business leaders, press



members, leaders in education, public transit officials, elected officials, and members of the community who request to receive the newsletter.

- TJPDC publishes *News Briefs* on its website of the efforts and accomplishments for the TJPDC and the Charlottesville MPO.
- The TJPDC and CA-MPO staff is available on a full-time basis to respond to direct questions and inquiries from citizens concerning transportation plans, programs, and the transportation planning process for the region. Staff will make presentations at the request of local civic organizations and routinely provides information to the local print and electronic media. Staff will be accessible to the public through a variety of means (i.e. e-mail, phone, and in-person).
- The TJPDC maintains an extensive library of transportation, environmental, demographic, community planning, and GIS materials that are available for use by the public during the regular workday (8:30 a.m. to 5:00 p.m.).
- The TJPDC and the MPO maintain relationships with local academic institutions, making presentations to college and graduate level classes and often hosting an undergraduate or graduate intern on staff. The CA-MPO regularly utilizes the assistance of the CTAC in its transportation planning activities. CTAC is composed of City, County and MPO-appointed community members with interest and expertise in planning-related topics.
- In an effort to further engage with a diverse audience, the TJPDC maintains a Facebook page to periodically update page followers on topics of interest related to the TJPDC and the MPO. This format allows for information to easily be disseminated to the public.
- According to the provisions of SAFETEA-LU, the TJPDC and the CA-MPO maintain a list of “interested parties” and “stakeholder organizations.” TJPDC staff will include to the extent practicable, but not limited to: private citizens, public agencies, providers of freight services, private providers of transportation,





representatives of public transportation, employee representatives of users of pedestrian walkways and bicycle transportation facilities, and representatives of the disabled. All citizens/groups requesting inclusion on the MPO mailing and e-mail list will be added.

MPO Policy Board and Committee Meetings:

- All MPO Policy Board and Committee meeting agendas will include meeting guidelines establishing time limits and procedures for public interaction with the Policy Board and Committees.
- As far as technically possible, access to MPO Policy Board and Committee members via email will be facilitated.
- All meetings of the Policy Board, Technical Committee and other MPO committees will be open to the public and will be held in locations accessible to persons with handicaps and on public transit lines. In circumstances where electronic meetings are authorized and held, the meeting information will be posted on the MPO website at the time that the agenda is posted with details on how the public can access the meeting. Meeting information will also be distributed electronically.
- Arrangements will be made for interpreters for hearing impaired individuals, and every effort will be made to ensure provision of interpreters for non-English speaking persons, provided a request is submitted at least two days before the meeting. For meetings conducted electronically, interpretation services may be provided through closed captioning options.
- Every effort will be made for public hearings, workshops, and forums to be scheduled at times that are accessible and convenient.



## Transportation Planning Documents

Regarding specific transportation plans, the MPO makes efforts to include stakeholders in both the development and approval of these regionally significant documents. For the development process, the efforts can vary depending on the type of plan. In the development of new plans MPO staff makes every effort to not only make sure that these plans consider minority and low-income populations, but also attempt to include these populations in the development of these plans. How we work to include these populations differs with each plan. For example, for the previous Long Range Transportation Plan (LRTP) MPO staff presented the draft plan at community meetings for the public housing developments within the MPO; a method that allowed MPO staff to connect with both minority and low-income populations. MPO staff also hosted an open house for local citizens that focused on information for the 2045 LRTP. The workshop was heavily advertised through various outlets, in order to capture participation from a diverse cross-section of this community. MPO staff also reached out to agencies that deal with low-income and minority populations in an effort to piggyback on their outreach efforts. During FY16, staff held a transportation academy in an effort to further engage with citizens of the community on a variety of transportation-related topics, including future growth patterns of the community and transit. Each effort is unique and tailored to the planning document that is being developed. Below is a list of methods MPO staff can implement during plan development.

- Encourage and accept public input in a variety of ways (i.e. by mail, in person, website, phone and via e-mail)
- Include a broad segment of the population in development of programs, plans, and studies by conducting regional workshops to obtain public input on transportation and land use issues.
- Conduct focus group meetings in traditionally underserved communities to ensure the interests of these groups are incorporated into long range planning efforts.
- Meet with and identify needs of other groups with special interests in the



community.

- Continually experiment with a wide variety of marketing tools and visualization techniques (within limited budgets) to describe transportation plans (including LRTP and TIP) and to incorporate public participation into planning workshops.
- In developing the LRTP and TIP, the MPO will consult with agencies and officials responsible for other planning activities within the MPO that are affected by transportation or coordinate its planning process with such planning activities.
- The MPO will consider other related planning activities within the metropolitan area when developing the LRTP, TIP, and other relevant plans or studies.
- The MPO will provide an additional opportunity for public comment if the final LRTP, TIP or other transportation plans differ significantly from the version that were made available for comment by the MPO and raises new material issues which interested parties could not reasonably have foreseen from the public involvement efforts.

During the approval process the MPO follows strict guidelines that are meant to allow members of the public and other stakeholders, ample opportunity to review plans and provide feedback. Below is a list of the MPO's plan approval process.

1. The Policy Board will advertise using the standard MPO public notice procedures for input no fewer than two times prior to adoption for:
  - a. The Unified Planning and Work Program
  - b. Transportation Improvement Program (TIP)
  - c. The Long Range Plan (LRP)
2. The Policy Board will hold no fewer than two public hearings prior to adoption of the aforementioned documents, and will provide for a 30-day public comment period between the first advertisement of the public hearing and adoption of the document.



3. Legal notice of public hearings:
  - a. Will be published two weeks prior in The Daily Progress, Charlottesville (a local daily newspaper)
  - b. Will be published two weeks prior in The Free Press, Richmond (a statewide publication serving African American communities)
  - c. Will advertise on the Charlottesville Radio Station, WPVC 94.7 (serving Latin American communities during the El Club Del Sabor program)
  - d. Will advertise on-line with Naciones Radio
  - e. Will be sent to those on the MPO contact list and the media two weeks prior
  - f. Will be posted on the TJPDC website two weeks prior and in the TJPDC offices
  
4. Draft copies of the aforementioned documents will be made available two weeks prior for public review:
  - a. On the MPO website
  - b. Through MPO-area public libraries
  - c. Local planning offices
  - d. VDOT and MPO offices
  
5. Advertisements of MPO public hearings for the aforementioned documents, as well as for critical or adjacent projects that will influence regional transportation; will be posted in central places of low-income and minority neighborhoods.
  
6. At least one public hearing will be held by the Policy Board regarding amendments to the UPWP, TIP, and LRP.



7. Public forums will be held during the update or amendment of the LRP and TIP.
8. Summaries of all comments received and responses to these comments will be included in the TIP, LRTP, and other relevant documents (e.g. meeting minutes).
9. Public information sessions and/or interactive workshops will be held regarding other major studies affecting the region's transportation network as deemed necessary by the Policy Board or by request of the public.

During FY16, MPO staff conducted a strategic planning survey in an effort to help guide the future direction of the MPO. The survey was distributed to local elected officials, MPO Committee members, and state and local planning staff. Respondents to the survey were in agreement that current MPO Committees lack diversity and greater efforts should be made to further engage these populations. Going forward, the MPO and its staff will actively advocate for more diversity and foster a sense of inclusion.

One example of this is the FY2021 Equity in Transportation project where staff will identify under-represented/underserved communities and identify key stakeholders in those communities. We plan to connect with those key stakeholders to improve outreach and engagement with underserved populations.

#### Communications with the Public and Community Organizations<sup>1</sup>

- The MPO will coordinate with the statewide transportation planning public involvement and consultation process, as appropriate.
- The MPO will identify and communicate with populations traditionally underserved by the transportation network, such as those with disabilities and

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<sup>1</sup> The MPO Policy Board may act on an agenda item in the absence of proper notice with approval of a waiver of requirement by 75 percent vote.



low-income persons through organizations and media outlets known to serve these populations.

- The MPO has identified locations of low income and minority communities using Geographic Information Systems (GIS) and has included this mapping data in the Title VI Plan. The MPO will also seek input from these communities throughout the planning phase, and specifically for the TIP and the Long Range Transportation Plan updates. Methods for communicating to this audience may include:
  - Presenting at or sponsoring a community meeting in the targeted area and/or
  - Seeking representatives from the community to participate in an MPO meeting focusing their concerns and/or
  - Seeking representatives from the community and/or from service agencies familiar with the needs of these communities
- Information regarding achievement of goals and deliverables identified in the UPWP will be provided for public review. A final report on the work programmed in the UPWP will be prepared and available for public review annually.
- Meeting materials will be made available electronically and/or distributed to those on the MPO contact list and to the media approximately one week prior to the meeting.
- Notice will be sent to those on the MPO contact list approximately one week prior to each meeting to announce when meeting materials are electronically available.
- Arrangements will be made to accommodate individuals that require special assistance to review meeting materials and other documents and reports.



## VIII. Discrimination Complaint Procedures

Title VI, Environmental Justice, and other subsequent laws prohibit discrimination based on race, color, national origin, handicap, sex, age, income-status and limited-English-speaking proficiency. As a federally-funded agency, the Charlottesville-Albemarle MPO has developed a method for receiving and handling such complaints should they be made. The complaint procedures are outlined as follows:

1. Any person who believes that he or she, or any specific class of persons, has been subjected to discrimination or retaliation, programs or activities, as prohibited by Title VI of the Civil Rights Act of 1964, as amended, and its related statutes, may file a written complaint. This complaint must be submitted using the appropriate Title VI form, which is included as an appendix to this document. All written complaints received by the MPO shall be referred immediately by the MPO's Title VI Coordinator, to the VDOT's Central Office: Civil Rights Division and FHWA District Office.
2. In order to have the 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. In this case, the recipient or his/her designee may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for so doing.
3. Complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative. Complaints should 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 recipient, the person shall be interviewed by the Title VI Coordinator. If necessary, the Title VI Coordinator will assist the person in putting the complaint



in writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled in the usual manner.

4. Within 10 days of the MPO receiving the allegation in writing, the Title VI Coordinator will inform the complainant of action taken or proposed action to process the allegation, advise the respondent of their rights under Title VI and related statutes, and advise the complainant of other avenues of redress available, such as the Virginia Department of Transportation (VDOT) and the Federal Highway Administration (FHWA).
5. Within 10 days, a letter will be sent to the VDOT Central Office, Civil Rights Division, and a copy to the FHWA Virginia Division Office. This letter will list the names of the parties involved, the basis of the complaint, and the assigned investigator.
6. In the case of a complaint against the Charlottesville-Albemarle MPO, a VDOT investigator will prepare a final investigative report and send it to the complainant, respondent (MPO person listed), the MPO Title VI Coordinator, and FHWA Virginia Division.
7. Generally, the following information will be included in every notification to the VDOT Office of Civil Rights:
  - Name, address, and phone number of the complainant.
  - Name(s) and address (es) of alleged discriminating official(s).
  - Basis of complaint (i.e., race, color, national origin, sex, age, handicap/disability, income status, limited English proficiency).
  - Date of alleged discriminatory act(s).
  - Date of complaint received by the recipient.





- A statement of the complaint.
  - Other agencies (state, local or federal) where the complaint has been filed.
  - An explanation of the actions the recipient has taken or proposed to resolve the issue raised in the complaint.
8. Within 60 days, the MPO Title VI Administrator 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 to the Executive Director of the recipient of federal assistance. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.
9. Within 90 days of receipt of the complaint, the MPO Title VI Administrator 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 his/her appeal rights with the Virginia Department of Transportation or the Federal Highway Administration, if they are dissatisfied with the final decision rendered by the MPO. The MPO will also provide the VDOT Civil Rights Central Office with a copy of the determination and report findings.
10. In the case a nondiscrimination complaint that was originated at the MPO is turned over to and investigated by VDOT, FHWA or another agency, the MPO will monitor the investigation and notify the complainant of updates, in accordance with applicable regulations and VDOT policies and procedures.
11. In accordance with federal law, the MPO will require that applicants of federal assistance notify the MPO of any law suits filed against the applicant or sub-



recipients of federal assistance or alleging discrimination; and a statement as to whether the applicant has been found in noncompliance with any relevant civil rights requirements.

12. The MPO will collect demographic data on staff, committees, and program areas in accordance with 23 CFR, 49 CFR and VDOT's established procedures and guidelines.

13. Pursuant to the Virginia Public Records Act (VPRA) § 42.1-76 et seq., the MPO will retain Discrimination Complaint Forms and a log of all complaints filed with or investigated by the MPO.

14. Records of complaints and related data will be made available by request in accordance with the Virginia Freedom of Information Act



## Appendix A: Discrimination Complaint Form

Please provide the following information in order to process your complaint. Assistance is available upon request. Complete this form and mail or deliver:

Thomas Jefferson Planning District Commission, Title VI Coordinator, 401 E Water Street, Charlottesville, VA 22902

You can reach our office Monday-Friday from 8:00am to 5:00pm at (434) 979-7310, by email at [info@tjcdc.org](mailto:info@tjcdc.org).

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Complainant's Name: \_\_\_\_\_

Street

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone

No. (Home): \_\_\_\_\_ (Business): \_\_\_\_\_

Email

Address \_\_\_\_\_

Person discriminated against (if other than complainant)

Name:

\_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_







## Appendix B: Language Use

**Survey/Program:** American Community Survey

**Universe:** Population 5 years and over

**Year:** 2018

**Estimates:** 5-Year

**Table ID:** C16001

<b>Language Spoken at Home</b>		
	Albemarle County, Virginia	Charlottesville City, Virginia
<b>Label</b>	<b>Estimate</b>	<b>Estimate</b>
Total:	100664	44468
Speak only English	88836	37081
Spanish:	4605	2225
Speak English "very well"	2720	1401
Speak English less than	1885	824



"very well"		
French, Haitian, or Cajun:	473	337
Speak English "very well"	428	326
Speak English less than "very well"	45	11
German or other West Germanic languages:	397	245
Speak English "very well"	371	178
Speak English less than "very well"	26	67
Russian, Polish, or other Slavic languages:	600	213
Speak English "very well"	405	162
Speak English less than "very well"	195	51
Other Indo-European languages:	2208	1382
Speak English "very well"	1325	910



Speak English less than "very well"	883	472
Korean:	529	159
Speak English "very well"	326	132
Speak English less than "very well"	203	27
Chinese (incl. Mandarin, Cantonese):	1376	968
Speak English "very well"	718	638
Speak English less than "very well"	658	330
Vietnamese:	229	171
Speak English "very well"	182	114
Speak English less than "very well"	47	57
Tagalog (incl. Filipino):	171	18
Speak English "very well"	161	6
Speak English less than	10	12





"very well"		
Other Asian and Pacific Island languages:	659	538
Speak English "very well"	450	355
Speak English less than "very well"	209	183
Arabic:	300	421
Speak English "very well"	204	248
Speak English less than "very well"	96	173
Other and unspecified languages:	281	710
Speak English "very well"	244	279
Speak English less than "very well"	37	431

Source: U.S. Census Bureau, 2014-2018 American Community Survey 5-Year Estimates

<https://data.census.gov/cedsci/table?q=Charlottesville%20city,%20Virginia&text=Language%20spoken%20at%20home&t=Language%20Spoken%20at%20Home&q=0500000US51003,51540&tid=ACSDT5Y2018.C16001&hidePreview=true>