DRAFT TITLE VI – ENVIRONMENTAL JUSTICE PLAN

For the Columbia Area Transportation Study Metropolitan Planning Organization

Title VI requires that no person in the United States of America shall, on the grounds of race, color, or national origin, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Metropolitan Planning Organization (MPO) receives federal financial assistance.

Central Midlands Council of Governments - Adopted_____

RESOLUTION

A RESOLUTION APPROVING THE TITLE VI PROGRAM & PLAN PURSUANT TO THE CIVIL RIGHTS ACT OF 1964; APPROVING THE ASSOCIATED LIMITED ENGLISH PROFICIENCY PLAN; AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE SAID POLICY ON BEHALF OF THE CENTRAL MIDLANDSCOUNCIL OF GOVERNMENTS

WHEREAS, the Central Midlands Council of Governments is the designated Metropolitan Planning Organization (MPO) for transportation planning in the Columbia Urbanized Planning Area which includes all or parts of six counties; and

WHEREAS, to fund its many work activities, CMCOG receives direct or pass-through federal funding from agencies such as the US Department of Transportation (Federal Highway Administration and Federal Transit Administration); the US Department of Health & Human Services (US DHHS); and the US Department of Labor; and

WHEREAS, as a recipient of federal funds, CMCOG is required to comply with the requirements of Title VI of the Civil Rights Act of 1964 which prohibits discrimination based on race, color, or national origin, specifically 42 USC 2000d, which 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; and

WHEREAS, CMCOG must also comply with the additional protections set forth in Presidential Executive Order 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations) and Presidential Executive Order 13166 (Improving Access to Services for Persons with Limited English Proficiency); and

WHEREAS, in 2009, CMCOG did develop a Title VI Plan, and in May 2012, CMCOG did develop and adopt a Limited English Proficiency Plan and provided an overall plan update in 2015 and 2017; and

WHEREAS, as required by the Federal Transit Administration, CMCOG has expanded the Title VI Program & Plan to include all necessary elements; and

WHEREAS, the 2020 Title VI Program & Plan has been reviewed and approved through the Columbia Area Transportation Study Metropolitan Planning Organization.

NOW, THEREFORE, BE IT RESOLVED that the Central Midlands Council of Governments certifies compliance with policies, procedures and plans with regard to Title VI of the Civil Rights Act of 1964 (as amended) and additional Assurances as required and hereby adopts its 2020 Title VI Program & Plan; and

BE IT FURTHER RESOLVED that the Central Midlands Council of Governments directs staff to begin efforts immediately to implement the provisions of the 2020 Title VI Program & Plan.

THE UNDERSIGNED is the duly qualified Executive Director of Central Midlands Council of Governments, and hereby certify that the foregoing is a true and correct copy of a resolution adopted at a meeting of the Central Midlands Council of Governments held on August 27, 2020.

_____	_____
Steve MacDougall, Chairman Central Midlands Council of Governments	Benjamin J. Mauldin, Executive Director Central Midlands Council of Governments
_____	_____
Witness	Witness

DRAFT

CMCOG-COATS MPO
TITLE VI POLICY & PROCEDURES

Prepared for:

CMCOG-COATS MPO

236 Stoneridge Drive, Columbia, SC 29210

Prepared by:

Central Midlands Council of Governments

FINAL: _____

Central Midlands Council of Governments
Columbia Area Transportation Study
Metropolitan Planning Organization
(CMCOG-COATS MPO)

Statement of Purpose

CMCOG-COATS MPO is a regional multi-county development agency, which, under the guidance of a public policy board, provides leadership, expertise, and services to communities, businesses, institutions, and residents. CMCOG-COATS MPO seeks to enhance growth opportunities in an environmentally sensitive manner while retaining the region's urban and rural character. The organization is both a direct service provider and a link to other resources that can be applied to a wide range of community and economic needs. CMCOG-COATS MPO is also an advocate for the interests of its communities at the state and federal levels.

CMCOG-COATS MPO's strengths include a public-based policy board representing public and private interests, a high level of staff expertise, a commitment to innovation, and the flexibility to respond to new opportunities and challenges.

CMCOG-COATS Metropolitan Planning Organization
Reginald Simmons, Deputy Executive Director/Transportation Director
CMCOG-COATS MPO
Transportation Planning
236 Stoneridge Drive
Columbia, SC 29210

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I. STATEMENT OF POLICY

The Central Midlands Council of Governments hereby agrees, that as a condition to receiving any Federal financial assistance provided by the U.S. Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, as amended, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the Act), the Civil Rights Restoration Act of 1987 (Public Law 100.259) and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, 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 Rights 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, 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 from the U.S. Department of Transportation, including the Federal Transit Administration (FTA), Federal Highway Administration (FHWA) 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. The SURECIPIENT shall also incorporate and comply with the terms and conditions established in Appendix A.

Title VI and Americans with Disabilities (ADA) Nondiscrimination Policy Statement

The Central Midlands Council of Governments is committed to ensuring that no person is discriminated against on the grounds of race, color, national origin, as provided by Title VI of the Civil Rights Act of 1964, The Civil Rights Restoration Act of 1987, Federal-Aid Highway Act of 1973, Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act of 1990 (ADA), Executive Order 12898 (Environmental Justice), Executive Order 13166 (Limited Proficiency), Code of Federal Regulations 49 Part 21, Code of Federal Regulations 23 part 200, and Code of Federal Regulations Part 303.

The Central Midlands Council of Governments strives to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not. As a sub-recipient of federal funding, the Central Midlands Council of Governments is responsible for initiating and monitoring Title VI activities, preparing required reports, technical assistance and training. The Central Midlands Council of Governments contractors/consultants must also comply with this policy.

Benjamin J. Mauldin, Executive Director
Central Midlands Council of Governments

Date

Title VI Assurances

The Central Midlands Council of Governments (herein referred to as the "Recipient"), HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through Federal Highway Administration, Federal Transit Administration, and South Carolina Department of Transportation, is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 *(entitled Non-discrimination In Federally-Assisted Programs Of The Department Of Transportation--Effectuation Of Title VI Of The Civil Rights Act Of 1964);*
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda and/or guidance, the Recipient hereby gives assurances that it will promptly take any measures necessary to ensure that:

"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 from DOT, including the Federal Highway Administration.

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federal Aid Highway & Transit Programs.

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an "an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

2. The Recipient will insert the following notification in all solicitations for bids, Requests for Proposals for work, or material subject to the Acts and the Regulations made in connection with all Federal Aid Highway and Transit Programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

   "The Central Midlands Council of Governments, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252.42 U.S.C. §§ 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.

4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.

5. That where the Recipient receives Federal financial assistance to construct a facility or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.

6. 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 will extend to rights to space on, over, or under such property.

7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:

   a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
   b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project or program.

8. 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 transference 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.

9. The Recipient will provide for such methods of administration for the program as are found by the Executive Director or the official whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.

10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, Central Midlands Council of Governments also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing Federal Highway Administration, Federal Transit Administration or South Carolina Department of Transportation access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the Federal Highway Administration, Federal Transit Administration or South Carolina Department of Transportation. You must keep records, reports, and submit the material for review upon request to Federal Highway Administration, Federal Transit Administration, South Carolina Department of Transportation, or its designee in timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The Central Midlands Council of Governments gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the Federal Highway Administration, Federal Transit Administration and South Carolina Department of Transportation. This ASSURANCE is binding on other recipients, subrecipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the Federal Aid Highway & Transit Programs the person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Benjamin J. Mauldin, Executive Director
Central Midlands Council of Governments

Date

Organization and Staffing

The Deputy Executive Director/Transportation Director of CMCOG shall serve as its Title VI Coordinator and shall administer and implement CMCOG's Title VI program. The Deputy Executive Director/Transportation Director may appoint a staff member to serve as CMCOG's Title VI Coordinator, who would perform the duties of the position under the direct supervision of the Executive Director.

Title VI Coordinator Responsibilities

The Title VI Coordinator, with assistance from program liaisons, is assigned the responsibility for implementing, monitoring, and ensuring CMCOG's compliance with Title VI regulations. Title VI responsibilities are as follows:

1. Process the disposition of Title VI complaints received by CMCOG.
2. Collect statistical data (race, color, sex, and national origin) of participants in, and beneficiaries of, CMCOG programs, i.e., citizens and affected communities.
3. Review Environmental Impact Statements prepared by CMCOG for Title VI and Environmental Justice compliance.
4. Conduct Title VI reviews of consultant contractors and recipients of federal funds directly distributed by CMCOG.
5. Review internal policies and, where applicable, include Title VI and related requirements.
6. Make available training for CMCOG employees on Title VI and related statutes for CMCOG programs.
7. Prepare Title VI information for dissemination to the general public and, where necessary and appropriate, in languages other than English.
8. Conduct approval reviews of CMCOG programs and applicants for compliance with Title VI requirements, i.e., persons seeking contracts with CMCOG.
9. Identify, investigate, and eliminate discrimination when found to exist in connection with CMCOG programs.
10. Establish procedures for promptly resolving deficiency status and reducing to writing the remedial action agreed to be necessary, all within a period not to exceed 90 days.

II. POLICY PURPOSE, GOALS & OBJECTIVES

The CMCOG-COATS MPO provides a framework for targeted efforts to identify, seek out and engage environmental justice populations (minority and low-incomer persons) as well as others who are traditionally underserved by the transportation system (those with limited English proficiency, seniors, and persons with disabilities).

The foundation for these efforts is stated in Title VI of the Civil Rights Act of 1964[1]:

> "… No person in the United States shall, on the basis of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program receiving Federal financial assistance …"

Further reinforcement was established by the President's 1994 Executive Order on Environmental Justice[2], which states:

> "… Each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations …"

The purpose of the CMCOG-COATS MPO's Title VI Policy is to ensure that plans, programs, and processes developed by the MPO consider the needs of environmental justice populations and those traditionally underserved by the transportation system, adhering to the provisions of the Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973, and Title VI of the Civil Rights Act of 1964. The goal is to ensure that federally funded transportation projects in the CMCOG-COATS MPO region do not disproportionately burden these populations, such that they are denied the benefits of the projects. The objectives of the Policy are to:

1. Accurately identify the environmental justice and traditionally underserved populations residing in the CMCOG-COATS MPO region;
2. Expand the involvement of environmental justice and traditionally underserved populations in the transportation planning process; and
3. Ensure that the CMCOG-COATS MPO's governing body is aware of the needs of these environmental justice and other traditionally underserved populations and considers these needs in decisionmaking regarding the MPO's transportation investment program.

[1] Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000).

[2] Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations, 1994.

CMCOG-COATS MPO has coordinated its Title VI Policy with its Public Participation Plan and Language Assistance Plan, making each plan known among its constituent counties and local governments for the purpose of increasing awareness and tools for public participation.

III. PUBLIC OUTREACH PROGRAM

The CMCOG-COATS MPO ensures all outreach strategies, communications, and public involvement efforts comply with Title VI. To this end, the MPO completed an update of the MPO's Public Participation Plan (PPP), Title VI Policy, Limited English Proficiency (LEP) Plan, and Language Assistance Plan (LAP).

The CMCOG-COATS MPO provides information regarding its obligations, policies, and plans to the public using a variety of communication methods, which frequently overlap and duplicate each other.

- The Title VI Policy document is available on the MPO's website. They may be downloaded or requested in paper copy from the MPO staff.

- The MPO's Title VI Complaint Form and Process is available on the MPO's website and are available upon request at the CMCOG-COATS MPO office. The Complaint Form and process are provided in English and Spanish.

- Block Ads and Posters notifying the public of protections of their rights under Title VI, including instructions of how to file a Title VI Complaint. Notices are provided in English and Spanish.

- The LEP Plan and Language Assistance Plan documents, which outline services that the MPO provides for LEP persons, are available on the MPO's website and are available upon request at the CMCOG-COATS MPO office.

The CMCOG-COATS MPO's Public Participation Plan (PPP) is guided by a set of goals, of which the first two are as follows:

1. Extend the reach of the participation program.
2. Encourage diversity of participants.

The CMCOG-COATS MPO region is home to growing minority and ethnic populations, while significant diversity already exists along the lines of age, physical ability (disability), and means (poverty). The MPO recognizes the benefit of stimulating involvement by a range of persons with a variety of perspectives and interests in the transportation system.

To help identify the diversity in the CMCOG-COATS MPO planning area, this Title VI Plan also includes mapping and other locational analyses of environmental justice populations (minority and in-poverty persons) and other populations that are traditionally underserved by the transportation system (disabled, senior, and LEP persons). Accommodations for and targeted outreach to these persons are built into the PPP at multiple points. **Table 1** below outlines outreach strategies that are consistent with both the PPP and this Title VI Policy.

Table 1. Listing of Title VI Outreach Strategies

Outreach Tool	Definition
Direct Mailings	Mail sent to an affected group or area to educate, notify, or request input.
Display Ads in Newspaper	Paid advertisement in the newspaper to alert readers about an upcoming event or action.
Displays at Transit Centers	Permanent or temporary displays that are provided to the public transit provider to be posted at transit hubs and centers to reach a large number of system riders.
Legal Notice	Public posting or advertising in newspapers to announce a legal action or intent.
Social Media	Using social media sites such as Facebook to notify the public of upcoming events and public meetings
On-board Information	Pamphlets and posters that are provided to the public transit provider to alert riders to information.
Public Hearing	A meeting during which public testimony may be heard at the public's request on any publicly advertised item.
Surveys (scientific and self-selected)	Surveying opinions and ideas to help CMCOG-COATS MPO understand how to better serve the constituency.
Workshops/ Open Houses/ Town Halls	Types of meetings where staff and public interact and discuss various issues.

A. Voting and Non-Voting Membership of the CMCOG-COATS MPO Committee

The CMCOG-COATS MPO has the authority to conduct transportation planning and programming activities in portions of a six-county region that includes: Newberry, Fairfield, Calhoun, Kershaw, Lexington, and Richland Counties. The CMCOG-COATS MPO's governing body—the MPO Policy

Committee—consists of 53 voting members. A breakdown of the membership by jurisdiction is shown in Appendix A.

In addition to the voting members, the MPO Committee includes non-voting members. Such non-voting members receive MPO reports and agendas and may participate in MPO discussions. Non-voting members include, among others: Federal Highway Administration officials, Federal Transit Administration officials, CMCOG-COATS MPO staff, South Carolina Department of Transportation, other local, state and federal resource agencies, and private citizens with an interest in transportation and economic development throughout the region.

B. Diversity in the Voting Membership of the MPO Committee

The success of the MPO is ensured by active participation and input from its members. To that end, and in accordance with Title VI regulations and guidelines stipulating non-elected Board representatives endeavor to reflect community demographics within the MPO, including groups or communities traditionally not well-served by existing transportation systems, CMCOG-COATS MPO encourages the participation of underserved and potentially vulnerable residents on its Board.

Table 2. Minority Composition of the CMCOG-COATS MPO Policy Committee

	CMCOG-COATS MPO Policy Committee	
Total Members	53	
Racial Composition		
African American or Black	14	26.4%
Asian	0	0.0%
Native American[1]	0	0.0%
Some Other Race	0	0.0%
Two or More Races	0	0.0%
White	36	67.9%
Vacant (Undetermined)	3	5.7%
Ethnic Composition		
Hispanic or Latino	0	0.0%
Not Hispanic or Latino	53	100%

Notes:

[1] "Native American" includes those recorded as "Native Hawaiian and Other Pacific Islander" and "American Indian and Alaska Native."

C. Outreach to Environmental Justice (EJ) and other Traditionally Underserved Populations

The CMCOG-COATS MPO will make a special effort to notify, engage, and consider the needs of minority and low-income persons, as well as other populations and communities that are "traditionally underserved" by the existing transportation systems. The CMCOG-COATS MPO's efforts in this regard will be consistent with the Environmental Justice Executive Order (E.O. 12898) dated February 11, 1994, and other related guidance from the Federal Highway Administration and Federal Transit Administration.

As a first step, the CMCOG-COATS MPO will continue to identify communities, organizations, agencies, and advocacy groups that represent EJ and other traditionally underserved populations, adding them to the appropriate MPO listing of Interested Parties. The listing is dynamic, and new Interested Parties are added continually through request or by recommendation of planning partners and activities conducted by the MPO.

The CMCOG-COATS MPO's outreach is further enhanced according to outreach requirements built into the public participation process for Long-Range Transportation Plan Amendments and Transportation Improvement Plan (TIP) Major Amendments. The public participation process includes "triggers" for a targeted outreach activity when the amendment includes a project that "disproportionately burdens a population or concentration of minority, in-poverty, disabled, and limited English proficient persons".

D. MPO Meeting Notices

The announcement of MPO Meeting dates and times is provided on the CMCOG-COATS MPO's web site at www.centralmidlands.org. The announcements may be translated into languages other than English, using the embedded Google Translate tool. Meetings are also advertised on the CMCOG Facebook page and appear on the CMCOG-COATS MPO web site calendar of events listing.

E. MPO Meeting Accessibility

Meetings of the MPO are open to the public, in compliance with the MPO's Bylaws. Copies of materials considered by the MPO committee are made available to the public at the time of the meeting or subsequent to a committee meeting. Meeting minutes are maintained and made available for review in the CMCOG-COATS MPO office.

The CMCOG-COATS MPO is committed to compliance with the nondiscrimination requirements of applicable civil rights statutes, executive orders, regulations, and policies. The MPO meeting location is accessible to persons with disabilities. Other meetings scheduled by the CMCOG-COATS MPO will occur at facilities and locations which will encourage attendance by the general public, and that are accessible and accommodating to persons with disabilities, older persons and the sight and/or hearing-impaired.

Where possible, meeting places will be accessible by public transportation. Meeting locations shall be compliant with the Americans with Disabilities Act.

To better accommodate persons with limited English proficiency, meeting materials will be made available in document formats that allow automated translation (e.g., Google Translate). To better accommodate persons with visual disabilities, written materials can be formatted specifically for use by devices to assist the sight impaired. If accommodations are needed for those with other special needs related to language, sight, or hearing, please call (803) 744-5133 at least seven (7) days in advance. When a targeted outreach activity or meeting is triggered by the presence of an LEP population, written materials will be made available in languages other than English that are relevant to those populations.

F. Additional Outreach Methods

The CMCOG-COATS MPO will give consideration to alternative methods of involving the public appropriate to the project. Such methods may include, but are not limited to newsletters, distributing information through public libraries and community groups (especially those serving EJ persons, LEP communities, the elderly and persons with disabilities), using open house format meetings, involving focus groups for specially selected topics, preparing press releases, and holding events at special locations like shopping malls.

IV. ANNUAL CERTIFICATIONS AND ASSURANCES

In accordance with 49 CFR Section 21.7(a), every application for financial assistance from FTA must be accompanied by an assurance that the applicant will carry out the program in compliance with Title VI regulations. This requirement shall be fulfilled when the applicant/recipient submits its annual certifications and assurances. Primary recipients will collect Title VI assurances from sub-recipients prior to passing through FTA funds.

CMCOG-COATS MPO will remain in compliance with this requirement by annual submission of certifications and assurances as required by FTA.

V. TITLE VI COMPLAINT PROCEDURES

A. Purpose

The CMCOG-COATS MPO Title VI Complaint Procedures are written to specify the process employed by the MPO to investigate complaints, while ensuring due process for Complainants and Respondents. The process does not preclude CMCOG-COATS MPO from attempting to informally resolve complaints.

These procedures apply to all external complaints relating to any program or activity administered by the CMCOG-COATS MPO and/or its sub-recipients, consultants, and contractors, filed under Title VI of the Civil Rights Act of 1964 as amended, (including Disadvantaged Business Enterprise and Equal Employment Opportunity components), as well as other related laws that prohibit discrimination on the basis of race, color, or national origin. Additional statutes include, but are not limited to, Section 504 of the Rehabilitation Act of 1973, the Civil Rights Restoration Act of 1987, and the Americans with Disabilities Act of 1990.

These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the Complainant. Intimidation or retaliation of any kind is prohibited by law.

B. How do I file a Title VI Complaint?

An individual, or his or her representative, who believes that he or she has been subject to discrimination or retaliation prohibited by Title VI and other nondiscrimination provisions, has the right to file a complaint. Complaints need to be filed within 180 calendar days of alleged occurrence, when the alleged discrimination became known to the Complainant, or when there has been a continuing course of conduct, the date on which the conduct was discontinued or latest instance of the conduct. Complaints shall be in writing and signed by the Complainant(s). If complaints are received by telephone or in person, the Title VI Compliance Officer or other authorized representative shall formally interview the person to provide the basis for the written complaint. If necessary, the authorized person will assist the Complainant in writing the complaint. The written complaint must include the following information:

- Name, address, and telephone number of Complainant.
- Basis of the complaint (e.g., Race, Color, or National Origin).
- A detailed description of the circumstances of the incident that lead the Complainant to believe discrimination occurred.
- Names, addresses and phone numbers of people who may have knowledge of the alleged incident or are perceived as parties in the complained-of-incident.

- Date or dates on which the alleged discrimination occurred.
- Other agencies where the complaint was filed.
- As an investigation moves forward, additional information may be required.

The Title VI Complaint Form may be used to submit the complaint information. The complaint may be filed in writing with CMCOG-COATS MPO at the following address:

Mr. Reginald Simmons
Title VI Compliance Officer
CMCOG-COATS MPO
236 Stoneridge Drive
Columbia, SC 29210
(803) 744-5133
rsimmons@centralmidlands.org

The CMCOG-COATS MPO encourages all Complainants to certify all mail that is sent through the U.S. Postal Service and/or ensure that all written correspondence can be tracked easily.

For complaints originally submitted by facsimile, an original, signed copy of the complaint must be mailed to the Title VI Compliance Officer as soon as possible, but no later than 180 calendar days from the alleged date of discrimination.

C. What happens to the complaint after it is submitted?

All complaints alleging discrimination based on race, color, or national origin in a service or benefit provided by CMCOG-COATS MPO, will be directly addressed by the CMCOG-COATS MPO. The CMCOG-COATS MPO MPO shall also provide appropriate assistance to Complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, CMCOG-COATS MPO shall make every effort to address all complaints in an expeditious and thorough manner.

When CMCOG-COATS MPO receives a complaint, the CMCOG-COATS MPO will acknowledge receipt of the complaint within seven (7) calendar days by notifying the Complainant and immediately transmitting the complaint to the proper state or federal agency (e.g., Federal Highway Administration, Federal Transit Administration, and the South Carolina Department of Transportation) for investigation and disposition pursuant to that agency's Title VI complaint procedures. This can be done by scanning to e-mail or via postal mail. The Department of Justice has final word on what agency will investigate the claim. Please note that in responding to any requests for additional information, a Complainant's failure to provide the requested information may result in the administrative closure of the complaint.

The CMCOG-COATS MPO Title VI Compliance Officer will maintain a log of all complaints received by the CMCOG-COATS MPO. The Title VI complaint log is available at the offices of CMCOG-COATS MPO, located at 236 Stoneridge Drive, Columbia, SC 29210. The log, or supporting versions of the log, will be made available at designated functions pertaining to the public, such as public meetings, public forums, MPO Board meetings and MPO-sponsored events that involve the public.

In addition, the Title VI compliance officer will regularly review comments and complaints received from members of the public to determine if such comments or complaints warrant a Title VI review and response. Any comments or complaints that are determined to be Title VI related will be entered in the complaint log by CMCOG-COATS MPO staff. Responses to the Title VI comment or complaint will follow established procedures identified in the Title VI policy document.

D. How will the Complainant be notified of the outcome of the complaint?

CMCOG-COATS MPO will send a final written response letter to the Complainant within 15 calendar days of the outcome. In the letter notifying Complainant that the complaint is not substantiated, the Complainant is also advised of his or her right to:

A. Appeal within seven (7) calendar days of receipt of the final written decision from CMCOG-COATS MPO; and/or
B. File a complaint externally with the U.S. Department of Transportation and/or the FTA. Every effort will be made to respond to Title VI complaints within 60 calendar days of receipt of such complaints, if not sooner.

Once sufficient information for investigating the complaint is received by CMCOG-COATS MPO, a written response will be drafted subject to review by CMCOG-COATS MPO's counsel. If appropriate, a CMCOG-COATS MPO attorney may administratively close the complaint. In this case, CMCOG-COATS MPO will notify the Complainant of the action as soon as possible.

To request additional information on CMCOG-COATS MPO's non-discrimination obligations or to file a Title VI complaint, please submit your request in writing to:

Mr. Reginald Simmons
Title VI Compliance Officer
CMCOG-COATS MPO
236 Stoneridge Drive
Columbia, SC 29210
(803) 744-5133
rsimmons@centralmidlands.org

Complaint forms may be obtained by calling the phone number above, or by downloading a PDF version on the form online at the following address: www.centralmidlands.org.

In addition to the complaint process described above, a Complainant may file a Title VI complaint with the following offices:

South Carolina Department of Transportation
Office of Civil Rights
955 Park Street
P.O. Box 191
Columbia, SC 29201

Federal Coordination and Compliance Section-NWB
U.S. Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

Civil Rights Officer
Federal Transit Administration – Region IV
230 Peachtree St., NW Ste 1400
Atlanta, GA 30303

VI. RECORD RETENTION AND REPORTING POLICY

FTA requires that all direct and primary recipients document their compliance by submitting a Title VI Plan to their FTA regional civil rights officer once every three (3) years. The CMCOG-COATS MPO will submit updated Title VI Plans to SCDOT for concurrence any time a major change in the Plan occurs.

Compliance records and all Title VI related documents will be retained for a minimum of three (3) years and reported to the primary recipient annually.

VII. SUB-RECIPIENT ASSISTANCE AND MONITORING

CMCOG-COATS MPO has 5 sub-recipients listed below. CMCOG-COATS MPO is required by FTA to ensure that sub-recipients of federal funds comply with all Title VI requirements. To meet this mandate, the CMCOG-COATS MPO monitoring consists of collecting data through site visits, day-to-day technical assistance, and reports/forms. Your Community Transit uses reports and site visits to

determine if the sub-recipients are complying with the Title VI requirements as outlined in FTA Circular 4702.1B and their Title VI Plan.

Title VI Complaint procedures, Title VI Complaint Form, and a sample Title VI Notice have been developed and distributed by CMCOG-COATS MPO to its sub-recipients. CMCOG-COATS MPO also assists the sub-recipients with demographic maps for Title VI purposes upon request.

List of Your Community Transit Sub-recipients

- Senior Resources
- Babcock Center
- Mental Illness Recovery Center
- Kershaw County Disability and Special Needs Board
- Irmo Chapin Recreation Commission

VII. TITLE VI INVESTIGATIONS, COMPLAINTS, AND LAWSUITS

In accordance with 49 CFR 21.9(b), CMCOG-COATS MPO must record and report any investigations, complaints, or lawsuits involving allegations of discrimination. The records of these events shall include the date the investigation, lawsuit, or complaint was filed; a summary of the allegations; the status of the investigation, lawsuit, or complaint; and actions taken by CMCOG-COATS MPO in response; and final findings related to the investigation, lawsuit, or complaint. The records for the previous three (3) years shall be included in the Title VI Plan when it is submitted to FTA

CMCOG-COATS MPO has had no investigations, complaints, or lawsuits involving allegations of discrimination on the basis of race, color, or national origin over the past three (3) years.

VIII. LANGUAGE ASSISTANCE PLAN

A. Background

The purpose of this limited English proficiency policy guidance is to clarify the responsibilities of recipients of federal financial assistance from the U.S. Department of Transportation (DOT) and assist them in fulfilling their responsibilities to Limited English Proficient (LEP) persons, pursuant to Title VI of the Civil Rights Act of 1964 and implementing regulations. It was prepared in accordance with **Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq**., and its implementing regulations provide that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives federal financial assistance.

B. Executive Order 13166

Executive Order 13166 “Improving Access to Services for Persons With Limited English Proficiency,'' reprinted at 65 FR 50121 (August 16, 2000), directs each Federal agency that is subject to the requirements of Title VI to publish guidance for its respective recipients clarifying that obligation. Executive Order 13166 further directs that all such guidance documents be consistent with the compliance standards and framework detailed in the Department of Justice's (DOJ's) Policy Guidance entitled “Enforcement of Title VI of the Civil Rights Act of 1964--National Origin Discrimination Against Persons With Limited English Proficiency.'' (See 65 FR 50123, August 16, 2000 DOJ's General LEP Guidance). Different treatment based upon a person’s inability to speak, read, write, or understand English may be a type of national origin discrimination.

Executive Order 13166 applies to all federal agencies and all programs and operations of entities that receive funding from the federal government, including state agencies, local agencies and governments such as the Metropolitan Planning Organization (MPO), private and non-profit entities, and sub-recipients.

C. Plan Summary

The Columbia Area Transportation Study (COATS) Metropolitan Planning Organization (MPO) has developed this Limited English Proficiency Plan (LEP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to MPO programs as required by Executive Order 13166. A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English.

This plan details procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training staff, how to notify LEP persons that assistance is available, and information for future plan updates. In developing the plan while determining the MPO’s extent of obligation to provide LEP services, the MPO undertook a U.S. Department of Transportation four factor LEP analysis.

D. Four Factor Analysis

The Four Factor Analysis is one of the primary compliance processes established in the Department of Justice’s LEP Guidance. The Analysis provides a framework for agencies to use in identifying the LEP populations in their service area and developing a cost-effective and meaningful plan for providing appropriate language assistance services. The Four Factors are as follows:

1. The number and proportion of LEP persons served or encountered in the eligible service population.

2. The frequency with which LEP individuals come into contact with the program, activity, or service provided.

3. The nature and importance of the program, activity, or service provided by the program to LEP persons.

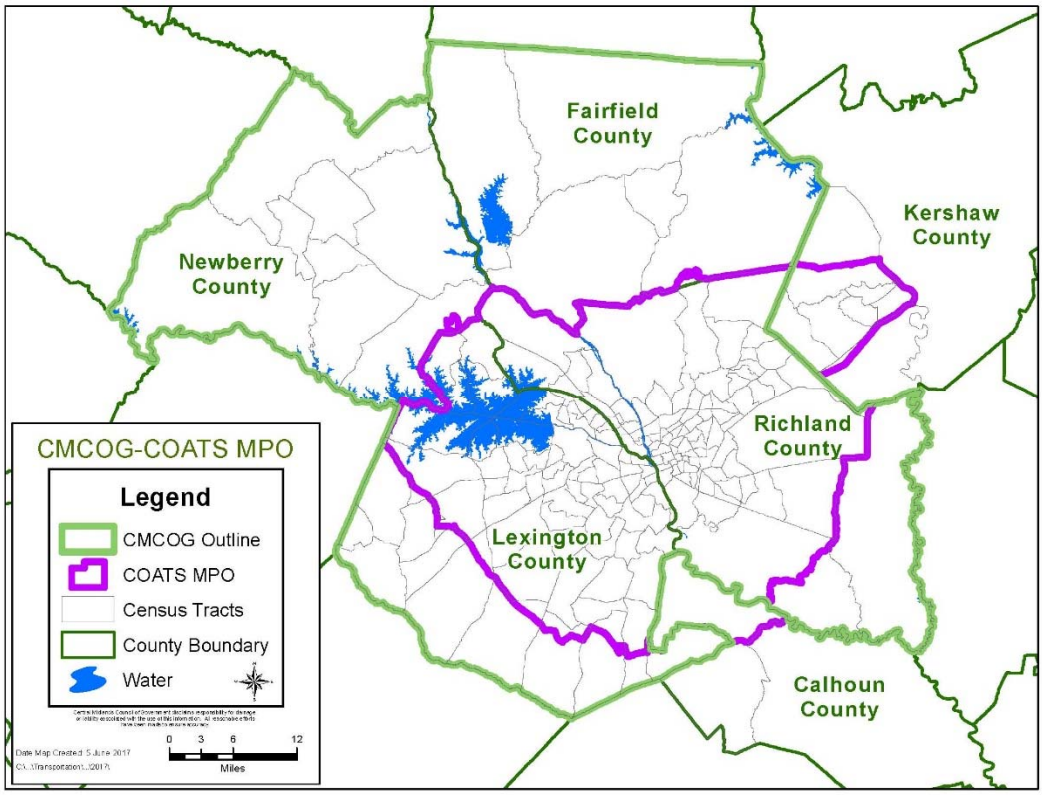
4. The resources available to the recipient and costs associated with providing meaningful access to LEP persons.

A brief description of these considerations is provided in the following section.

E. Factor 1 – Number & Proportion of LEP Persons Encountered

Factor 1 evaluates the number of LEP persons served and the concentration of LEP persons in the service area population. In the case of the CMCOG-COATS MPO, the service area population is the total population within the region served by the MPO, including the following six (6) counties: Newberry, Fairfield, Lexington Richland, Calhoun, and Kershaw. (**Figure 1**).

Figure 1. CMCOG-COATS MPO Region



Language characteristics within the MPO region were identified using the U.S. Census Bureau's 2014-2018 American Community Survey (ACS) data. The data for "Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over" was compiled and mapped at the tract level. In the ACS individuals are characterized as speaking English "Very well" or "Less than very Well." For this analysis, an individual who speaks English less than Very well is considered an LEP person.

It is noted that the ACS data for the CMCOG-COATS MPO region includes the institutionalized populations of several penitentiaries. The CMCOG-COATS MPO does not provide services to these institutionalized persons. However, not all the institutionalized populations could be identified specifically and screened from the analysis. Therefore, the data summaries and mapping provided in this document include the institutionalized populations.

F. Total LEP Population in the CMCOG-COATS MPO Region

Table 1 summarizes the total population and LEP population of All Language Groups in the CMCOG-COATS MPO region, with comparison to the state of South Carolina as a whole. Of the Region's total population, about 21,296 persons or 2.86% of the total population are considered to have limited English proficiency.

Table 1. Total Population and LEP Population in the CMCOG-COATS MPO Region vs. South Carolina

	CMCOG-COATS MPO Region			South Carolina	
	Population Estimate	% of Total Population		Population Estimate	% of Total Population
Total Population	743,783			4,665,835	
Total LEP Population **All Language Groups** *Speak English less than "Very well"*	21,296	2.86%		127,807	2.74%

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

Figure 2 illustrates the population of LEP persons in each Census tract. **Figure 3** illustrates the concentration (percentage of the total population) of LEP persons. The LEP populations are generally higher in Lexington, Richland, and Newberry Counties (see **Table 2**). The LEP concentrations follow a similar pattern, with these same three counties as well. It should also be noted that all of the counties in the CMCOG-COATS MPO study area have a minimum concentration of approximately 0.5%

Figure 2. CMCOG-COATS MPO Population of Persons with Limited English Proficiency

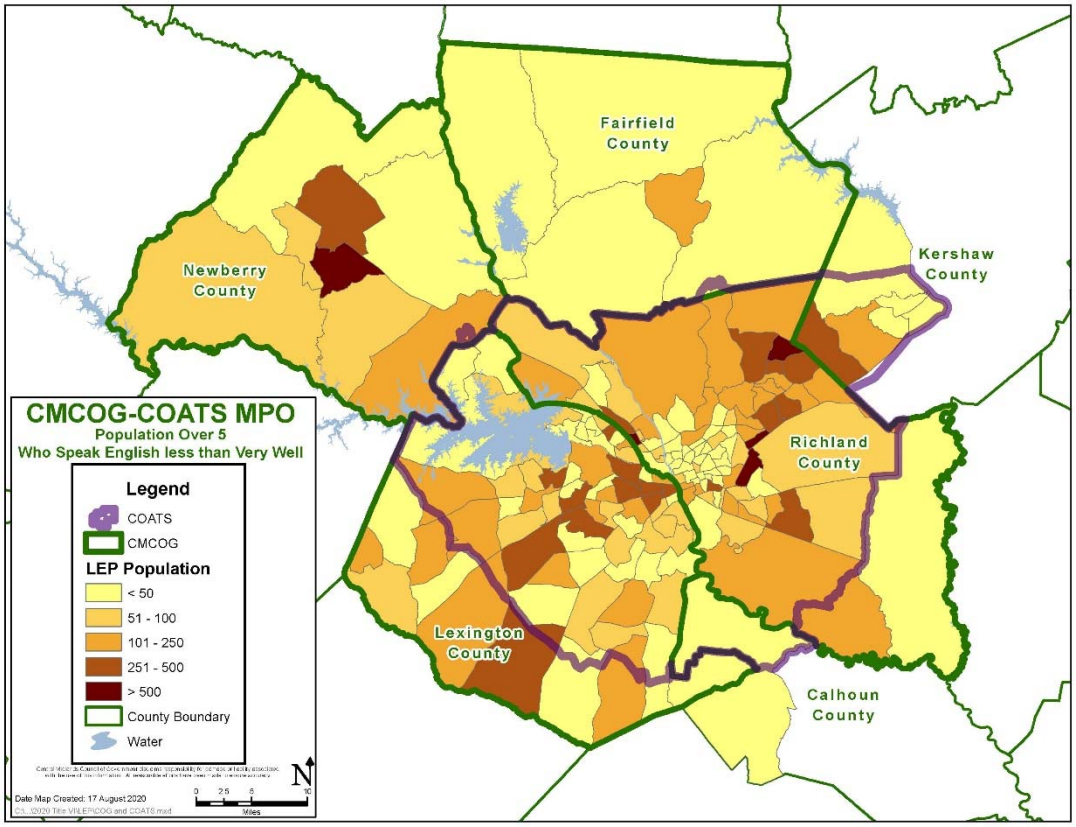


Figure 3. CMCOG-COATS MPO Concentration of Persons with Limited English Proficiency

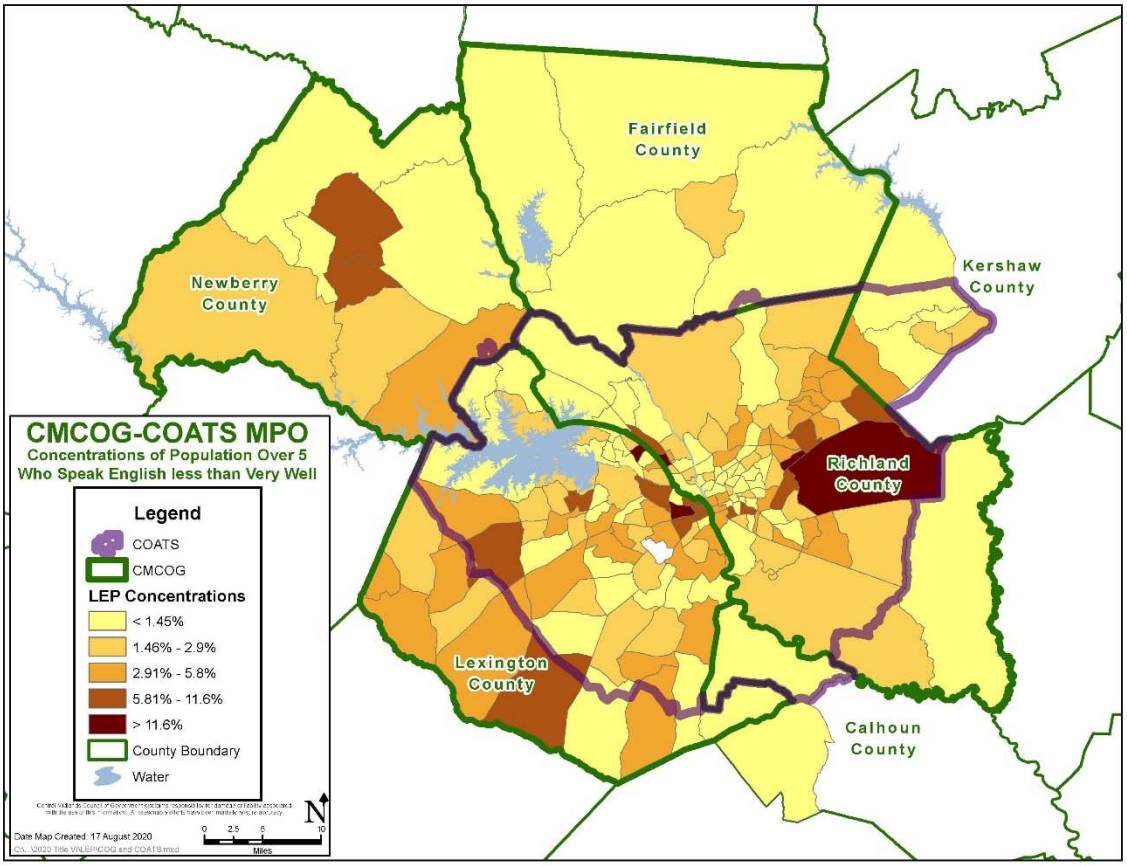


Table 2. LEP Persons for All Language Groups by County & MPO Census Tracts

CMCOG Counties & MPO Census Tracts	Total Population	All Language Groups LEP	
		Speak English less than "very well"	% of Total Population
Calhoun County MPO Census Tracts	4,921	41	0.83%
Fairfield County (CMCOG/MPO)	21,666	124	0.57%
Kershaw County MPO Census Tracts	27,717	523	1.89%
Lexington County (CMCOG/MPO)	269,321	8,359	3.10%
Newberry County (CMCOG/MPO)	35,748	1,231	3.44%
Richland County (CMCOG/MPO)	384,410	11,018	2.87%
Total	**743,783**	**21,296**	**2.86%**

Yellow Highlight indicates highest three counties for LEP population and Percentage of Total Population. **Source:**
U.S. Census Bureau: American Community Survey (2014-2018), 5 Year Estimates.

G. Largest LEP Language Groups in the CMCOG-COATS MPO Region

Table 3 summarizes population data for the three (3) most populous LEP language groups in the CMCOG-COATS MPO Region. Comparisons to the statewide South Carolina data are provided for the same language groups. The Spanish, Indo-European, and Asian and Pacific Island language groups are by far the largest LEP populations. Beyond these "Top 3" populations, the Region is also home to LEP persons who speak a variety of other languages.

Table 3. Top three LEP Populations in the CMCOG-COATS MPO Region vs. South Carolina

	CMCOG-COATS MPO Region		South Carolina	
	Population Estimate	**% of Total Population**	**Population Estimate**	**% of Total Population**
Total Population	743,783		4,665,835	
LEP Language Groups -- *Speak English less than "Very well"*				
Spanish	12,781	1.72%	89,943	1.93%
Indo-European	2,993	0.40%	14,837	0.32%
Asian and Pacific Island	4,686	0.63%	20,026	0.43%
Other Languages	836	0.11%	3,001	0.06%

H. Geographic Distribution of LEP Populations

Distributive mapping of the American Community Survey (ACS) data was prepared at the tract-level to develop a better understanding of the LEP populations in the CMCOG-COATS MPO region potentially qualifying for "Safe Harbor" treatment—namely the Spanish, Indo-European, and Asian and Pacific Island LEP populations.

Spanish Language Group

Figures 4 and 5 illustrate the distribution of Spanish LEP persons according to population and concentration, respectively. At the tract level, the higher populations and concentrations are shown here in descending order in the following counties:

- Newberry
- Lexington
- Kershaw
- Richland
- Calhoun
- Fairfield

Figure 4. Spanish LEP Population by Census Tract

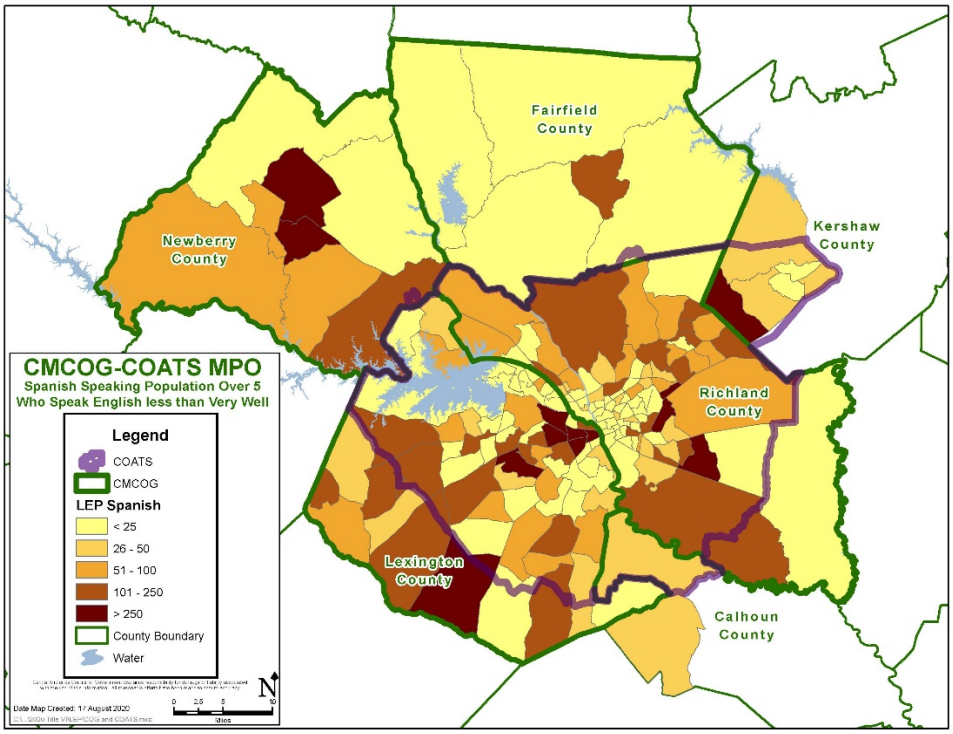


Figure 5. Spanish LEP Concentrations by Census Tract

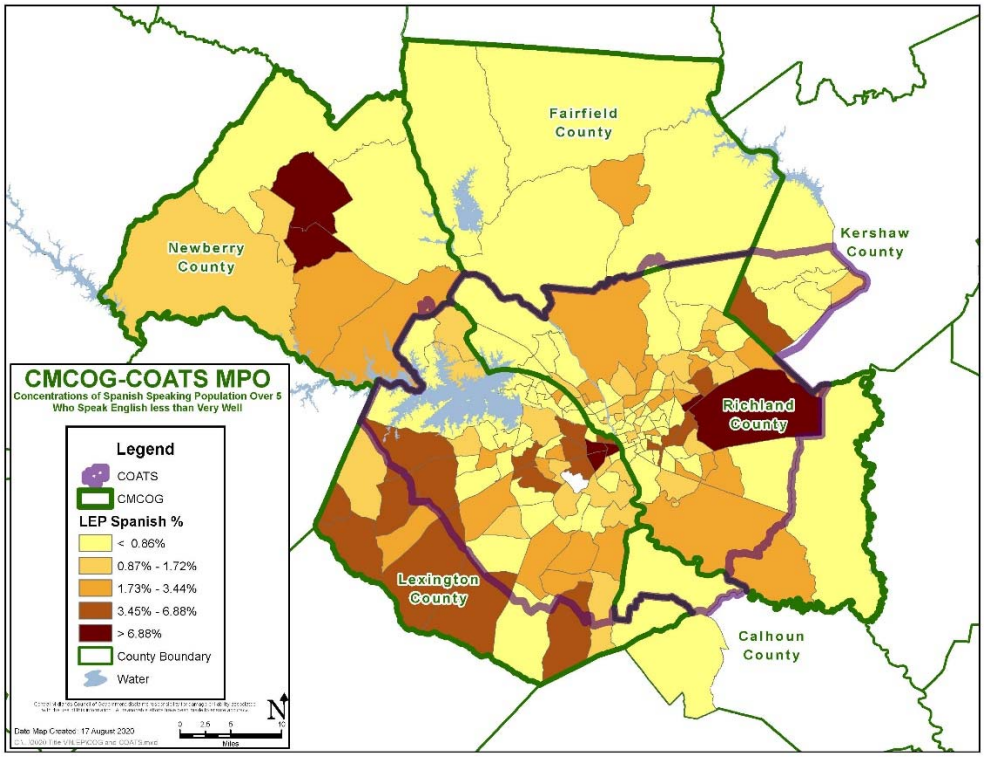


Table 4 summarizes the Spanish LEP populations by County & MPO Census Tract. The CMCOG-COATS MPO region, when taken as a whole, is home to about 14% of South Carolina's total Spanish LEP population. Nearly all the LEP population resides in Lexington and Richland Counties. The next largest populations exist in Newberry County. Concentrations are highest in Newberry County (3.33%), Lexington County (2.25%), Kershaw County (1.35%), followed by Richland County (1.30%). All other counties have concentrations less than 1.0%.

Table 4. Spanish Language Group LEP Persons by County & MPO Census Tracts

CMCOG Counties & MPO Census Tracts	Total Population	Spanish Languages LEP	
		Speak English less than "very well"	% of Total Population
Calhoun County MPO Census Tracts	4,921	41	0.83%
Fairfield County (CMCOG/MPO)	21,666	124	0.57%
Kershaw County MPO Census Tracts	27,717	373	1.35%
Lexington County (CMCOG/MPO)	269,321	6,068	2.25%
Newberry County (CMCOG/MPO)	35,748	1,191	3.33%
Richland County (CMCOG/MPO)	384,410	4,984	1.30%
Total	**743,783**	**12,781**	**1.72%**

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

Indo-European Language Group

Figures 6 and 7 illustrate the distribution of Indo-European LEP persons according to population and concentration, respectively. At the tract level, the populations of Indo-European LEP persons are generally distributed throughout the MPO region, with higher populations in the following counties:

- Lexington County
- Richland County

Figure 6. Indo-European LEP Population by Census Tract

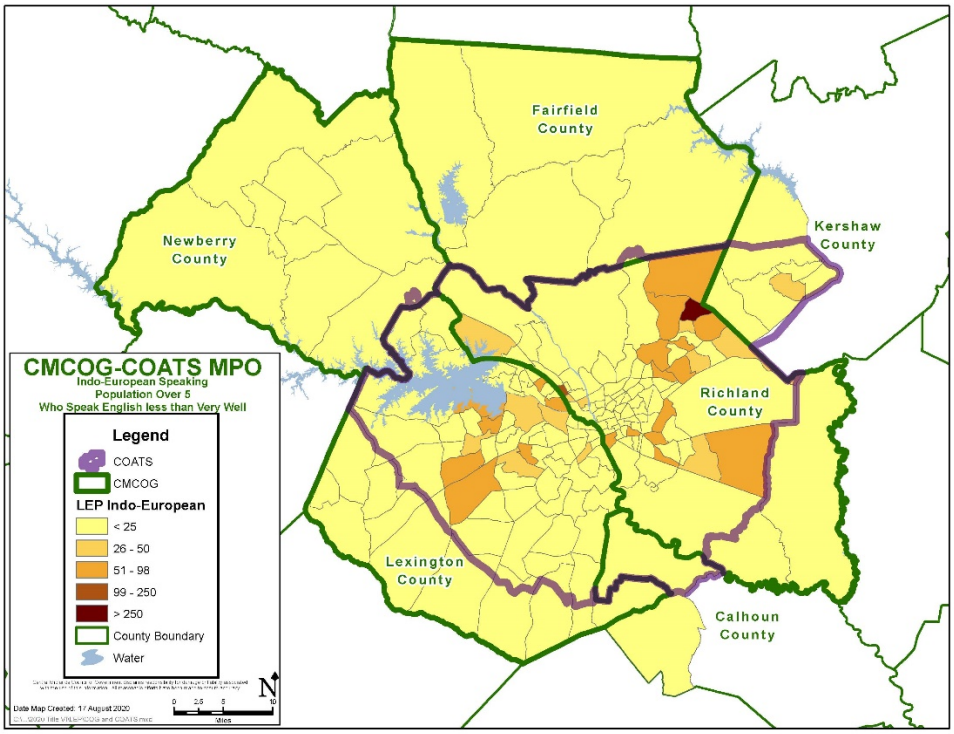


Figure 7. Indo-European LEP Concentration by Census Tract

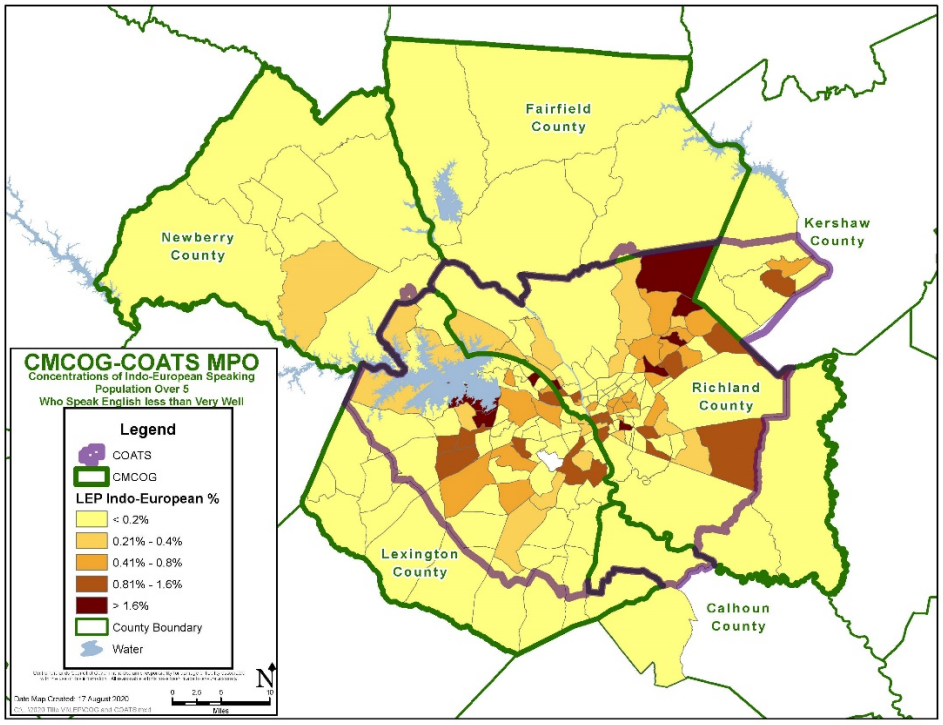


Table 5 summarizes the Indo-European LEP populations by County & MPO Census Tracts. The CMCOG-COATS MPO region, when taken as a whole, is home to about 20% of South Carolina's total Indo-European LEP population. All of the LEP population resides in Lexington and Richland Counties. All other counties have concentrations of less than 0.20%.

Table 5. Indo-European Language Group LEP Persons by County & MPO Census Tracts

CMCOG Counties & MPO Census Tracts	Total Population	Indo-European Languages LEP	
		Speak English less than "very well"	% of Total Population
Calhoun County MPO Census Tracts	4,921	0	0.00%
Fairfield County (CMCOG/MPO)	21,666	0	0.00%
Kershaw County MPO Census Tracts	27,717	49	0.18%
Lexington County (CMCOG/MPO)	269,321	892	0.33%
Newberry County (CMCOG/MPO)	35,748	15	0.04%
Richland County (CMCOG/MPO)	384,410	2,037	0.53%
Total	**743,783**	**2,993**	**0.40%**

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

Asian and Pacific Island Language Group

Figures 8 and 9 illustrate the distribution of Asian and Pacific Island LEP persons according to population and concentration, respectively. At the tract level, the higher concentrations generally the following counties in descending order:

- Richland
- Lexington
- Kershaw
- Newberry
- Fairfield
- Calhoun

Figure 8. Asian and Pacific Island LEP Population by Census Tract

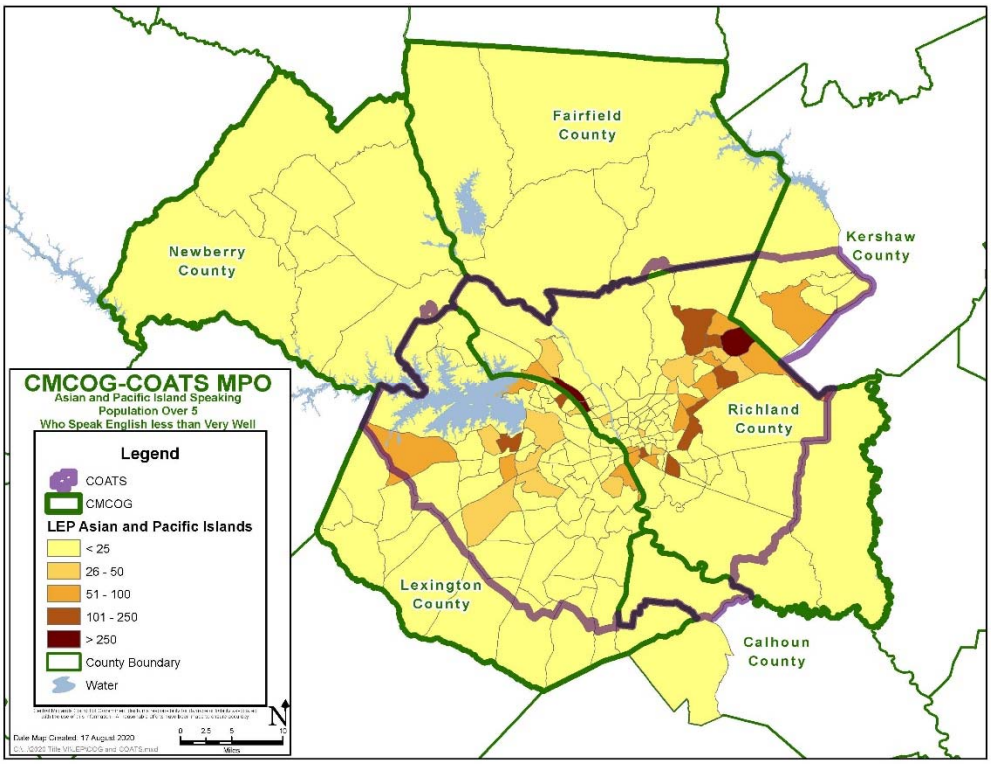


Figure 9. Asian and Pacific Island LEP Concentration by Census Tract

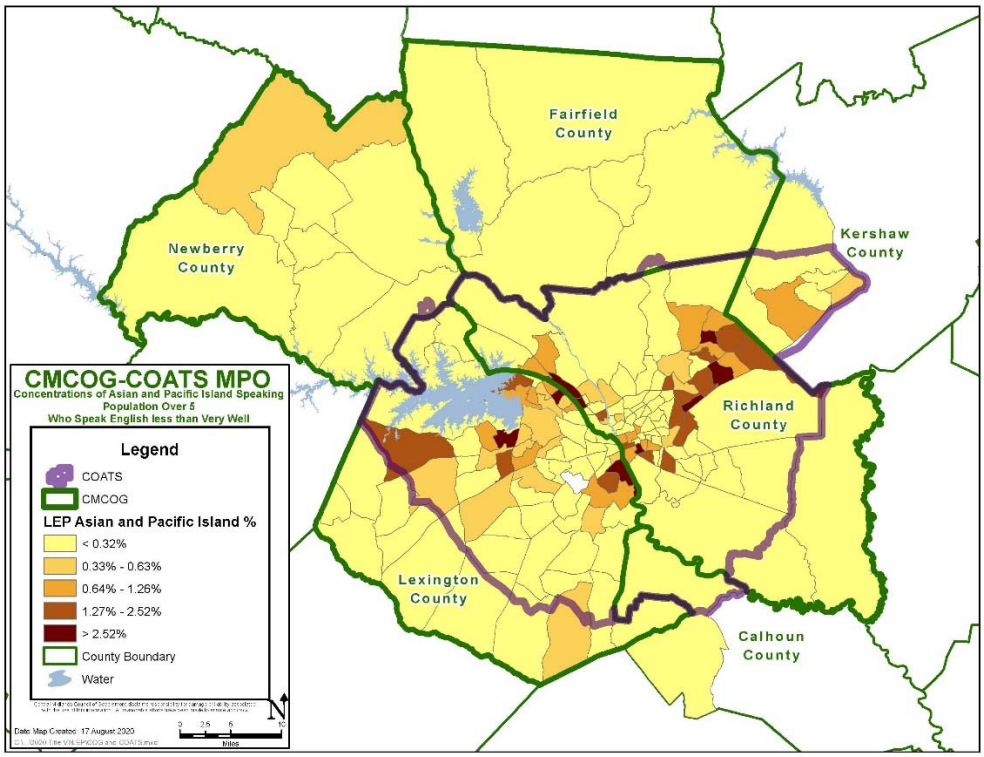


Table 6 summarizes the Asian and Pacific Island LEP populations by County. The CMCOG-COATS MPO region, when taken as a whole, is home to about 23% of South Carolina's total Asian and Pacific Island LEP population. Nearly all the LEP population resides in Richland County. The next largest population exist in Lexington County. Concentrations are also located in Kershaw County (0.36%) and Newberry County at (0.07%). All other counties have concentrations of 0.00%.

Table 6. Asian and Pacific Island Language Group LEP Persons by County & MPO Census Tracts

CMCOG Counties & MPO Census Tracts	Total Population	Asian and Pacific Island Languages LEP	
		Speak English less than "very well"	% of Total Population
Calhoun County MPO Census Tracts	4,921	0	0.00%
Fairfield County (CMCOG/MPO)	21,666	0	0.00%
Kershaw County MPO Census Tracts	27,717	101	0.36%
Lexington County (CMCOG/MPO)	269,321	1,230	0.46%
Newberry County (CMCOG/MPO)	35,748	25	0.07%
Richland County (CMCOG/MPO)	384,410	3.330	0.87%
Total	**743,783**	**4,686**	**0.63%**

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

I. Safe Harbor Provision

The Safe Harbor Provision, as defined in the Department of Justice's LEP Guidance, is the most prevalent guideline used to establish when language assistance services are considered appropriate and define expectations for what those services would entail.

Safe Harbor Triggers

The Safe Harbor Provision is triggered for each LEP language group that constitutes five percent (5%) of the total population or 1,000 persons, whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered (FTA C 4702.1B, Chapter III-9).

Considering the CMCOG-COATS MPO region as a whole (i.e., the "service area"), the total LEP populations for Spanish, Indo-European, and Asian and Pacific Island language groups exceed the 1,000 person threshold, even though the regional concentrations of all three populations fall well below the 5% threshold (see **Table 3**). However, when the total LEP populations are viewed in light of eligibility or the likelihood of being affected or encountered, there is every indication that the modified Indo-European and Asian and Pacific Island LEP population would not trigger the Safe Harbor Provision. As a whole, the Indo-European and Asian and Pacific Island populations deliberately avoid encounters with those outside their culture—particularly governmental agencies—preferring to allow their church or community leaders to

represent them and speak on their behalf. These leaders are typically fluent in both English and their native language.

Therefore, it is the conclusion of this analysis that the Safe Harbor Provision is triggered[1] in the CMCOG-COATS MPO region for the Spanish language group alone. *The guidelines and requirements of the Safe Harbor Provision will not be applied to the any other language group. However, this LEP Plan will maintain documentation of the other LEP populations as a baseline for future analyses.*

Safe Harbor Translation Expectations

The Provision states that providing written translation of "vital documents" for each LEP population that exceeds the Safe Harbor thresholds "shall be considered strong evidence of compliance with the recipient's [CMCOG-COATS MPO] written translation obligations" (FTA C 4702.1B, Chapter III-9).

Based on the standard of practice, "vital documents" typically include those that explain how to access an organization's services (including language assistance services), letters that require a response from a customer, complaint forms, and notification of rights. For the purposes of this LEP Plan, CMCOG-COATS MPO has designated the following as "vital documents" for translation:

- Notice of Language Services;
- Title VI Notice to Beneficiaries;
- Title VI Complaint Form; and
- Title VI Complaint Form Procedures.

Also considered as "vital documents" translations of the MPO's primary plans and documents (e.g., Long Range Transportation Plan, Public Participation Plan, and Transportation Improvement Program) will be translated into Spanish. MPO planning studies and reports will be translated on an as-requested basis. Finally, when a Targeted Outreach Activity is triggered by the presence of an LEP population, written materials will be made available in the LEP language according to the Safe Harbor Provision.

J. Factor 2 – Frequency of Contact with LEP Persons

To date, the CMCOG-COATS MPO has received no direct requests for translation or interpretation services for any language, and the frequency with which LEP persons come in contact with the MPO's planning program is largely unknown.

[1] This evaluation concludes that the Safe Harbor Provision is triggered for the Spanish language group, even though the analysis has not attempted to discern the total LEP population from those "eligible to be served or likely to be affected or encountered."

LEP communities commonly look to a church leader to buffer inquiries, and these leaders are typically fluent in speaking the English language which may limit direct engagement and requests for translation services.

Still, increasing contact with LEP individuals has been noted as a need for more frequency and engagement. In review of one of the ways to enhance our contact with LEP communities is through our association with the networking group Alianza Latina. This working group is a Spanish speaking group of citizens and community leader that plan and program activities with LEP communities and can serve as an outreach tool that will enhance our frequency of contact with LEP persons.

By associating with group such as Alianza Latina, CMCOG-COATS MPO will be able to accurately identify and engage LEP persons early in project planning, programming, and development process of transportation projects and plans. With this LEP Plan, the CMCOG-COATS MPO is formally appropriating tools and training its staff for recognizing LEP persons, identifying their language, and serving LEP persons, when the need arises. The MPO has developed an Employee Training Manual to facilitate staff training and create a central source of information related to LEP. The manual includes information about Title VI and LEP requirements; LEP in the CMCOG-COATS area; resources for phone, in-person, and written translation; and LEP program evaluation techniques.

K. Factor 3 – Nature & Importance of the Program

The CMCOG-COATS MPO is, primarily, a planning organization for transportation investments in the region. As such, the MPO does not provide direct assistance to individuals and, as such, is not a vital service that impacts the day-to-day life of residents in the region. However, the MPO's activities are important in the ongoing development of a safe and efficient transportation system that provides a desirable quality of life and economic opportunity in the region.

In particular, roadway safety planning is one of the most important CMCOG-COATS MPO functions. The CMCOG-COATS MPO recognizes the importance of involving LEP speaking communities when plans address locations and routes frequented by members of their community.

The CMCOG-COATS MPO staff has noted the "lessons learned" about the awareness of LEP populations near a project and the need for conducting thoughtful outreach. LEP persons commonly rely on public and non-motorized modes, as well as roadside and off-road pedestrian and bike facilities for day-to-day transportation. So, while the planning activities of the MPO may not have urgent or direct impacts, they are nonetheless important to the long-term livelihood of all those who reside in the region.

Therefore, the planning activities of the MPO provide opportunity for public participation, and the MPO is appropriating tools and training that will serve LEP persons that wish to participate.

L. Factor 4 – Resources & Costs of Language Assistance Services

The CMCOG-COATS MPO is a small agency with small capital resources available to spend on LEP services. The organization does have two (2) MPO staff available to facilitate interaction with LEP persons and will use low-cost or free services and automated techniques to provide translation and interpretation, upon request. The phone-based, on-demand interpretation service is one such service.

The MPO pools resources with other elements of the larger CMCOG-COATS organization to develop and maintain the administrative/reception staff and other technical staff (GIS, IT, etc.) While one member of the current staff is bilingual, many can recognize the Spanish language, and they have been trained on the protocols for dealing with requests for translation and interpretation and the relevant Title VI and LEP obligations of the organization. The pooled resources of CMCOG-COATS also maintain the agency's webpage, office facility, and the associated office equipment and services.

M. Language Assistance Plan

Consistent with Title VI of the Civil Rights Act, Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency", and the USDOT implementing guidance, the CMCOG-COATS MPO is responsible to take steps that ensure meaningful access to the services, information, and other important portions of their programs and activities for individuals who are Limited-English Proficient (LEP). This includes the development of a Language Assistance Plan (LAP), which establishes an implementation program for providing meaningful access to LEP persons, based on the results of the Four Factor Analysis. The Four Factor Analysis evaluated the demography of the MPO region along with the frequency of contact with LEP persons, the importance the MPO's services to LEP persons, and resources available for accommodating LEP persons.

The overarching goal of this plan is to deploy tools and services that will enable the MPO staff to communicate with a person who does not speak English. According to the Safe Harbor Provision, this plan addresses accommodations for LEP persons who read Spanish. Immediate assistance for Spanish interpretation and other languages may be provided if an available service can accommodate the language requested (e.g., telephone-based phone interpretation service, local interpreters, etc.).

IX. MPO STAFF TRAINING

All MPO staff will be provided with the LEP Plan and will be educated on procedures and services available. This information will also be part of the MPO staff orientation process for new hires. Training topics are listed below:

- Understanding the Title VI LEP responsibilities;
- What language assistance services the MPO offers;

- Use of LEP "I Speak Cards";
- How to access a staff interpreter;
- How to use a translation service;
- Documentation of language assistance requests;
- How to handle a complaint; and
- The importance of educating sub-recipients on the MPO's LEP program responsibilities and their obligation to provide language assistance.

A. Providing Notice of Available Language Service to LEP Persons

- The MPO will post signs that language assistance is available in public areas such as the reception area.
- Outreach Techniques:
    - If staff knows that they will be presenting a topic that could be of potential importance to an LEP person or if staff will be hosting a meeting or a workshop in a geographic location with a known concentration of LEP persons, meeting notices, fliers, advertisements, and agendas may be printed in an alternative language, such as Spanish.
    - Spanish speaking staff or a hired interpreter will be on hand at public meetings intended for gathering public input upon request.
    - The MPO will also include this statement when running a general public meeting notice.
        - "Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact (insert staff name) at least 7 working days before the meeting date."

B. Monitoring and Updating the LEP Plan

This plan is designed to be flexible and is one that can be easily updated. At a minimum, the MPO will follow the Title VI Program update schedule for the LEP Plan.

APPENDIX A. CERTIFICATIONS AND ASSURANCES

Records / TrAMS | Recipient Organizations

CENTRAL MIDLANDS COUNCIL OF GOVERNMENTS | COLUMBIA CMCOG | 1069

Summary | Applications/Awards | TrAMS Users | Locations | Designated Recipient | Suballocations | News | Related Actions

Certifications & Assurances | FY 2020 C&A Affirmations

Recipient Details

Recipient ID
1069

Recipient Name
CENTRAL MIDLANDS COUNCIL OF GOVERNMENTS

Certification and Assurance Information

Fiscal Year 2020
Assigned Date 2/28/2020
Due Date 5/28/2020

Original Certification Date 4/6/2020
Latest Certification Date 4/6/2020

Published Certifications and Assurances

FTA CERTIFICATIONS AND ASSURANCES

Public Transportation Agency Safety Plan (PTASP)

On or before December 31, 2020, applicants and recipients of Section 5307 grants and rail transit agencies that are subject to the State Safety Oversight Program must certify to Category 2: Public Transportation Agency Safety Plans. Due to the Coronavirus Disease 2019 (COVID-19) public health emergency, FTA has issued a Notice of Enforcement Discretion stating that FTA will refrain from taking enforcement action related to the PTASP regulation until January 1, 2021. While applicants and recipients are encouraged to certify by the original deadline of July 20, 2020, to the extent practical, those who do not certify compliance until December 31, 2020, remain eligible for Chapter 53 grant funds.

List of All Applicable Agencies

PTASP Technical Assistance Center

Certifications and Assurances

Certification History

Certification Date: 4/6/2020 | Official: Ben Mauldin | Attorney: Clinch Belser Jr

Category	Title	Certified
01	Certifications and Assurances Required of Every Applicant	✓
02	Public Transportation Agency Safety Plans	✓
03	Tax Liability and Felony Convictions	✓
04	Lobbying	✓
05	Private Sector Protections	✓
06	Transit Asset Management Plan	✓
07	Rolling Stock Buy America Reviews and Bus Testing	✓

Category	Title	Certified
08	Urbanized Area Formula Grants Program	✓
09	Formula Grants for Rural Areas	✓
10	Fixed Guideway Capital Investment Grants and the Expedited Project Delivery for Capital Investment Grants Pilot Program	✓
11	Grants for Buses and Bus Facilities and Low or No Emission Vehicle Deployment Grant Programs	✓
12	Enhanced Mobility of Seniors and Individuals with Disabilities Programs	✓
13	State of Good Repair Grants	✓
14	Infrastructure Finance Programs	✓
15	Alcohol and Controlled Substances Testing	✓
16	Rail Safety Training and Oversight	✓
17	Demand Responsive Service	✓
18	Interest and Financing Costs	✓
19	Construction Hiring Preferences	✓
20	Cybersecurity Certification for Rail Rolling Stock and Operations	✓

1 - 20 of 20

› Documents

Affirmation of Applicant

Affirmation of Applicant BY SIGNING BELOW, on behalf of the Applicant, I declare that it has duly authorized me to make these Certifications and Assurances and bind its compliance. Thus, it agrees to comply with all federal laws, regulations, and requirements, follow applicable federal guidance, and comply with the Certifications and Assurances as indicated on the foregoing page applicable to each application its Authorized Representative makes to the Federal Transit Administration (FTA) in federal fiscal year 2020, irrespective of whether the individual that acted on his or her Applicant's behalf continues to represent it.

FTA intends that the Certifications and Assurances the Applicant selects on the other side of this document should apply to each Award for which it now seeks, or may later seek federal assistance to be awarded during federal fiscal year 2020.

The Applicant affirms the truthfulness and accuracy of the Certifications and Assurances it has selected in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. § 3801 et seq., and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31, apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. § 1001 apply to any certification, assurance, or submission made in connection with a federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute.

In signing this document, I declare under penalties of perjury that the foregoing Certifications and Assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

Official's Name Ben Mauldin

☐ I accept the above

Certification Date Apr 06, 2020

Affirmation of Attorney

Affirmation of Applicant's Attorney As the undersigned Attorney for the above-named Applicant, I hereby affirm to the Applicant that it has authority under state, local, or tribal government law, as applicable, to make and comply with the Certifications and Assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the Certifications and Assurances have been legally made and constitute legal and binding obligations on it.

I further affirm that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these Certifications and Assurances, or of the performance of its FTA assisted Award.

Attorney's Name Clinch Belser Jr

☐ I accept the above

Certification Date Apr 06, 2020

CANCEL BEGIN RECERTIFICATION

APPENDIX B. COATS TITLE VI ASSURANCES

The COATS MPO HEREBY CERTIFIES THAT, as a condition of receiving Federal financial assistance under the Federal Transit Act of 1964, as amended, it will ensure that:

1. No person on the basis of race, color, or national origin will be subjected to discrimination in the level and quality of transportation services and transit-related benefits.

2. The COATS MPO will compile, maintain, and submit in a timely manner Title VI information required by FTA Circular 4702.1B and in compliance with the Department of Transportation's Title VI regulation, 49 CFR Part 21.9.

3. The COATS MPO will make it known to the public that those person or persons alleging discrimination on the basis of race, color, or national origin as it relates to the provision of transportation services and transit-related benefits may file a complaint with the Federal Transit Administration and/or the U.S. Department of Transportation.

The person or persons whose signature appears below are authorized to sign this assurance on behalf of the grant applicant or recipient.

_____ _____

Benjamin J. Mauldin, Executive Director Date
CMCOG/COATS MPO

_____

(SIGNATURE OF AUTHORIZED OFFICER)

APPENDIX C. SAMPLE TITLE VI NOTICE

CMCOG-COATS METROPOLITAN PLANNING ORGANIZATION (MPO)
NOTIFICATION OF PROTECTIONS TO THE PUBLIC OF RIGHTS UNDER TITLE VI AND INSTRUCTIONS ON HOW TO FILE A COMPLAINT

It is CMCOG-COATS MPO's policy to utilize its best efforts to assure 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 subjected to discrimination under its programs or services, as provided by Title VI of the Civil Rights Act of 1964, as amended.

Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint. All complaints received are documented and assigned to the appropriate staff for investigation.

For more information on the CMCOG-COATS MPO's civil rights program and the procedures to file a complaint, or to get information in another language, please contact:

Mr. Reginald Simmons
MPO Title VI Compliance Officer
CMCOG-COATS MPO
236 Stoneridge Drive
Columbia, SC 29210
(803) 744-5133
rsimmons@centralmidlands.org
www.centralmidlands.org

After the complaint is processed, a response (if requested) will be sent to the customer filing the complaint and appropriate corrective action is taken.

A Complainant may file a complaint directly with the South Carolina Department of Transportation by filing a complaint with the Civil Rights Office, South Carolina Department of Transportation, 955 Park Street, P.O. Box 191, Columbia, SC 29201.

APPENDIX D. TITLE VI COMPLAINT FORM

CMCOG-COATS MPO recognizes its responsibilities to the communities it serves. It is CMCOG-COATS MPO's policy to utilize its best efforts to assure 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 subjected to discrimination under its programs or services, as provided by Title VI of the Civil Rights Act of 1964, as amended. These procedures apply to all external complaints relating to any program or activity administered by CMCOG-COATS MPO and/or its sub-recipients, consultants and contractors, filed under Title VI of the Civil Rights Act of 1964 as amended, (including Disadvantaged Business Enterprise and Equal Employment Opportunity components), as well as other related laws that prohibit discrimination.

The following information is necessary for processing your complaint. If you require assistance in completing this form, please contact the CMCOG-COATS MPO Compliance Officer by calling (803) 744-5133. Please return the completed form to the CMCOG-COATS MPO Compliance Officer at CMCOG-COATS MPO, 236 Stoneridge Drive, Columbia, SC 29210. Title VI complaints must be filed within 180 calendar days from the date of the alleged discrimination.

Complainant Name: _____

Name of Individual Assisting Complainant: _____

Complainant Address: _____

_____

Assisting Individual Address: _____

_____

Complainant Phone: _____

Assisting Individual Phone: _____

Complainant Alt. Phone: _____

Assisting Individual Alt. Phone: _____

Which of the following describes the reason(s) the alleged discrimination took place?

Race Color National Origin

Date(s) of Incident: _____

Please provide a detailed description of the circumstances of the incident(s), including any additional information supporting your complaint (please use additional pages as necessary).

_____

_____

_____

Please provide the name(s), and title and address (if known) of the person who discriminated against the Complainant.

_____

Please provide, if applicable, names and contact information of people who may have knowledge of the alleged incident(s) or are perceived as parties in the complained-of incident(s):

_____

Please list any other agency where complaint has been filed:

_____

I affirm that I have read the above complaint and that it is true to the best of my knowledge, information and belief.

_____

Complainant's Signature Print Name of Complainant Date

_____

Assisting Individual Complainant's Signature Print Assisting Individual Name Date

Date Received: _____ Received By: _____

APPENDIX E. TITLE VI FORM PROCEDURE

The CMCOG-COATS MPO will acknowledge receipt of the complaint by notifying the Complainant within 7 calendar days of the "Date Received" shown above. The CMCOG-COATS MPO will transmit the complaint to the proper state or federal agency—Federal Highway Administration (FHWA), Federal Transit Administration (FTA), and the South Carolina Department of Transportation (SCDOT) for investigation and disposition pursuant to that agency's Title VI complaint procedures.

1. Complete and return form to CMCOG-COATS MPO Compliance Officer at CMCOG-COATS MPO, 236 Stoneridge Drive, Columbia, SC 29210 within 180 calendar days from the alleged incident.

2. The complaint will be reviewed and investigated by the proper federal and/or State agency.

3. The State or federal agency will contact the complainant and CMCOG-COATS MPO to notify them of the results of the complaint.

4. If the Complainant is unsatisfied with the response, the complaint may be presented to the Department of Justice within 10 calendar days from receiving the response.

5. The Department of Justice will respond to the Complainant, and/or the Individual Assisting Complainant.

6. The CMCOG-COATS MPO Title VI Compliance Officer will maintain a log of all complaints received by the CMCOG-COATS MPO. The Title VI complaint log is available at the offices of CMCOG-COATS MPO, located at 236 Stoneridge Drive, Columbia, SC 29210.

7. A copy of the complaint and the investigative report/findings and remedial action plan, if appropriate, will be issued to the proper state or federal agency (e.g.: FHWA, FTA, and SCDOT) within 120 calendar days of receipt of the complaint.

8. A summary of the complaint and its resolution will be included as part of the Title VI updates to the proper state or federal agency (e.g.: FHWA, FTA, and SCDOT).

9. Records will be available for compliance review audits.

APPENDIX F. LETTER ACKNOWLEDGING RECEIPT OF COMPLAINT

Today's Date

Ms. Jane Doe
1234 Main St.
Columbia, SC 29210

Reference: << YYYY-000 >>

Dear Ms. Doe:

This letter is to acknowledge receipt of your complaint against the CMCOG-COATS MPO alleging _____.

An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact this office by calling (803) 744-5133, emailing at rsimmons@centralmidlands.org, or writing to me at this address:

Mr. Reginald Simmons
Title VI Compliance Officer
CMCOG-COATS MPO
236 Stoneridge Drive
Columbia, SC 29210

Sincerely,

Reginald Simmons
CMCOG-COATS MPO Title VI Compliance Officer

APPENDIX G. LETTER NOTIFYING COMPLAINANT THAT THE COMPLAINT IS SUBSTANTIATED

Today's Date

Ms. Jane Doe
1234 Main St.
Columbia, SC 29210

Reference: << YYYY-000 >>

Dear Ms. Doe:

The matter referenced in your letter of _____ (date) against the CMCOG-COATS MPO alleging Title VI violation has been investigated.

(An/Several) apparent violation(s) of Title VI of the Civil Rights Act of 1964, including those mentioned in your letter (was/were) identified. Efforts are underway to correct these deficiencies.

Thank you for calling this important matter to our attention. You were extremely helpful during our review of the program. (If a hearing is requested, the following sentence may be appropriate.) You may be hearing from this office, or from federal authorities, if your services should be needed during the administrative hearing process.

Sincerely,

Reginald Simmons
CMCOG-COATS MPO Title VI Compliance Officer

APPENDIX H. LETTER NOTIFYING COMPLAINANT THAT THE COMPLAINT IS NOT SUBSTANTIATED

Today's Date

Ms. Jo Doe
1234 Main St.
Columbia, SC 29210

Reference: << YYYY-000 >>

Dear Ms. Doe:

The matter referenced in your complaint of _____ (date) against the CMCOG-COATS MPO alleging _____ has been investigated.

The results of the investigation did not indicate that the provisions of Title VI of the Civil Rights Act of 1964 had in fact been violated. As you know, Title VI prohibits discrimination based on race, color or national origin in any program receiving federal financial assistance.

The CMCOG-COATS MPO has analyzed the materials and facts pertaining to your case for evidence of the failure to comply with any of the civil rights laws. There was no evidence found that any of these laws have been violated. I therefore advise you that your complaint has not been substantiated, and that I am closing this matter in our files.

You have the right to: 1) appeal within seven (7) calendar days of receipt of this final written decision from CMCOG-COATS MPO; and/or 2) file a complaint externally with the U.S. Department of Transportation and/or the Federal Highway Administration or Federal Transit Administration at:

Federal Coordination and Compliance Section-NWB
U.S. Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

Thank you for taking the time to contact us. If I can be of assistance to you in the future, do not hesitate to call me.

Sincerely,

Reginald Simmons
CMCOG-COATS MPO Title VI Compliance Officer

APPENDIX I. TITLE VI COMPLAINT LOG PROCEDURE

1. When a complaint is received, the person who receives it should contact the Compliance Officer to create the Title VI Complaint Record, as follows (see template):

   a. The complaint is assigned a reference number. The reference number may be formed by the four-digit year in which the complaint is received and a three-digit serial number. For example, the first complaint received in 2020 would have the Reference Number "2020-001".

   b. The Compliance Officer fills in the name, contact information, receipt date, and date of alleged discrimination. If any other agencies have been contacted about the discrimination, they are indicated. Notes may be added. The complaint must be received within 180 calendar days of the date of alleged discrimination.

   c. The complaint is filed in the "Complaint Log", which is intended to be the MPO's official and ongoing record of all Title VI complaint activity.

      The Complaint Log is to contain the original Complaint, the CMCOG-COATS MPO Title VI Complaint Record (see template), documentation of investigations completed, and any correspondence sent or received. The Log is intended to be portable, so that it may be taken to meetings or other activities where the CMCOG-COATS MPO has committed to making the Log available (see the Title VI policy, Section IV.C). For example, the Log may be in paper copy format in a binder, with a backup file (physical or electronic) kept in a secure location. Electronic files should be a part of the MPO's regular electronic file backup routine.

2. The Compliance Officer is responsible to process and resolve the Title VI complaint according to the MPO's Title VI Policy. This includes receiving and sending correspondence, directing the investigation of complaints, documenting decisions, completing complaint records, and maintaining the Complaint Log.

APPENDIX J. CMCOG-COATS MPO MPO TITLE VI COMPLAINT RECORD TEMPLATE

Title VI Complaint Log

Date Complaint Received	Name of Complainant	Address & Telephone	Race/Sex	Color	Age	National Origin (if known)	Disability (if Applicable)	Nature of Complaint	Status/Final Disposition

APPENDIX K. STANDARD TITLE VI/NONDISCRIMINATION ASSURANCES

The Central Midlands Council of Governments (herein referred to as the "Recipient"), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through the Federal Highway Administration (FHWA), or the Federal Transit Administration (FTA), is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq*., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled *Nondiscrimination In Federally-Assisted Programs Of The Department Of Transportation—Effectuation Of Title VI Of The Civil Rights Act Of 1964*);
- 28 C.F.R. § 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects;
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq*.), as amended, prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq*.), prohibits discrimination on the basis of age);
- The Civil Rights Restoration Act of 1987, (PL 100-209, (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Title II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 – 12189) as implemented by Department of Transportation regulations 49 C.F.R. parts 37 and 38;
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 *et seq*).

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

"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 from DOT, including the Federal Highway Administration (FHWA), or the Federal Transit Administration (FTA)

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Nondiscrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to the Federal Highway Administration (FHWA), or the Federal Transit Administration (FTA):

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with the Federal Highway Administration (FHWA), or the Federal Transit Administration (FTA) and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

   "*The (**Title of Recipient**), in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively insure that 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 in consideration for an award.*"

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.

4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.

5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.

6. 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 will extend to rights to space on, over, or under such property.

7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:

    a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
    b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.

8. 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.

9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.

10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, *the Central Midlands Council of Governments* also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the Federal Highway Administration or the Federal Transit Administration access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the Federal Highway Administration or the Federal Transit Administration. You must keep records, reports, and submit the material for review upon request to the Federal Highway Administration or the Federal Transit Administration, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

Central Midlands Council of Governments gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the Federal Highway Administration (FHWA), or the Federal Transit Administration (FTA). This ASSURANCE is binding on Central Midlands Council of Governments, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the Federal Highway Administration (FHWA), or the Federal Transit Administration (FTA). The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

_____

(Name of Recipient)

by_____

(*Signature of Authorized Official*)

DATED_____

APPENDIX K-1. STANDARD TITLE VI/NONDISCRIMINATION ASSURANCES – APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

(1) Compliance with Regulations: The contractor (Hereinafter includes consultants) will comply with the Acts and the Regulations relative to nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Highway Administration (FHWA), and Federal Transit Administration (FTA), as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.

(2) Non-discrimination: The Contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR part 21. This includes FHWA or FTA specific program requirement.

(3) Solicitations for Subcontractors, Including Procurements of Materials and Equipment: In all solicitations, either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin. This includes FHWA or FTA specific program requirements.

(4) Information and Reports: The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the ***CENTRAL MIDLANDS COUNCIL OF GOVERNMENTS,*** **the** ***FEDERAL HIGHWAY ADMINISTRATION (FHWA), or the FEDERAL TRANSIT ADMINISTRATION (FTA)*** to be pertinent to ascertain compliance with such Acts, Regulations, instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the CMCOG, FHWA or the FTA, as appropriate, and will set forth what efforts it has made to obtain the information.

(5) Sanctions for Noncompliance: In the event of the contractor's noncompliance with the Non-discrimination provisions of this contract, the ***CENTRAL MIDLANDS COUNCIL OF GOVERNMENTS*** will impose such contract sanctions as it or **the** ***FEDERAL HIGHWAY ADMINISTRATION (FHWA), or the FEDERAL TRANSIT ADMINISTRATION (FTA)*** may determine to be appropriate, including, but not limited to:

(a) withholding of payments to the contractor under the contract until the contractor complies, and/or
(b) cancellation, termination or suspension of the contract, in whole or in part.

(6) Incorporation of Provisions: The contractor will include the provisions of paragraphs one (1) through six (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontractor procurement as the ***CENTRAL MIDLANDS COUNCIL OF GOVERNMENTS,*** **the** ***FEDERAL HIGHWAY ADMINISTRATION (FHWA), or the FEDERAL TRANSIT ADMINISTRATION (FTA)*** may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with, litigation with a subcontractor, or supplier because of such direction, the contractor may request the ***CENTRAL MIDLANDS COUNCIL OF GOVERNMENTS,*** to enter into any litigation to protect the interests of the ***CENTRAL MIDLANDS COUNCIL OF GOVERNMENTS*****.** In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX K-2. STANDARD TITLE VI/NONDISCRIMINATION ASSURANCES – APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the Central Midlands Council of Governments will accept Title to the lands and maintain the project constructed thereon, in accordance with the appropriate legislative authority, the Regulations for the Administration of its programs and activities, and the policies and procedures prescribed by ***the FEDERAL HIGHWAY ADMINISTRATION*** **or the** ***FEDERAL TRANSIT ADMINISTRATION*** of the U.S. Department of Transportation in accordance with and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in federally assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. §2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the SCDOT all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto Central Midlands Council of Governments and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the Central Midlands Council of Governments, its successors and assigns.

The Central Midlands Council of Governments*,* in consideration or the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will 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 with regard to any facility located wholly or in part on over or under such lands hereby conveyed [,] [and)* (2) that the Central Midlands Council of Governments will use the lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, 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 Rights Act of 1964, and as said Regulations and Acts may be amended [, and (3) that in the event of breach of any of

the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and the above described land and facilities will thereon revert to and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purposes of Title VI of the Civil Rights Act of 1964.

APPENDIX K-3. STANDARD TITLE VI/NONDISCRIMINATION ASSURANCES – APPENDIX C

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in all deeds, licenses, leases, permits, or similar instruments entered into by the Central Midlands Council of Government pursuant to the provisions of Assurance 7(a):

A. The (grantee, licensee, lessee, permitee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:

    1. In the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permitee, etc.) will maintain and operate such facilities and services in compliance with all other requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.

B. With respect to licenses, leases, permits, etc., in the event of a breach of any of the above Non-discrimination covenants, Central Midlands Council of Governments will have the right to terminate the (lease, license, permit, etc.] and to enter, re-enter, and repossess said land and the facilities thereon, and hold the same as if said [licenses, lease, permit, etc.] had never been made or issued.*

C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, Central Midlands Council of Governments will have the right to enter or reenter said lands and facilities thereon, and the above described lands and facilities will thereupon revert to and vest in and become the absolute property of Central Midlands Council of Governments and its assigns.*

* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

APPENDIX K-4. STANDARD TITLE VI/NONDISCRIMINATION ASSURANCES – APPENDIX D

CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in all deeds, licenses, leases, permits, or similar instruments entered into by the Central Midlands Council of Governments pursuant to the provisions of Assurance 7(b):

A. The (grantee, licensee, lessee, permitee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add "as a covenant running with the land") that:

   (1) no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities,
   (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination, and
   (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.

B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, Central Midlands Council of Governments will have the right to terminate the (license, permit, etc., as appropriate) and enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*

C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, Central Midlands Council of Governments will have the right to enter or reenter said lands and facilities thereon, and the above described lands and facilities will thereupon revert to and vest in and become the absolute property of Central Midlands Council of Governments and its assigns.*

* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI.

APPENDIX K-5. STANDARD TITLE VI/NONDISCRIMINATION ASSURANCES – APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities, including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the 1964 Civil Rights Act (42 U.S.C. 2§000 *et seq*., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21;
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. §4601) Prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects;
- The Federal-aid Highway Act of 1973, (23 U.S.C. §324 *et seq*.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. 794 *et seq*.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended (42 U.S.C. §6101 *et seq*.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (42 U.S.C. §47123), as amended, (prohibits discrimination on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (P.L. 100-209), (Broadened, the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§12131-12189) as implemented by Department of Transportation regulations at 49 CFR Parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. §47123) (prohibits discrimination on the basis of race, color, national origin, and sex);

- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures nondiscrimination by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;

- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance, recipients must take reasonable steps to ensure that LEP persons have meaningful access to programs (70 Fed. Reg. at 74087 to 74100);

- Title IX of the Education Amendment of 1972, as amended, which prohibits discrimination on the basis of sex in education programs or activities (20 U.S.C. 1681 *et seq*.).

APPENDIX L. DATA COLLECTION & REPORTING REQUIREMENTS

COATS will comply with the following data collection and reporting requirements as outlined in FTA Circular 4702.1B:

General Reporting Requirements:
All applicants, recipients, and subrecipients are required to maintain and provide to FTA the information outlined below. The information is required under DOJ regulation and must be submitted prior to the approval of any grant application. Recipients and subrecipients should provide updated information as conditions warrant. Updates must at a minimum be provided every three years. Information previously submitted under the General Reporting Requirements may be referenced in subsequent submissions, as appropriate.

All applicants, recipients, and subrecipients shall maintain and submit the following general requirements:

a. A list of any active lawsuits of complaints naming the applicant, which allege discrimination on the basis of race, color, or national origin with respect to service or other transit benefits. The list should include: the date the lawsuit or complaint was filed; a summary of the allegation; and the status of the lawsuit or complaint, including whether the parties to the lawsuit have entered into a consent decree. For applicants of assistance under Section 6, 10, 16(b)(2) and 18, this information should be maintained and made available to FTA on request. For all applicants for FTA assistance, this information should be relevant to the organizational entity actually submitting the application, not necessarily the larger agency or department of which the entity is a part (e.g., not all information on all modes of transportation).

b. A description of all pending applications for financial assistance, and all financial assistance currently provided by other Federal agencies. For applicants of assistance under Section 6, 10, 16(b)(2) and 18, this information should be maintained and made available to FTA on request. For all applicants for FTA assistance, this information should be relevant to the organizational entity actually submitting the application, not necessarily the larger agency or department of which the entity is a part.

c. A summary of all civil rights compliance review activities conducted in the last 3 years. The summary should include: the purpose or reason for the review; the name of the agency or organization that performed the review; a summary of the findings and recommendations of the review; and, a report on the status and/or disposition of such findings and recommendations. For all applicants for FTA assistance, this information should be relevant to the organizational entity actually submitting the application, not necessarily the larger agency or department of which the entity is a part.

d. A signed FTA Civil Rights Assurance that all of the records and other information required under Circular 4702.1B have been or will be compiled, as appropriate, and maintained by the applicant, recipient, or subrecipient. In the case of State administered programs, this assurance should be provided by the primary and subrecipient (Appendix 1).

e. For construction projects, a fixed-facility impact analysis to assess the effects on minority communities. If this information has been prepared as a result of an environmental assessment or environmental impact statement, the applicant, recipient, or subrecipient should reference the relevant information by document, page number(s), and date of submission to FTA. The analysis should include:

- A discussion of the potential impact on minority communities and minority-owned businesses during and after construction;
- A discussion of all potential negative environmental impact, such as noise, air, or water pollution;
- A detailed list of minority-owned businesses and households that will be affected by the construction project;
- A description of other significant changes or impacts on the minority community, such as increased traffic, reductions in the amount of available parking, etc.; and
- A description of the relocation program and/or other measures adopted by the applicant that will be used to mitigate any identified adverse social, economic, or environmental effect of the proposed construction project.

APPENDIX M. SOCIAL EQUITY ANALYSIS – COATS MPO

To determine the location and concentrations of low income and minority populations in the COATS MPO region, CMCOG used a methodology described by the Mid-Ohio Regional Planning Commission in a USDOT case study for environmental justice analysis.[1] The methodology involved a three step process that included (1) determining the regional percentages of low income and minority populations (2) using the regional percentages as thresholds for determining whether or not a particular Census Block Group is considered to be predominantly low income or minority (3) mapping these thresholds (individually and together) to provide a visual representation of the spatial distribution of low income and minority populations.

The criteria used to identify and map low income and minority populations included the following four 2014 - 2018 American Community Survey variables:

- Non-white population
- LEP population
- 65 and older
- Households below the Poverty Line

The totals and percentages of these variables for the COATS region and for the COATS portions of Richland, Lexington, Kershaw, Newberry, Fairfield, and Calhoun counties are summarized in the table

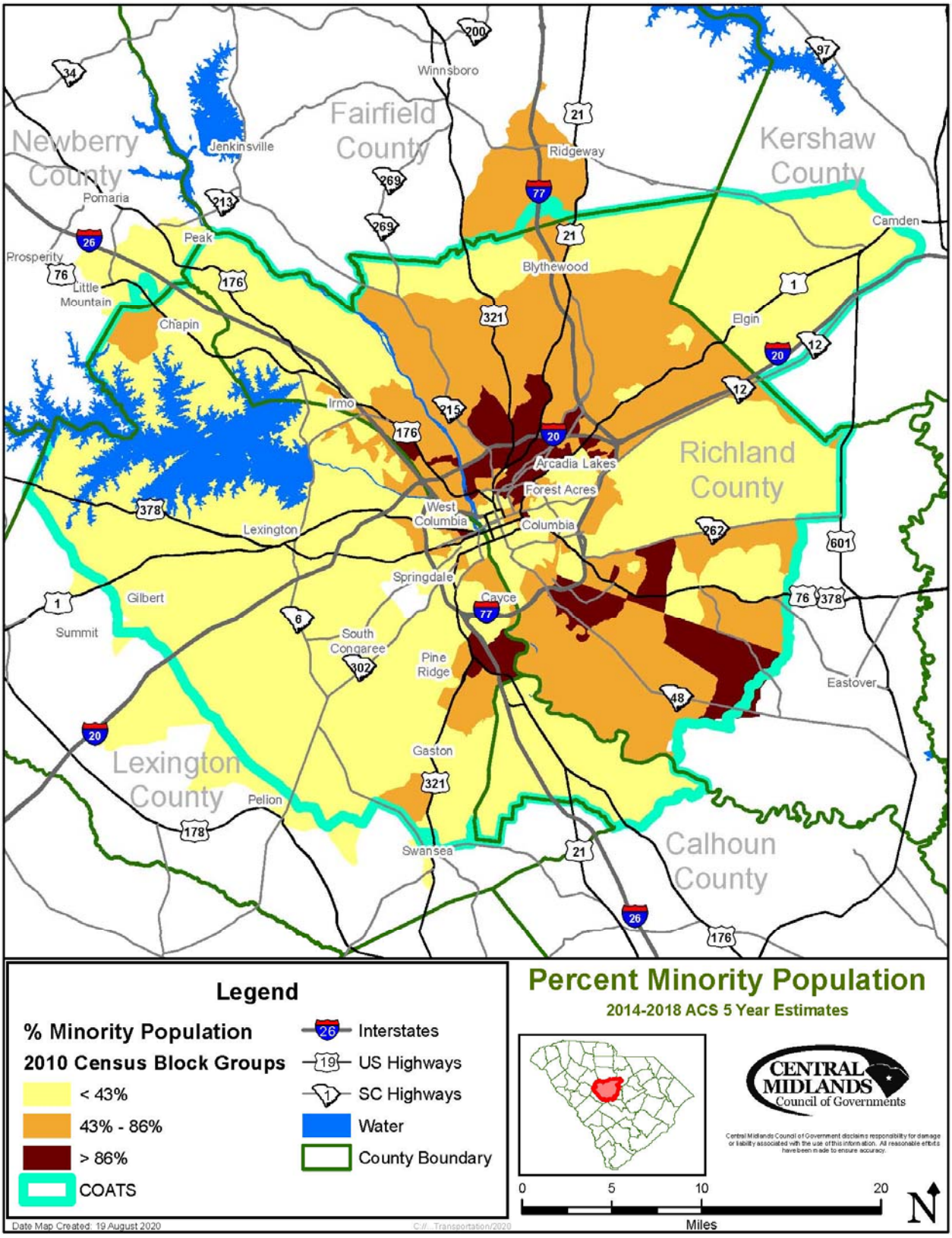
Environmental Justice Profile of the COATS Region

	COATS Region	Richland COATS	Lexington COATS	Kershaw COATS	Calhoun COATS	Newberry COATS	Fairfield COATS
Population	695,031	401,351	260,972	26,746	2,151	1,329	2,482
Minority Population	301,841	227,900	64,248	7,393	289	298	1,713
% Minority Population	**43.4%**	**75.5%**	**21.3%**	**2.4%**	**0.1%**	**0.1%**	**0.6%**
Hispanic Population	37,488	20,662	15,149	1,240	138	256	43
% Hispanic Population	**5.4%**	**55.1%**	**40.4%**	**3.3%**	**0.4%**	**0.7%**	**0.1%**
Over 65 Population	91,812	47,414	39,416	3,701	429	331	521
% Over 65	**13.2%**	**51.6%**	**42.9%**	**4.0%**	**0.5%**	**0.4%**	**0.6%**
Total Over 5	654,272	378,016	245,480	25,044	2,067	1,234	2,431
Total Over 5 that speak English Not Very Well or At All	8,607	4,540	3,708	247	-	112	-
% Limited English	**1.3%**	**52.7%**	**43.1%**	**2.9%**	**0.0%**	**1.3%**	**0.0%**
Households	261,974	147,830	101,930	9,657	976	592	989
Households below Poverty	36,513	23,279	11,382	1,300	202	69	281
% Households below Poverty	**13.9%**	**63.8%**	**31.2%**	**3.6%**	**0.6%**	**0.2%**	**0.8%**

Note: Military populations are not considered to be exposed to the same level of risk for environmental justice concerns as civilian populations.

According to these regional totals, minority populations make up 43.4% of the total population of the COATS region with the largest share (approximately 76%) residing in Richland County. The LEP population represents 1.3% of the total population with the largest share (approximately 53%) residing in Richland County. In addition, the 65 and older population represents 13% of the total population with the largest share (approximately 52%) residing in Richland County. As well, the poverty population makes up 14% of the total population with the largest share (approximately 64%) residing in Richland County.

The following maps illustrate the areas of the region where the percentages of minority, LEP, and 65 and older populations exceed the regional percentage thresholds as defined in the Environmental Justice Profile. The families below the poverty line are also illustrated.


Newberry County
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Blythewood
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Arcadia Lakes
Forest Acres
West Columbia
Columbia
Lexington
Springdale
Cayce
Gilbert
Summit
South Congaree
Pine Ridge
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Pelion
Swansea
Legend
% Minority Population
2010 Census Block Groups
< 43%
43% - 86%
> 86%
COATS
Interstates
US Highways
SC Highways
Water
County Boundary
Percent Minority Population
2014-2018 ACS 5 Year Estimates
Central Midlands Council of Government disclaims responsibility for damage or liability associated with the use of this information. All reasonable efforts have been made to ensure accuracy.
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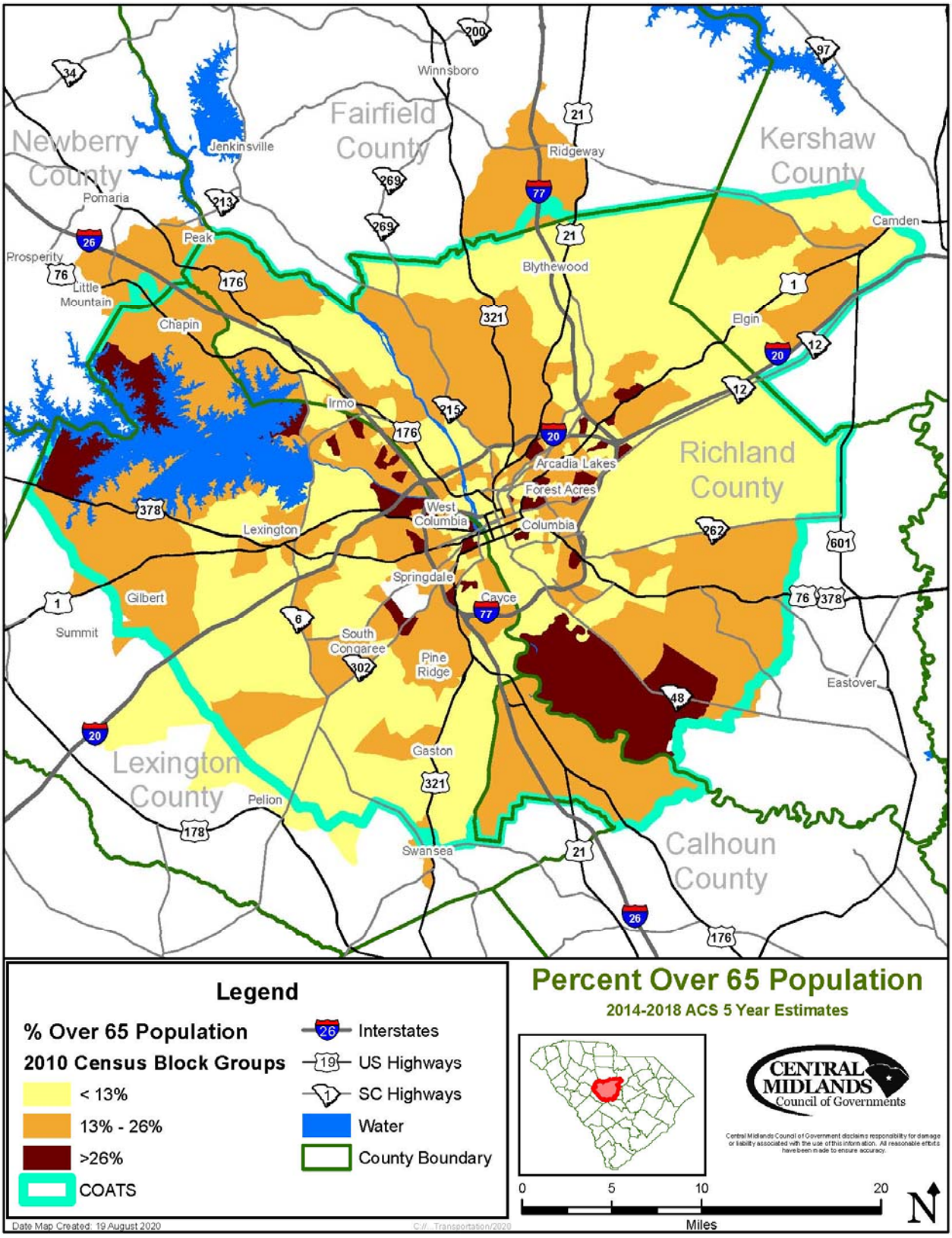
Date Map Created: 19 August 2020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Springdale
Cayce
Gilbert
Summit
South Congaree
Pine Ridge
Eastover
Gaston
Pelion
Swansea
Legend
% Over 65 Population
2010 Census Block Groups
< 13%
13% - 26%
>26%
COATS
Interstates
US Highways
SC Highways
Water
County Boundary
Percent Over 65 Population
2014-2018 ACS 5 Year Estimates
CENTRAL MIDLANDS Council of Governments
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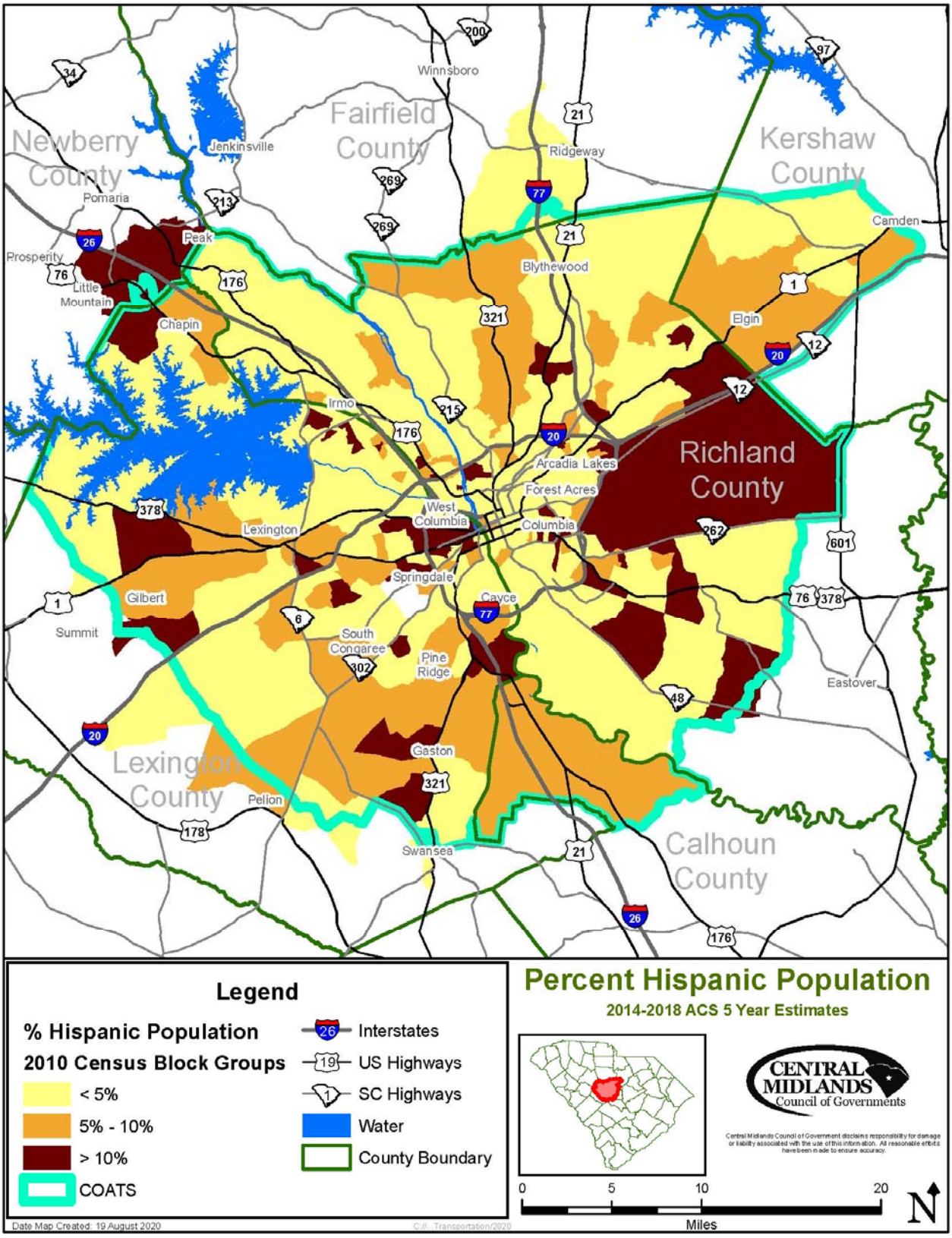
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Lexington
Springdale
Cayce
Gilbert
Summit
South Congaree
Pine Ridge
Eastover
Gaston
Pelion
Swansea
Legend
% Hispanic Population
2010 Census Block Groups
< 5%
5% - 10%
> 10%
COATS
Interstates
US Highways
SC Highways
Water
County Boundary
Percent Hispanic Population
2014-2018 ACS 5 Year Estimates
Central Midlands Council of Government disclaims responsibility for damage or liability associated with the use of this information. All reasonable efforts have been made to ensure accuracy.
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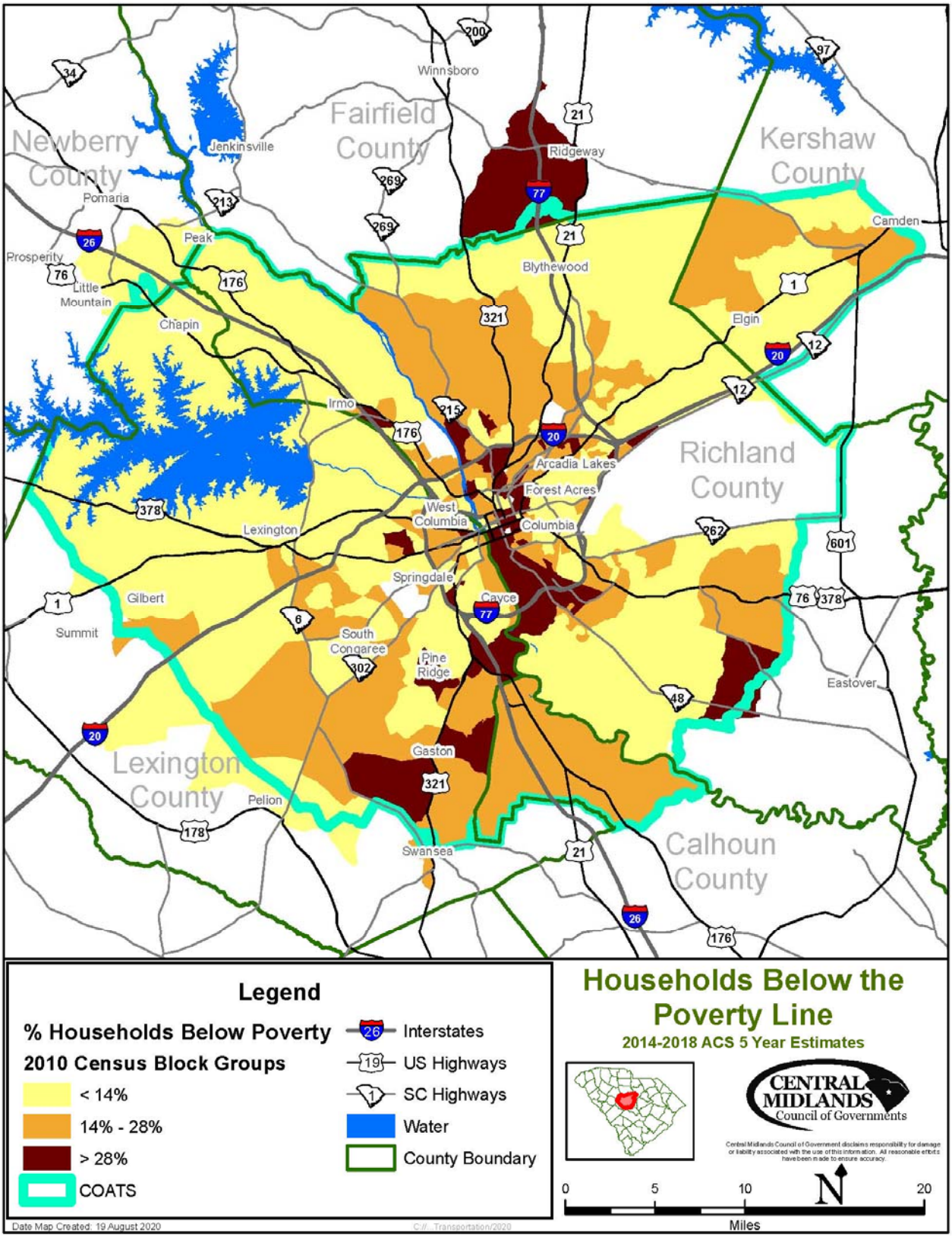
Date Map Created: 19 August 2020


Newberry County
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% Households Below Poverty
2010 Census Block Groups
< 14%
14% - 28%
> 28%
COATS
Interstates
US Highways
SC Highways
Water
County Boundary
Households Below the Poverty Line
2014-2018 ACS 5 Year Estimates
Central Midlands Council of Government disclaims responsibility for damage or liability associated with the use of this information. All reasonable efforts have been made to ensure accuracy.
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Date Map Created: 19 August 2020

APPENDIX N. SOCIAL EQUITY ANALYSIS – CMCOG REGION

To determine the location and concentrations of low income and minority populations in the CMCOG region, CMCOG used a methodology described by the Mid-Ohio Regional Planning Commission in a USDOT case study for environmental justice analysis.[1] The methodology involved a three step process that included (1) determining the regional percentages of low income and minority populations (2) using the regional percentages as thresholds for determining whether or not a particular Census Block Group is considered to be predominantly low income or minority (3) mapping these thresholds (individually and together) to provide a visual representation of the spatial distribution of low income and minority populations.

The criteria used to identify and map low income and minority populations included the following four 2014 – 2018 American Community Survey variables:

- Non-white population
- LEP population
- 65 and older
- Households below the Poverty Line

The totals and percentages of these variables for the CMCOG region are summarized in the table

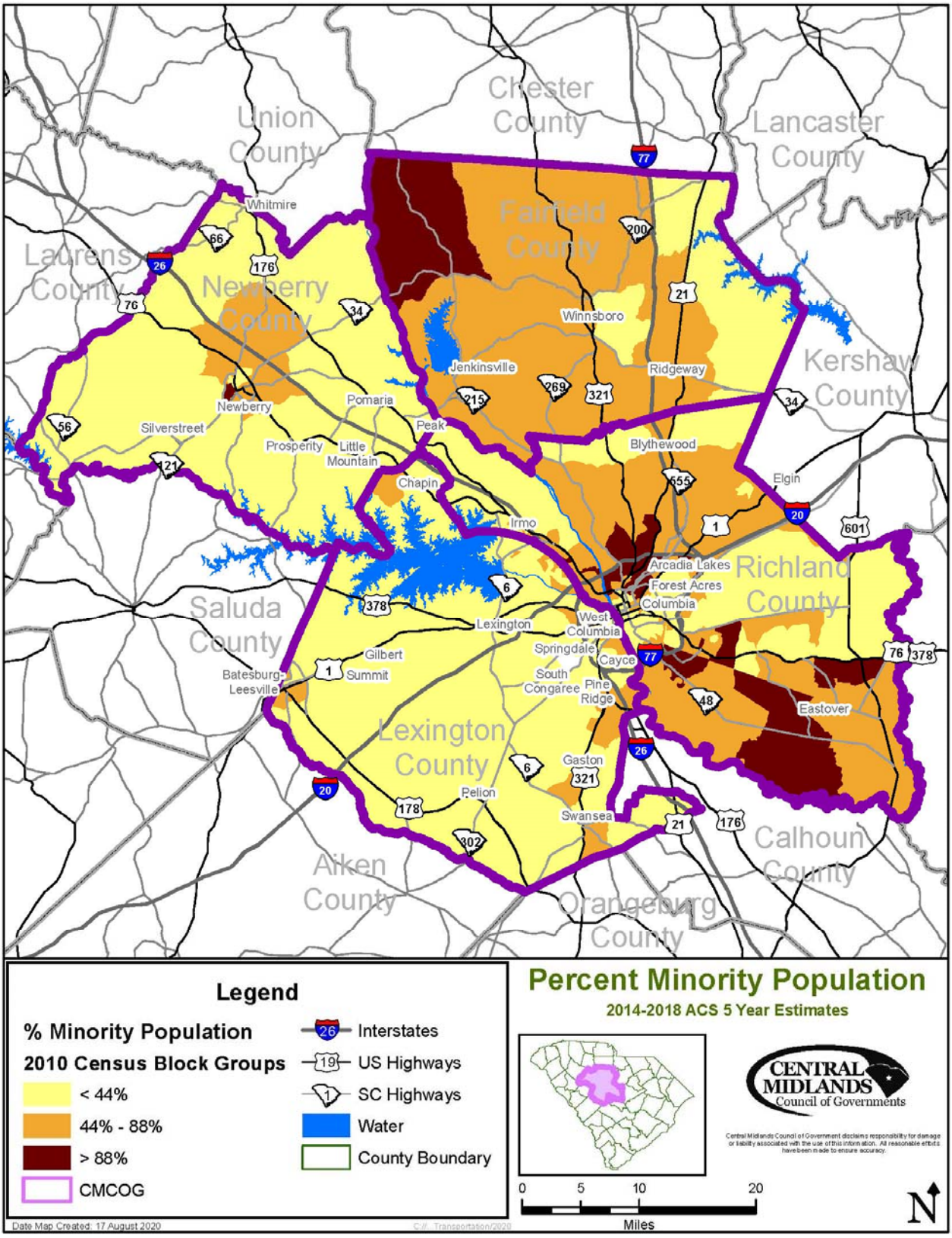
Environmental Justice Profile of the CMCOG Region

	CMCOG Region	Richland County	Lexington County	Newberry County	Fairfield County
Population	755,359	408,263	286,316	38,068	22,712
Minority Population	333,709	233,352	71,014	15,260	14,083
% Minority Population	**44.2%**	**69.9%**	**21.3%**	**4.6%**	**4.2%**
Hispanic Population	40,999	20,733	16,998	2,797	471
% Hispanic Population	**5.4%**	**50.6%**	**41.5%**	**6.8%**	**1.1%**
Over 65 Population	103,279	48,691	42,994	7,122	4,472
% Over 65	**13.7%**	**47.1%**	**41.6%**	**6.9%**	**4.3%**
Total Over 5	711,145	384,410	269,321	35,748	21,666
Total Over 5 that speak English Not Very Well or At All	9,655	4,540	4,254	746	115
% Limited English	**1.4%**	**47.0%**	**44.1%**	**7.7%**	**1.2%**
Households	285,492	150,309	111,265	14,939	8,979
Households below Poverty	41,454	23,793	12,961	2,676	2,024
% Households below Poverty	**14.5%**	**57.4%**	**31.3%**	**6.5%**	**4.9%**

Note: Military populations are not considered to be exposed to the same level of risk for environmental justice concerns as civilian populations.

According to these regional totals, minority populations make up 44% of the total population of the CMCOG region with the largest share (approximately 70%) residing in Richland County. The LEP population represents 1.4% of the total population with the largest share (approximately 47%) residing in Richland County. In addition, the 65 and older population represents 14% of the total population with the largest share (approximately 47%) residing in Richland County. As well, the poverty population makes up 15% of the total population with the largest share (approximately 57%) residing in Richland County.

The following maps illustrate the areas of the region where the percentages of minority, LEP, and 65 and older populations exceed the regional percentage thresholds as defined in the Environmental Justice Profile. The families below the poverty line are also illustrated.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South Congaree
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Eastover
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Summit
Batesburg-Leesville
Gaston
Pelion
Swansea
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% Minority Population
2010 Census Block Groups
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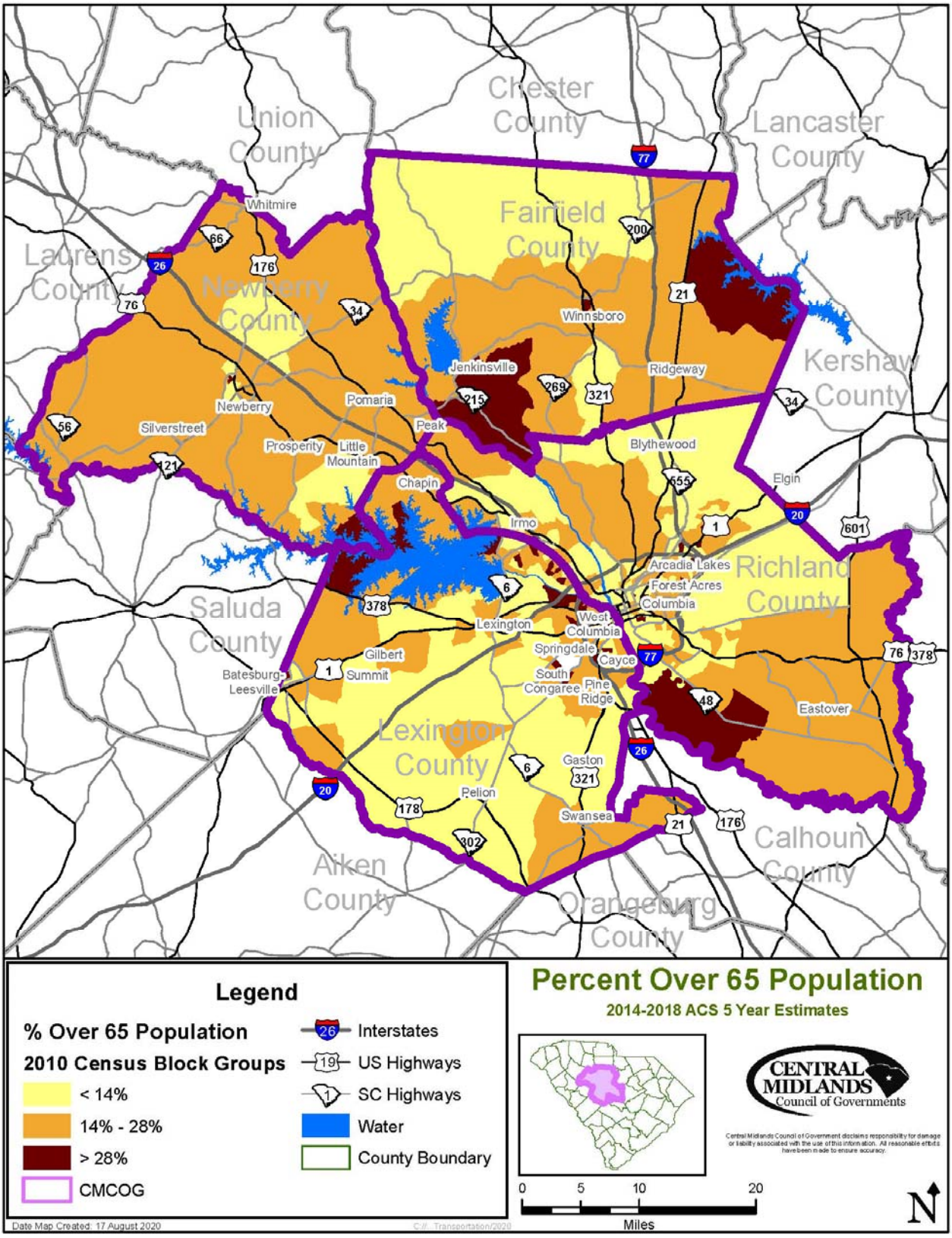
Date Map Created: 17 August 2020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Swansea
Legend
% Over 65 Population
2010 Census Block Groups
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CMCOG
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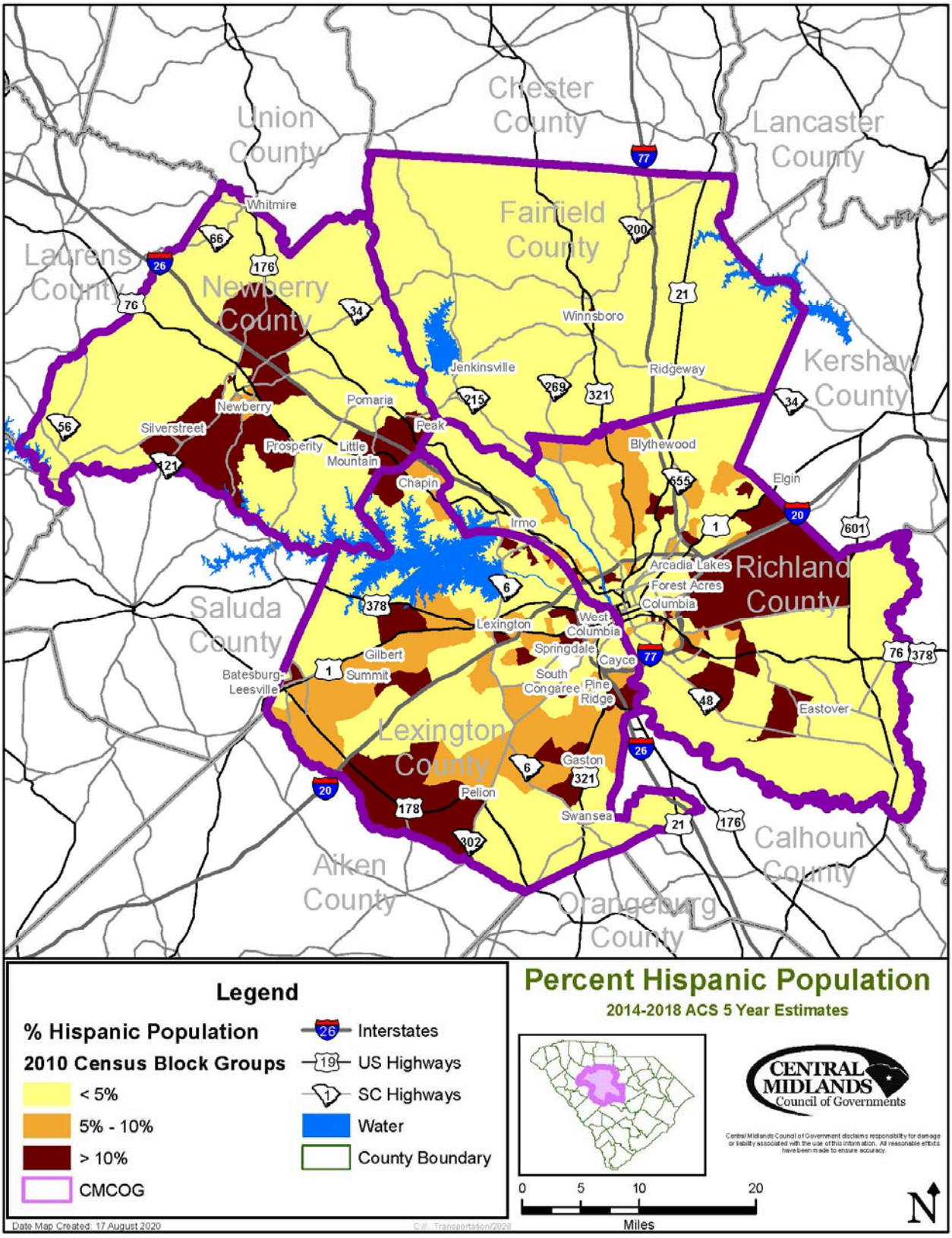
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Lexington
Gilbert
Summit
Batesburg-Leesville
Gaston
Pelion
Swansea
Legend
% Hispanic Population
2010 Census Block Groups
< 5%
5% - 10%
> 10%
CMCOG
Interstates
US Highways
SC Highways
Water
County Boundary
Percent Hispanic Population
2014-2018 ACS 5 Year Estimates
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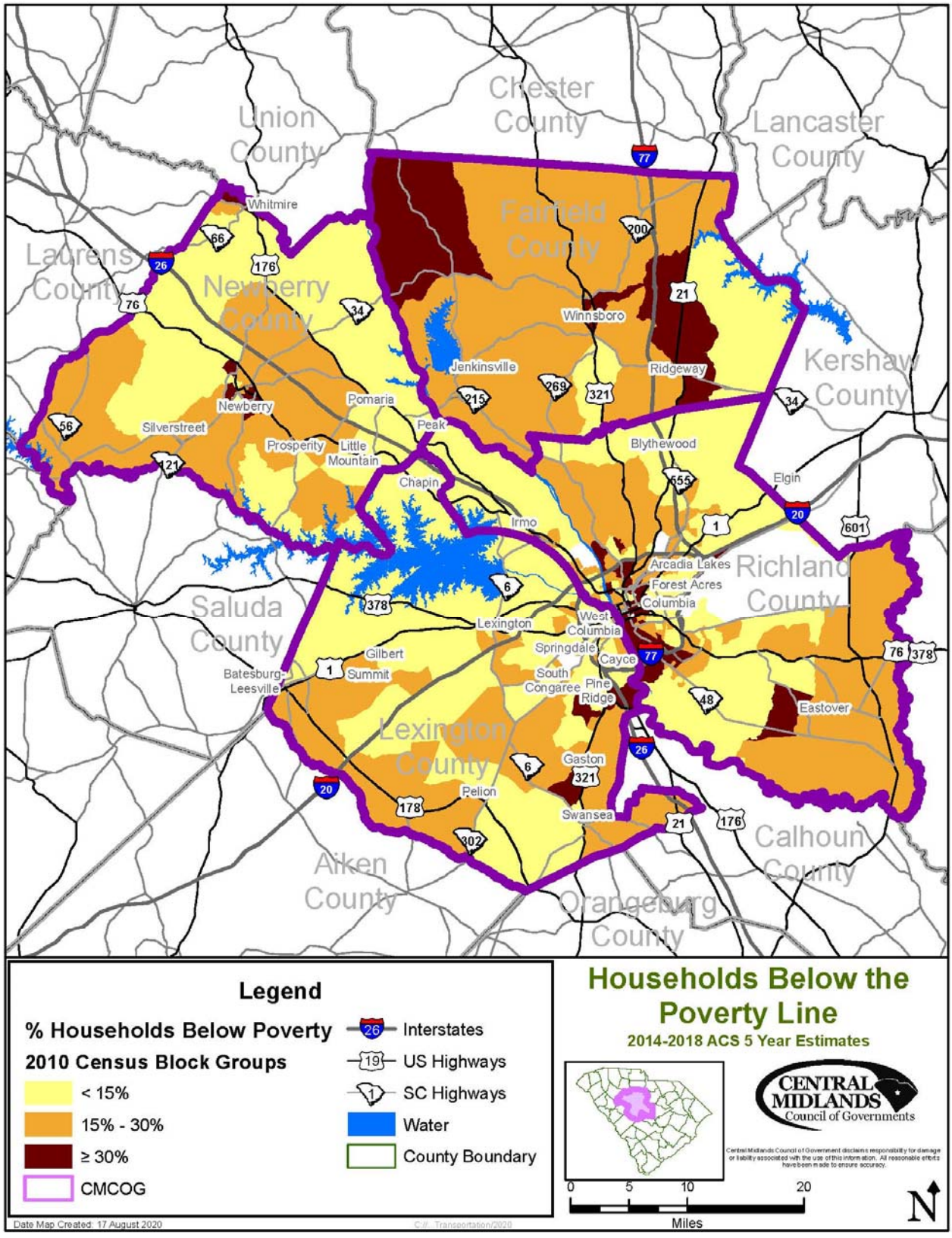
Date Map Created: 17 August 2020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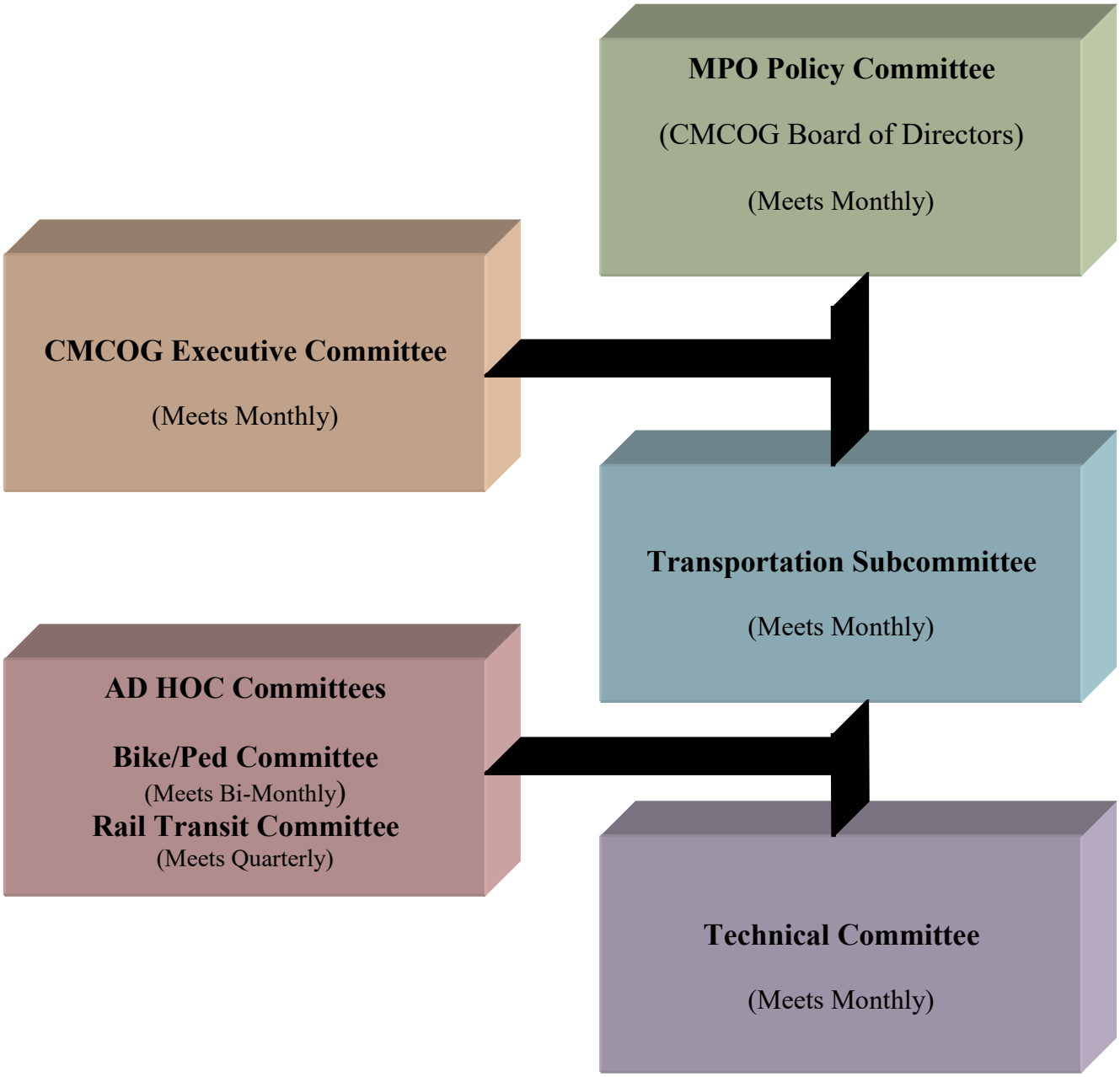
Gaston
Pelion
Swansea
Legend
% Households Below Poverty
2010 Census Block Groups
< 15%
15% - 30%
≥ 30%
CMCOG
Interstates
US Highways
SC Highways
Water
County Boundary
Households Below the Poverty Line
2014-2018 ACS 5 Year Estimates
Central Midlands Council of Government disclaims responsibility for damage or liability associated with the use of this information. All reasonable efforts have been made to ensure accuracy.
0 5 10 20
Miles
N
Date Map Created: 17 August 2020

APPENDIX O. MPO TRANSPORTATION PLANNING PROCESS

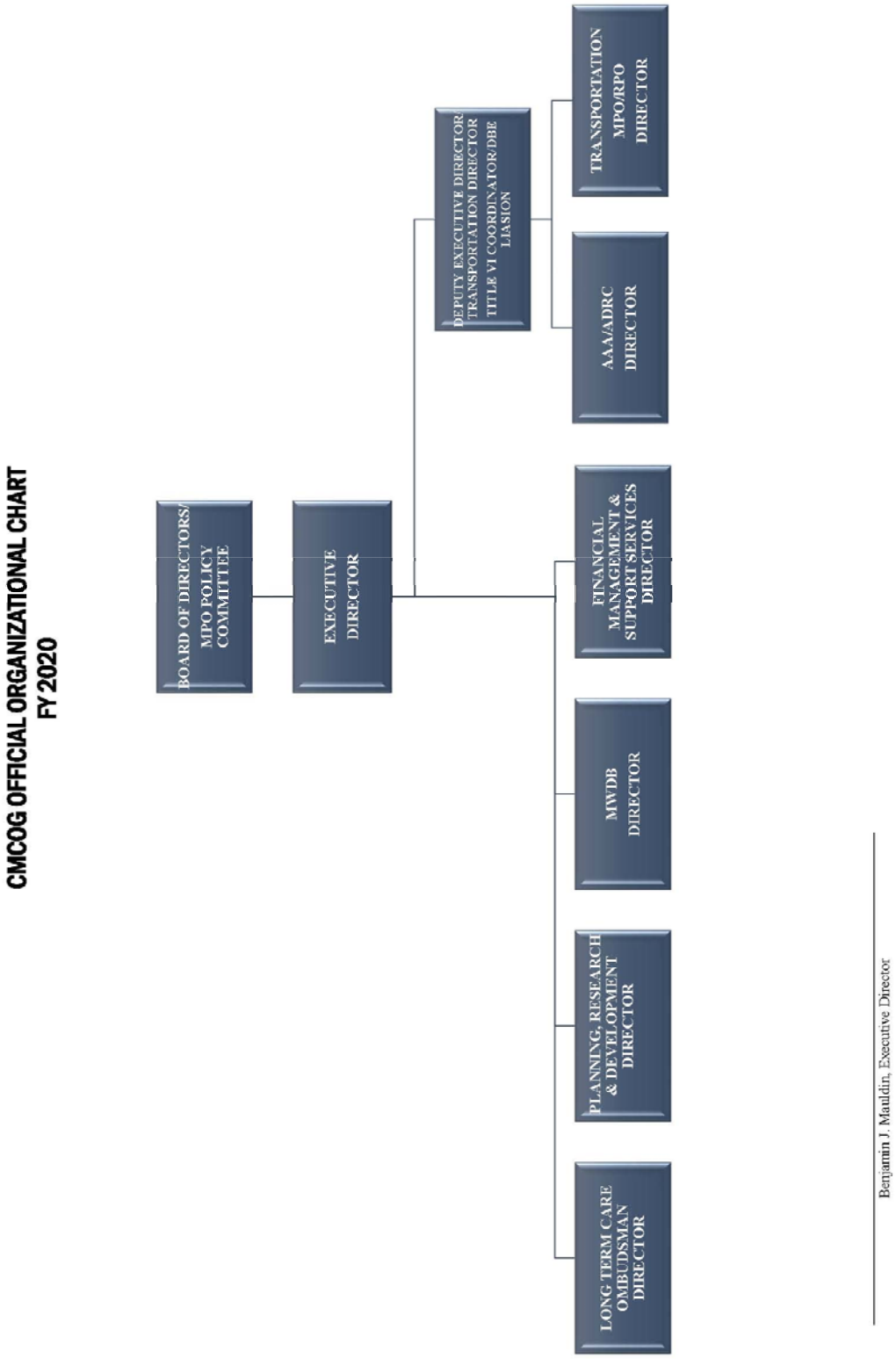


Please be advised that all committees, except the Executive Committee, are open and available for public comment.

APPENDIX P. COATS MPO POLICY COMMITTEE (CMCOG BOARD OF DIRECTORS) MEMBERS

First Name	Last Name	Jurisdiction	SEAT	SEX	RACE
Joyce	Dickerson	Richland County	Elected	Female	Black
Julie Ann	Dixon	Richland County	Citizen	Female	Black
Tameika	Isaac Devine	City of Columbia	Elected	Female	Black
Sam	Davis	City of Columbia	Elected	Male	Black
Zebbie	Goudelock	City of Newberry	Elected	Male	Black
Norman	Jackson	Richland County	Elected	Male	Black
Paul	Livingston	Richland County	Elected	Male	Black
Edward	McDowell	City of Columbia	Elected	Male	Black
Charles	Simpkins	Lexington Council	Citizen	Male	Black
Vina	Abrams	Newberry County	Citizen	Female	Black
Connie	Breeden	Richland County	Citizen	Female	Black
Susan	Brill	Richland County	Citizen	Female	Black
Michael	Bailey	Richland County	Citizen	Male	Black
Alfred	Comfort	Richland Coutny	Citizen	Male	Black
Elise	Partin	City of Cayce	Elected	Female	White
Debbie	Summers	Lexington County	Elected	Female	White
William (Billy)	Smith, Jr	Fairfield County	Elected	Male	White
Phillip	Yarborough	Lexington County	Elected	Male	White
Bobby	Horton	City of West Columbia	Elected	Male	White
William	Leidinger	City of Columbia	Citizen	Male	White
Steve	MacDougall	Town of Lexington	Elected	Male	White
Earl E.	McLeod	Lexington Coutny	Citizen	Male	White
Walton J.	McLeod	Newbery County Legislative Delegation	Elected	Male	White
Joe	Mergo, III	Lexington County	Elected	Male	White
Tony	Mizzell	Richland County	Citizen	Male	White
Todd	O'Dell	Batesburg-Leesville	Elected	Male	White
Juston	Ricard	Town of Springdale	Elected	Male	White
William	Waldrop	Newberry County	Elected	Male	White
Mark	Williams	City of Forest Acres	Elected	Male	White
MaryGail	Douglas	Fairfield County Legislative Delegation	Elected	Female	White
Melissa	Atkins	Lexington County	Citizen	Female	White
Erin Long	Bergeson	Lexington County	Elected	Female	White
Kathy	Condom	Town of Irmo	Elected	Female	White
Ben	Connell	Kershaw County	Elected	Male	White
Todd	Cullum	Lexington County	Elected	Male	White
Smokey	Davis	Lexington County	Citizen	Male	White
Shawn	Epps	City of Columbia	Citizen	Male	White
Douglas	Fabel	Richland County	Citizen	Male	White
Roger A.	Gaddy	Winnsboro	Elected	Male	White
Malcolm	Gordge	Town of Blythewood	Elected	Male	White
Jimmy C.	Bales	Richland County Legislative Delegation	Elected	Male	White
Larry	Brigham	Lexington County	Elected	Male	White
David	Brown	Fairfield County	Citizen	Male	White
John	Carrigg	Lexington County	Citizen	Male	White
Micah	Caskey	Lexington County Legislative Delegation	Elected	Male	White
Ted	Creech	City of Columbia	Citizen	Male	White
Robert	Liming	City of Columbia	Citizen	Male	White

APPENDIX Q. ORGANIZATIONAL CHART



APPENDIX R. LANGUAGE ASSISTANCE PLAN

Please be advises that the Language Assistance Plan will be attached as a separate document.

CMCOG-COATS MPO

LANGUAGE ASSISTANCE PLAN

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Background

The purpose of this limited English proficiency policy guidance is to clarify the responsibilities of recipients of federal financial assistance from the U.S. Department of Transportation (DOT) and assist them in fulfilling their responsibilities to Limited English Proficient (LEP) persons, pursuant to Title VI of the Civil Rights Act of 1964 and implementing regulations. It was prepared in accordance with **Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq**., and its implementing regulations provide that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives federal financial assistance.

Executive Order 13166

Executive Order 13166 "Improving Access to Services for Persons With Limited English Proficiency,'' reprinted at 65 FR 50121 (August 16, 2000), directs each Federal agency that is subject to the requirements of Title VI to publish guidance for its respective recipients clarifying that obligation. Executive Order 13166 further directs that all such guidance documents be consistent with the compliance standards and framework detailed in the Department of Justice's (DOJ's) Policy Guidance entitled "Enforcement of Title VI of the Civil Rights Act of 1964--National Origin Discrimination Against Persons With Limited English Proficiency.'' (See 65 FR 50123, August 16, 2000 DOJ's General LEP Guidance). Different treatment based upon a person's inability to speak, read, write, or understand English may be a type of national origin discrimination.

Executive Order 13166 applies to all federal agencies and all programs and operations of entities that receive funding from the federal government, including state agencies, local agencies and governments such as the Metropolitan Planning Organization (MPO), private and non-profit entities, and sub-recipients.

Plan Summary

The Columbia Area Transportation Study (COATS) Metropolitan Planning Organization (MPO) has developed this Limited English Proficiency Plan (LEP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to MPO programs as required by Executive Order 13166. A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English.

This plan details procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training staff, how to notify LEP persons that assistance is available, and information for future plan updates. In developing the plan while determining the MPO's extent of

obligation to provide LEP services, the MPO undertook a U.S. Department of Transportation four factor LEP analysis.

Four Factor Analysis

The Four Factor Analysis is one of the primary compliance processes established in the Department of Justice's LEP Guidance. The Analysis provides a framework for agencies to use in identifying the LEP populations in their service area and developing a cost-effective and meaningful plan for providing appropriate language assistance services. The Four Factors are as follows:

1. The number and proportion of LEP persons served or encountered in the eligible service population.

2. The frequency with which LEP individuals come into contact with the program, activity, or service provided.

3. The nature and importance of the program, activity, or service provided by the program to LEP persons.

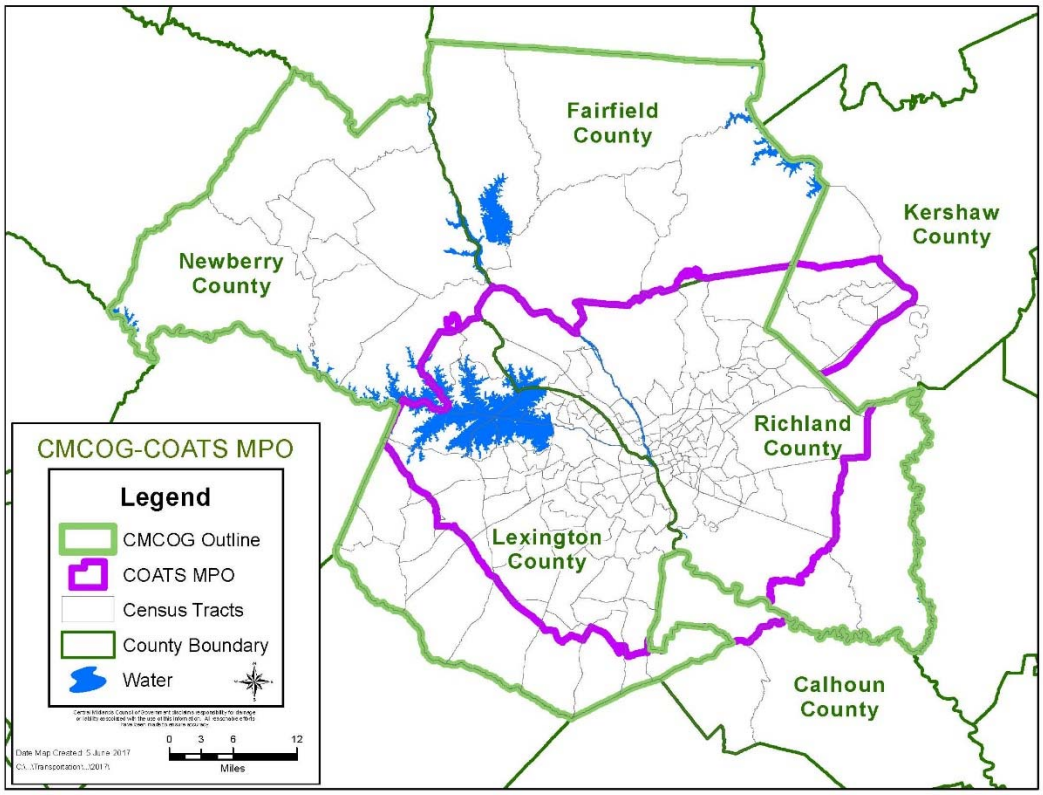
4. The resources available to the recipient and costs associated with providing meaningful access to LEP persons.

A brief description of these considerations is provided in the following section.

Factor 1 – Number & Proportion of LEP Persons Encountered

Factor 1 evaluates the number of LEP persons served and the concentration of LEP persons in the service area population. In the case of the CMCOG-COATS MPO, the service area population is the total population within the region served by the MPO, including the following six (6) counties: Newberry, Fairfield, Lexington Richland, Calhoun, and Kershaw. (**Figure 1**).

Figure 1. CMCOG-COATS MPO Region



Language characteristics within the MPO region were identified using the U.S. Census Bureau's 2014-2018 American Community Survey (ACS) data. The data for "Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over" was compiled and mapped at the tract level. In the ACS individuals are characterized as speaking English "Very well" or "Less than very Well." For this analysis, an individual who speaks English less than Very well is considered an LEP person.

It is noted that the ACS data for the CMCOG-COATS MPO region includes the institutionalized populations of several penitentiaries. The CMCOG-COATS MPO does not provide services to these institutionalized persons. However, not all of the institutionalized populations could be identified specifically and screened from the analysis. Therefore, the data summaries and mapping provided in this document include the institutionalized populations.

Total LEP Population in the CMCOG-COATS MPO Region

Table 1 summarizes the total population and LEP population of All Language Groups in the CMCOG-COATS MPO region, with comparison to the state of South Carolina as a whole. Of the Region's total population, about 21,296 persons or 2.86% of the total population are considered to have limited English proficiency.

Table 1. Total Population and LEP Population in the CMCOG-COATS MPO Region vs. South Carolina

	CMCOG-COATS MPO Region			South Carolina	
	Population Estimate	% of Total Population		Population Estimate	% of Total Population
Total Population	743,783			4,665,835	
Total LEP Population **All Language Groups** *Speak English less than "Very well"*	21,296	2.86%		127,807	2.74%

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

Figure 2 illustrates the population of LEP persons in each Census tract. **Figure 3** illustrates the concentration (percentage of the total population) of LEP persons. The LEP populations are generally higher in Lexington, Richland, and Newberry Counties (see **Table 2**). The LEP concentrations follow a similar pattern, with these same three counties as well. It should also be noted that all of the counties in the CMCOG-COATS MPO study area have a minimum concentration of approximately 0.5%

Figure 2. CMCOG-COATS MPO Population of Persons with Limited English Proficiency

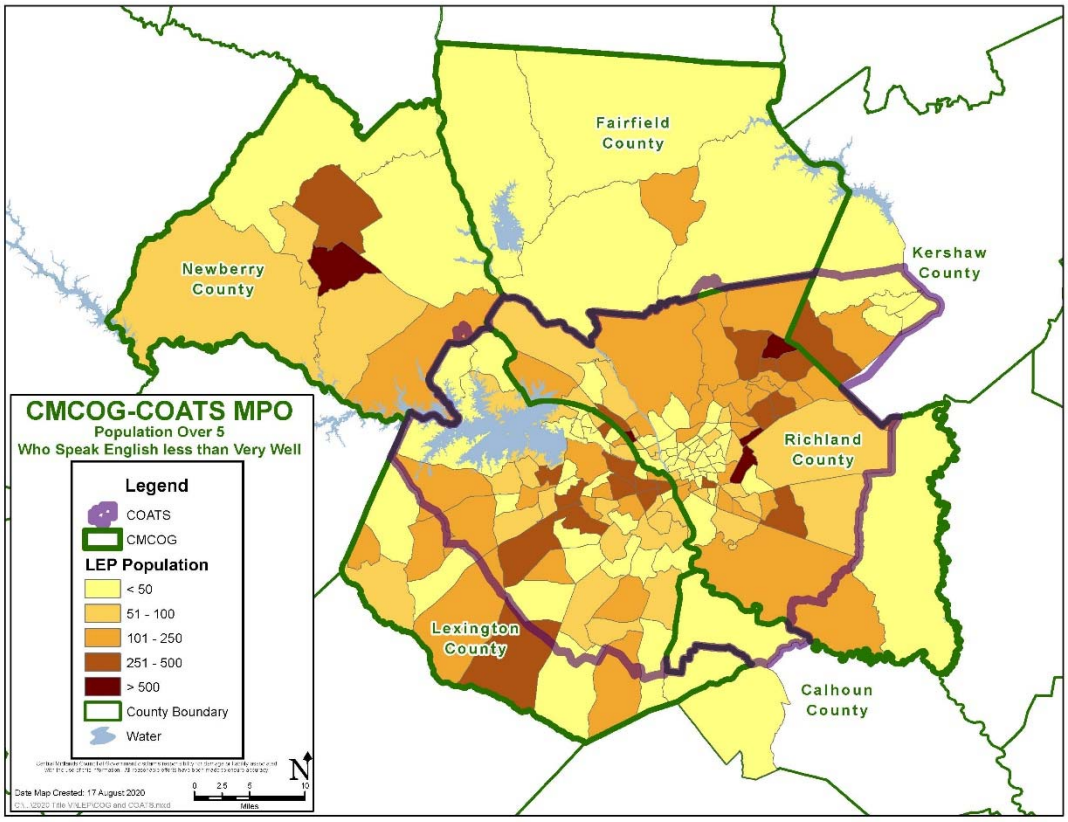


Figure 3. CMCOG-COATS MPO Concentration of Persons with Limited English Proficiency

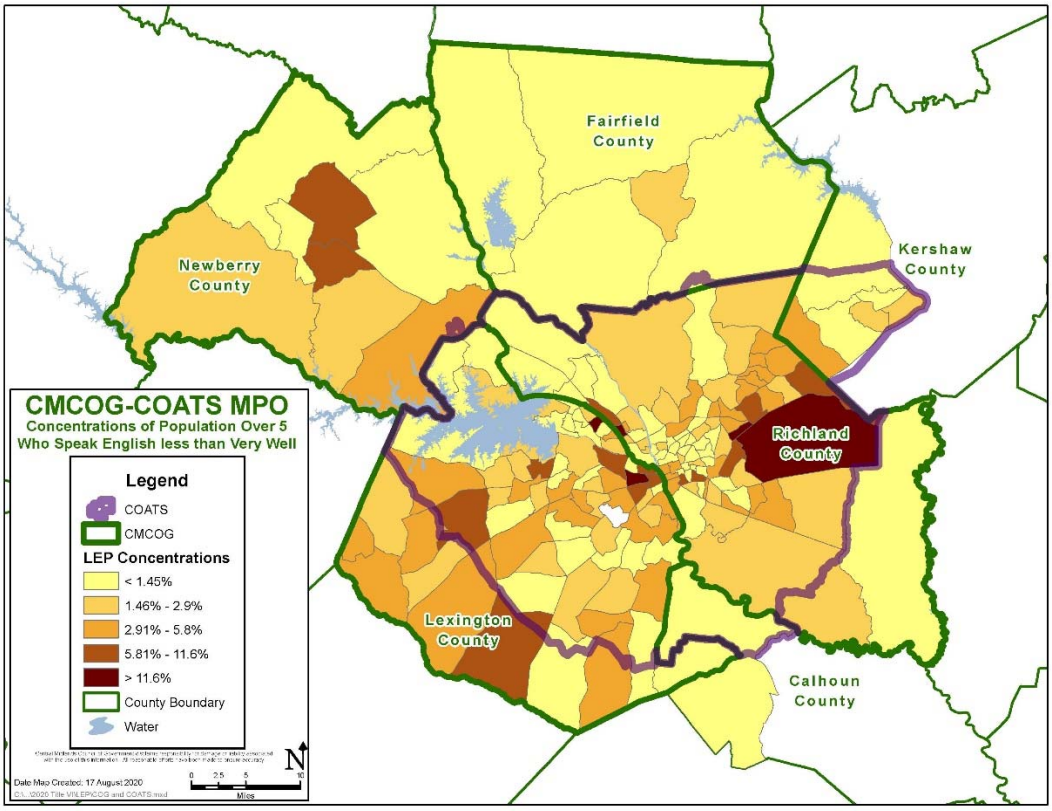


Table 2. LEP Persons for All Language Groups by County & MPO Census Tracts

CMCOG Counties & MPO Census Tracts	Total Population	All Language Groups LEP	
		Speak English less than "very well"	% of Total Population
Calhoun County MPO Census Tracts	4,921	41	0.83%
Fairfield County (CMCOG/MPO)	21,666	124	0.57%
Kershaw County MPO Census Tracts	27,717	523	1.89%
Lexington County (CMCOG/MPO)	269,321	8,359	3.10%
Newberry County (CMCOG/MPO)	35,748	1,231	3.44%
Richland County (CMCOG/MPO)	384,410	11,018	2.87%
Total	**743,783**	**21,296**	**2.86%**

Yellow Highlight indicates highest three counties for LEP population and Percentage of Total Population. **Source:**
U.S. Census Bureau: American Community Survey (2014-2018), 5 Year Estimates.

Largest LEP Language Groups in the CMCOG-COATS MPO Region

Table 3 summarizes population data for the three (3) most populous LEP language groups in the CMCOG-COATS MPO Region. Comparisons to the statewide South Carolina data are provided for the same language groups. The Spanish, Indo-European, and Asian and Pacific Island language groups are by far the largest LEP populations. Beyond these "Top 3" populations, the Region is also home to LEP persons who speak a variety of other languages.

Table 3. Top Three LEP Populations in the CMCOG-COATS MPO Region vs. South Carolina

	CMCOG-COATS MPO Region		South Carolina	
	Population Estimate	**% of Total Population**	**Population Estimate**	**% of Total Population**
Total Population	743,783		4,665,835	
LEP Language Groups -- *Speak English less than "Very well"*				
Spanish	12,781	1.72%	89,943	1.93%
Indo-European	2,993	0.40%	14,837	0.32%
Asian and Pacific Island	4,686	0.63%	20,026	0.43%
Other Languages	836	0.11%	3,001	0.06%

Geographic Distribution of LEP Populations

Distributive mapping of the American Community Survey (ACS) data was prepared at the tract-level to develop a better understanding of the LEP populations in the CMCOG-COATS MPO region potentially qualifying for "Safe Harbor" treatment—namely the Spanish, Indo-European, and Asian and Pacific Island LEP populations.

Spanish Language Group

Figures 4 and 5 illustrate the distribution of Spanish LEP persons according to population and concentration, respectively. At the tract level, the higher populations and concentrations are shown here in descending order in the following counties:

- Newberry
- Lexington
- Kershaw
- Richland
- Calhoun
- Fairfield

Figure 4. Spanish LEP Population by Census Tract

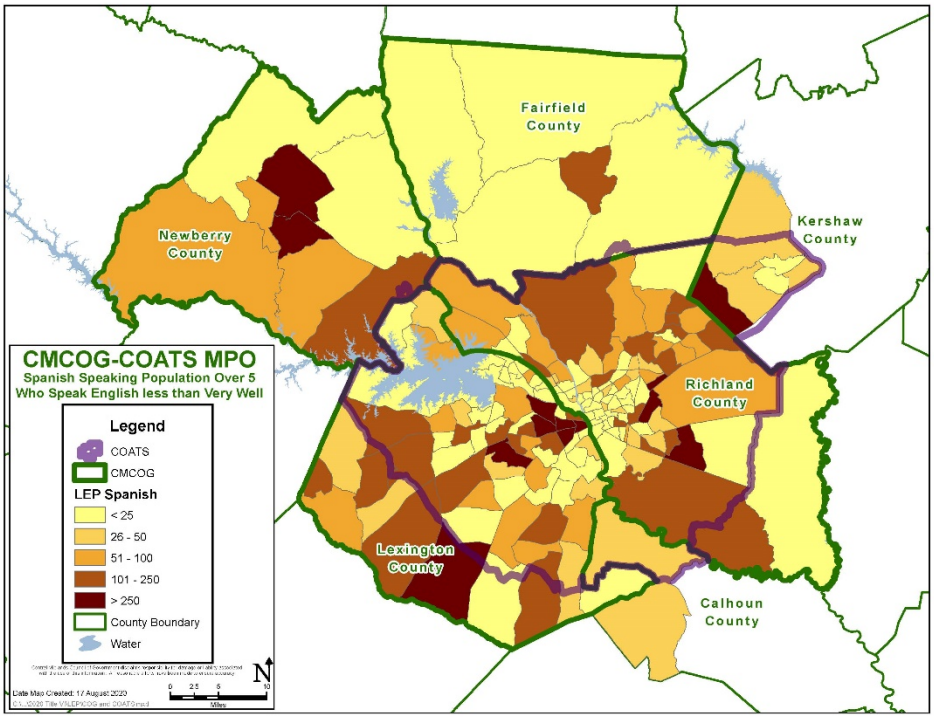


Figure 5. Spanish LEP Concentration by Census Tract

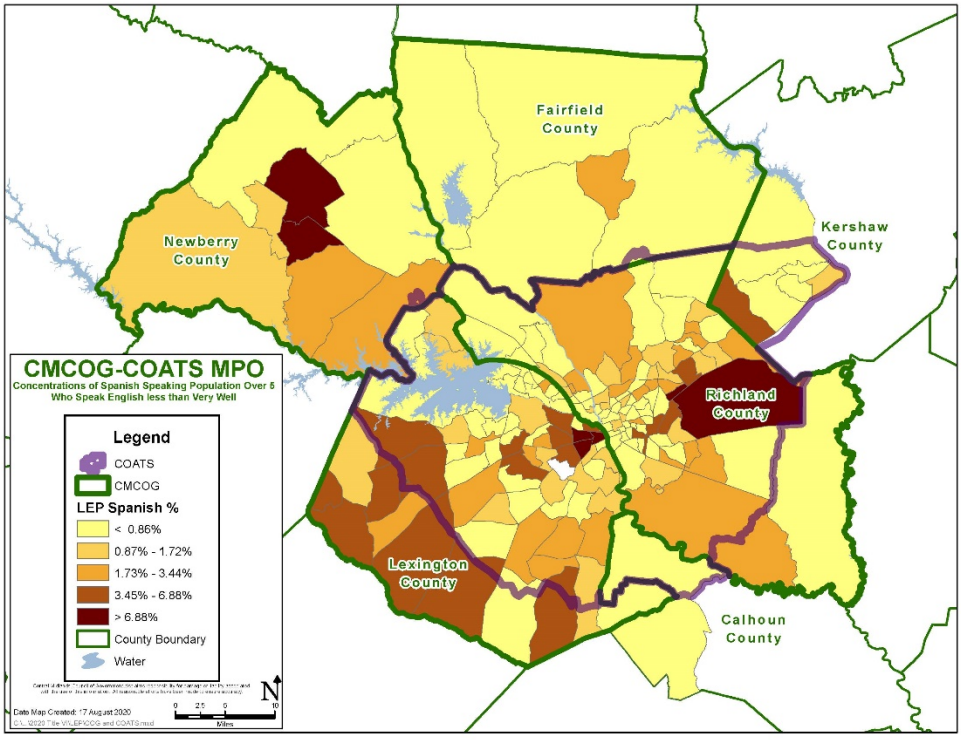


Table 4 summarizes the Spanish LEP populations by County & MPO Census Tract. The CMCOG-COATS MPO region, when taken as a whole, is home to about 14% of South Carolina's total Spanish LEP population. Nearly all the LEP population resides in Lexington and Richland Counties. The next largest populations exist in Newberry County. Concentrations are highest in Newberry County (3.33%), Lexington County (2.25%), Kershaw County (1.35%), followed by Richland County (1.30%). All other counties have concentrations less than 1.0%.

Table 4. Spanish Language Group LEP Persons by County & MPO Census Tracts

CMCOG Counties & MPO Census Tracts	Total Population	Spanish Languages LEP	
		Speak English less than "very well"	% of Total Population
Calhoun County MPO Census Tracts	4,921	41	0.83%
Fairfield County (CMCOG/MPO)	21,666	124	0.57%
Kershaw County MPO Census Tracts	27,717	373	1.35%
Lexington County (CMCOG/MPO)	269,321	6,068	2.25%
Newberry County (CMCOG/MPO)	35,748	1,191	3.33%
Richland County (CMCOG/MPO)	384,410	4,984	1.30%
Total	**743,783**	**12,781**	**1.72%**

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

Indo-European Language Group

Figures 6 and 7 illustrate the distribution of Indo-European LEP persons according to population and concentration, respectively. At the tract level, the populations of Indo-European LEP persons are generally distributed throughout the MPO region, with higher populations in the following counties:

- Lexington County
- Richland County

Figure 6. Indo-European LEP Population by Census Tract

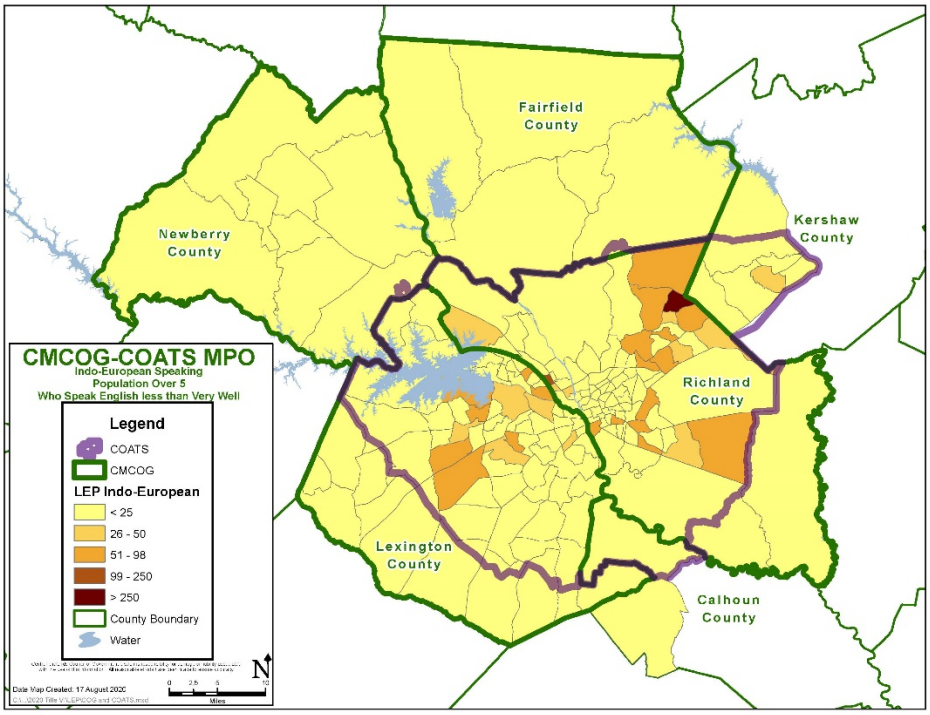


Figure 7. Indo-European LEP Concentration by Census Tract

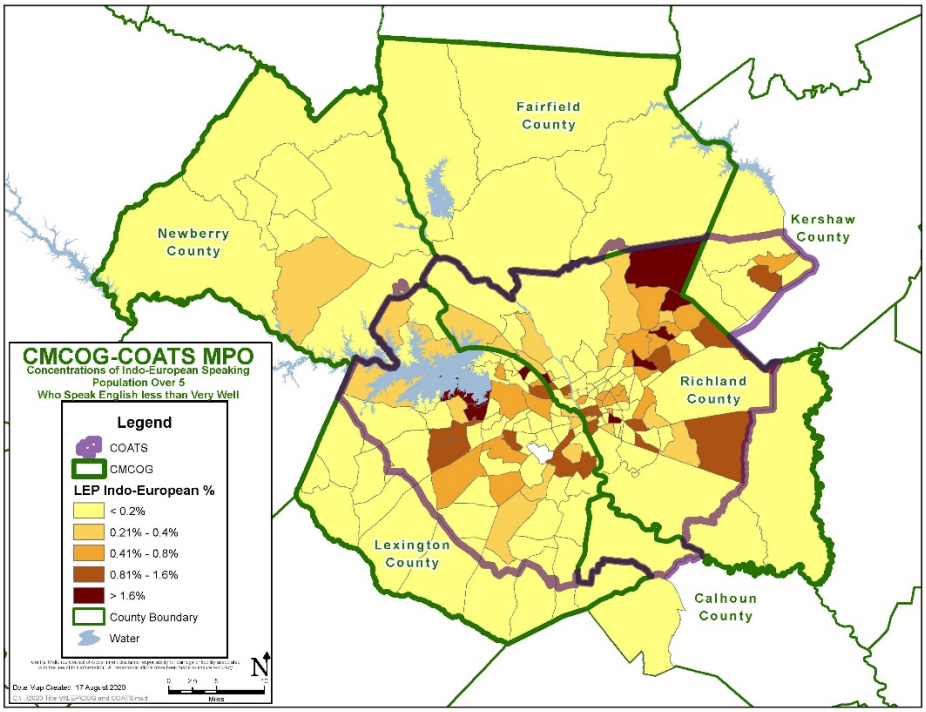


Table 5 summarizes the Indo-European LEP populations by County & MPO Census Tracts. The CMCOG-COATS MPO region, when taken as a whole, is home to about 20% of South Carolina's total Indo-European LEP population. All the LEP population resides in Lexington and Richland Counties. All other counties have concentrations of less than 0.20%.

Table 5. Indo-European Language Group LEP Persons by County & MPO Census Tracts

CMCOG Counties & MPO Census Tracts	Total Population	Indo-European Languages LEP	
		Speak English less than "very well"	% of Total Population
Calhoun County MPO Census Tracts	4,921	0	0.00%
Fairfield County (CMCOG/MPO)	21,666	0	0.00%
Kershaw County MPO Census Tracts	27,717	49	0.18%
Lexington County (CMCOG/MPO)	269,321	892	0.33%
Newberry County (CMCOG/MPO)	35,748	15	0.04%
Richland County (CMCOG/MPO)	384,410	2,037	0.53%
Total	**743,783**	**2,993**	**0.40%**

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

Asian and Pacific Island Language Group

Figures 8 and 9 illustrate the distribution of Asian and Pacific Island LEP persons according to population and concentration, respectively. At the tract level, the higher concentrations generally the following counties in descending order:

- Richland
- Lexington
- Kershaw
- Newberry
- Fairfield
- Calhoun

Figure 8. Asian and Pacific Island LEP Population by Census Tract

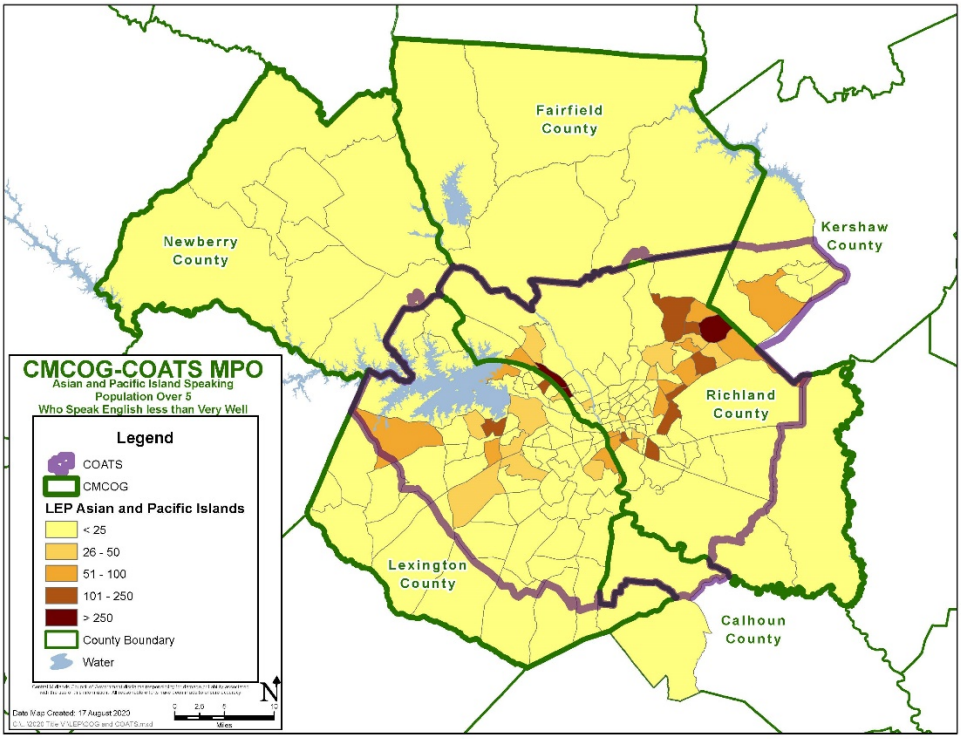


Figure 9. Asian and Pacific Island LEP Concentration by Census Tract

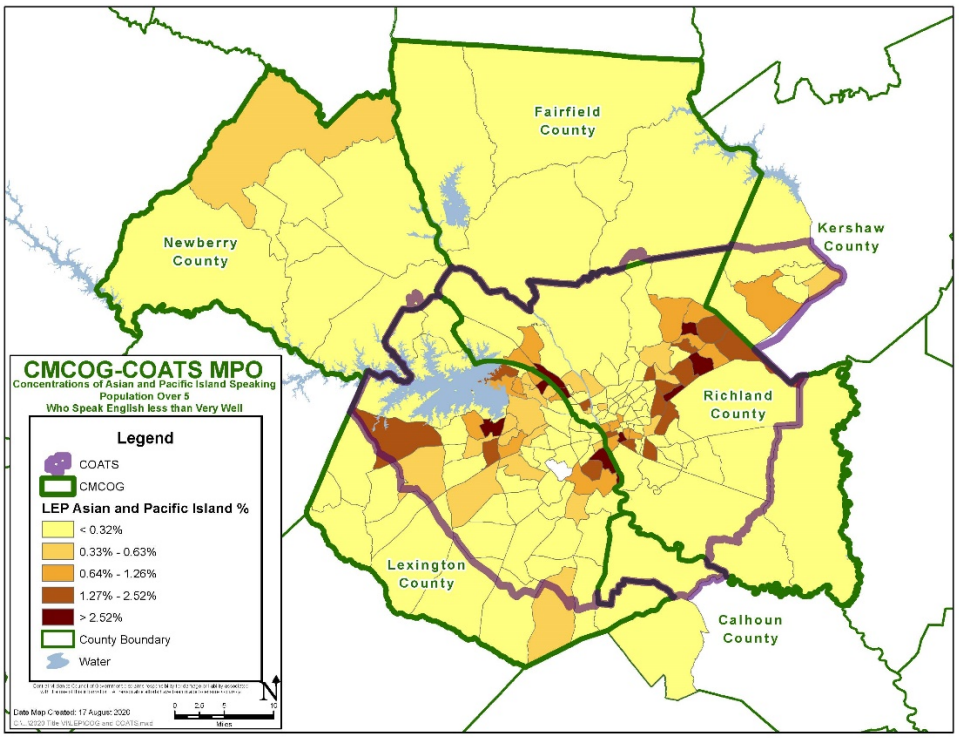


Table 6 summarizes the Asian and Pacific Island LEP populations by County. The CMCOG-COATS MPO region, when taken as a whole, is home to about 23% of South Carolina's total Asian and Pacific Island LEP population. Nearly all the LEP population resides in Richland County. The next largest populations exist in Lexington County. Concentrations are also located in Kershaw County (0.36%) and Newberry County at (0.07%). All other counties have concentrations of 0.00%.

Table 6. Asian and Pacific Island Language Group LEP Persons by County & MPO Census Tracts

CMCOG Counties & MPO Census Tracts	Total Population	Asian and Pacific Island Languages LEP	
		Speak English less than "very well"	% of Total Population
Calhoun County MPO Census Tracts	4,921	0	0.00%
Fairfield County (CMCOG/MPO)	21,666	0	0.00%
Kershaw County MPO Census Tracts	27,717	101	0.36%
Lexington County (CMCOG/MPO)	269,321	1,230	0.46%
Newberry County (CMCOG/MPO)	35,748	25	0.07%
Richland County (CMCOG/MPO)	384,410	3.330	0.87%
Total	**743,783**	**4,686**	**0.63%**

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

Safe Harbor Provision

The Safe Harbor Provision, as defined in the Department of Justice's LEP Guidance, is the most prevalent guideline used to establish when language assistance services are considered appropriate and define expectations for what those services would entail.

Safe Harbor Triggers

The Safe Harbor Provision is triggered for each LEP language group that constitutes five percent (5%) of the total population or 1,000 persons, whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered (FTA C 4702.1B, Chapter III-9).

Considering the CMCOG-COATS MPO region as a whole (i.e., the "service area"), the total LEP populations for Spanish, Indo-European, and Asian and Pacific Island language groups exceed the 1,000 person threshold, even though the regional concentrations of all three populations fall well below the 5% threshold (see **Table 3**). However, when the total LEP populations are viewed in light of eligibility or the likelihood of being affected or encountered, there is every indication that the modified Indo-European and Asian and Pacific Island LEP population would not trigger the Safe Harbor Provision. As a whole, the Indo-European and Asian and Pacific Island populations deliberately avoid encounters with those outside their culture—particularly governmental agencies—preferring to allow their church or community

leaders to represent them and speak on their behalf. These leaders are typically fluent in both English and their native language.

Therefore, it is the conclusion of this analysis that the Safe Harbor Provision is triggered[1] in the CMCOG-COATS MPO region for the Spanish language group alone. *The guidelines and requirements of the Safe Harbor Provision will not be applied to the any other language group. However, this LEP Plan will maintain documentation of the other LEP populations as a baseline for future analyses.*

Safe Harbor Translation Expectations

The Provision states that providing written translation of "vital documents" for each LEP population that exceeds the Safe Harbor thresholds "shall be considered strong evidence of compliance with the recipient's [CMCOG-COATS MPO] written translation obligations" (FTA C 4702.1B, Chapter III-9).

Based on the standard of practice, "vital documents" typically include those that explain how to access an organization's services (including language assistance services), letters that require a response from a customer, complaint forms, and notification of rights. For the purposes of this LEP Plan, CMCOG-COATS MPO has designated the following as "vital documents" for translation:

- Notice of Language Services (**Appendix B**);
- Title VI Notice to Beneficiaries (**Appendix C**);
- Title VI Complaint Form (**Appendix D**); and
- Title VI Complaint Form Procedures (**Appendix E**).

Also considered as "vital documents" translations of the MPO's primary plans and documents (e.g., Long Range Transportation Plan, Public Participation Plan, and Transportation Improvement Program) will be translated into Spanish. MPO planning studies and reports will be translated on an as-requested basis. Finally, when a Targeted Outreach Activity is triggered by the presence of an LEP population, written materials will be made available in the LEP language according to the Safe Harbor Provision.

Factor 2 – Frequency of Contact with LEP Persons

To date, the CMCOG-COATS MPO has received no direct requests for translation or interpretation services for any language, and the frequency with which LEP persons come in contact with the MPO's planning program is largely unknown.

[1] This evaluation concludes that the Safe Harbor Provision is triggered for the Spanish language group, even though the analysis has not attempted to discern the total LEP population from those "eligible to be served or likely to be affected or encountered."

LEP communities commonly look to a church leader to buffer inquiries, and these leaders are typically fluent in speaking the English language which may limit direct engagement and requests for translation services.

Still, increasing contact with LEP individuals has been noted as a need for more frequency and engagement. In review of one of the ways to enhance our contact with LEP communities is through our association with the networking group Alianza Latina. This working group is a Spanish speaking group of citizens and community leader that plan and program activities with LEP communities and can serve as an outreach tool that will enhance our frequency of contact with LEP persons.

By associating with group such as Alianza Latina, CMCOG-COATS MPO will be able to accurately identify and engage LEP persons early in project planning, programming, and development process of transportation projects and plans. With this LEP Plan, the CMCOG-COATS MPO is formally appropriating tools and training its staff for recognizing LEP persons, identifying their language, and serving LEP persons, when the need arises. The MPO has developed an Employee Training Manual to facilitate staff training and create a central source of information related to LEP. The manual includes information about Title VI and LEP requirements; LEP in the CMCOG-COATS area; resources for phone, in-person, and written translation; and LEP program evaluation techniques.

Factor 3 – Nature & Importance of the Program

The CMCOG-COATS MPO is, primarily, a planning organization for transportation investments in the region. As such, the MPO does not provide direct assistance to individuals and, as such, is not a vital service that impacts the day-to-day life of residents in the region. However, the MPO's activities are important in the ongoing development of a safe and efficient transportation system that provides a desirable quality of life and economic opportunity in the region.

In particular, roadway safety planning is one of the most important CMCOG-COATS MPO functions. The CMCOG-COATS MPO recognizes the importance of involving LEP speaking communities when plans address locations and routes frequented by members of their community.

The CMCOG-COATS MPO staff has noted the "lessons learned" about the awareness of LEP populations near a project and the need for conducting thoughtful outreach. LEP persons commonly rely on public and non-motorized modes, as well as roadside and off-road pedestrian and bike facilities for day-to-day transportation. So, while the planning activities of the MPO may not have urgent or direct impacts, they are nonetheless important to the long-term livelihood of all those who reside in the region.

Therefore, the planning activities of the MPO provide opportunity for public participation, and the MPO is appropriating tools and training that will serve LEP persons that wish to participate.

Factor 4 – Resources & Costs of Language Assistance Services

The CMCOG-COATS MPO is a small agency with small capital resources available to spend on LEP services. The organization does have two (2) MPO staff available to facilitate interaction with LEP persons and will use low-cost or free services and automated techniques to provide translation and interpretation, upon request. The phone-based, on-demand interpretation service is one such service.

The MPO pools resources with other elements of the larger CMCOG-COATS organization to develop and maintain the administrative/reception staff and other technical staff (GIS, IT, etc.) While one member of the current staff is bilingual, many can recognize the Spanish language, and they have been trained on the protocols for dealing with requests for translation and interpretation and the relevant Title VI and LEP obligations of the organization. The pooled resources of CMCOG-COATS also maintain the agency's webpage, office facility, and the associated office equipment and services.

Language Assistance Plan

Consistent with Title VI of the Civil Rights Act, Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency", and the USDOT implementing guidance, the CMCOG-COATS MPO is responsible to take steps that ensure meaningful access to the services, information, and other important portions of their programs and activities for individuals who are Limited-English Proficient (LEP). This includes the development of a Language Assistance Plan (LAP), which establishes an implementation program for providing meaningful access to LEP persons, based on the results of the Four Factor Analysis. The Four Factor Analysis evaluated the demography of the MPO region along with the frequency of contact with LEP persons, the importance the MPO's services to LEP persons, and resources available for accommodating LEP persons.

The overarching goal of this plan is to deploy tools and services that will enable the MPO staff to communicate with a person who does not speak English. According to the Safe Harbor Provision, this plan addresses accommodations for LEP persons who read Spanish. Immediate assistance for Spanish interpretation and other languages may be provided if an available service can accommodate the language requested (e.g., telephone-based phone interpretation service, local interpreters, etc.).

Structure of the LAP

This Language Assistance Plan is organized around the five potential Contact Points where the MPO would interact with LEP persons during its official planning activities:

Primary Contact Points:

- Public Meetings
- Office Walk-In
- Telephone Calls
- Webpage
- Written Correspondence

While each Contact Point presents certain unique language service challenges, a small set of language assistance tools is necessary to provide effective language support.

Language Assistance Tools

Notices and Advertisements

The CMCOG-COATS MPO utilizes various methods and conduits for providing notice and advertisement of the language assistance services. These services are as follows:

- Posting translated notices in local newspapers as part of legal ads and press releases.
- Posting notices on the CMCOG-COATS website, which may be translated using Google Translate or another automated translation service.
- Posting translated notices in the CMCOG-COATS offices.
- Distributing written and email notices to Interested Parties, in their requested language.

The MPO may also use the following for certain outreach efforts and plans:

- Designing and distributing informational materials detailing CMCOG-COATS planning efforts, including flyers, posters, brochures, and bus advertisements
- Radio or Public Service Announcements in Spanish
- Providing real-time translation services at Public Meetings or events
- Presenting information at community organizations frequented by LEP individuals.

The occasions for using these methods and conduits are described in subsequent sections, where they are put into the context of the various Contact Points.

Language Identification Card

The Language Identification Card is a tool that states, in several languages, "If you need an interpreter, please point to your language." The LEP person points to their language on the card to indicate their language. Each language is also identified in English at the right side of the page, so that an English-speaking person can accurately request interpretation services and engage an interpreter quickly. A sample Language Identification Card is provided in **Appendix F**. This appendix also includes a Language Identification Survey from the U.S. Census Bureau, for use where the written survey version may be more efficient. The card and survey will be a part of the materials maintained in the reception area or at the welcome/sign-in station of a public meeting.

Telephone-Based Interpretation Service

The CMCOG-COATS MPO intends to maintain a contract with a telephone-based (a.k.a, "on-demand") interpretation service. With the increasing potential for interaction with LEP persons, the CMCOG-COATS MPO is prepared to utilize this service. Training will be provided for the MPO staff persons who are anticipated to use it. According to the MPO's minimal amount of interaction with LEP persons, this service should provide an adequate level of interpretation service for the MPO's needs.

Instructions for accessing the telephone-based service along with "helpful hints" for working with an over-the-phone interpreter will be provided to CMCOG-COATS MPO staff. The MPO staff person who is interacting with an LEP person calls the phone number and the operator will either assist in identifying the LEP person's language, or if the language is known, the interpreter will be connected, and the conversation can proceed in conference call or three-way call mode.

Translation Services for Written Material

In compliance with the Safe Harbor Provision, the CMCOG-COATS MPO will provide human translated versions of its vital documents. Translated summaries of CMCOG-COATS MPO 's primary but non-vital planning documents will be provided in Spanish upon request. This encompasses the Long Range Transportation, Plan, Public Participation Plan, Coordinated Human Services Transportation Plan, and Transportation Improvement Program. The translations of non-vital documents may be provided via human or automated translation. The telephone-based, on-demand interpretation service may also be engaged to facilitate follow-up discussion and responses to specific questions.

The following are methods of providing written translation of documents:

- **Human-Translation Services**
  Human translation (i.e., non-automated translation provided by human, multi-lingual translators) services are available both locally in the CMCOG-COATS MPO region and through internet-based translation businesses who provide services nationally. A listing of selected providers is given in **Appendix G**.

- **Automated Translation (Google Translate, Bing Translator)**
  Online automated translation services, such as Google Translate (https://translate.google.com/) or Bing Translate (https://www.bing.com/translator/), provide on-demand translation among multiple languages, as well as an application programming interface (API) that may be integrated into existing webpages. As an implementation step of this plan, CMCOG-COATS intends to implement Google Translate on the CMCOG-COATS MPO website. Similar to other agency sites, icons or hyperlinks that identify alternative languages and initialize Google Translate could be added to the webpage. The function would automatically translate website text into the user's language of choice.

The "Four I" Approach

The "Four I" Approach is a template for structuring the implementation process at each Contact Point, and is defined according to the following four (4) groups of activities:

1. ***Inform***
   Providing notice to LEP persons of the language assistance services available to them.

2. ***Identify***
   Recognizing LEP persons and identifying their preferred spoken language.

3. ***Interact***
   Accessing and using resources for language translation and interpretation.

4. ***Instruct***
   Training staff on the resources that will enable them to accommodate LEP persons.

Contact Points

Public Meetings

Public Meetings are the formally announced and advertised meetings conducted by the MPO, in fulfillment of its Unified Planning Work Program (UPWP) and Public Participation Plan (PPP). In large part, this encompasses the CMCOG-COATS MPO Board Meetings and periodic plan-specific public meetings for the Transportation Improvement Program, Long Range Transportation Plan, Public Participation Plan, and Coordinated Public Transit-Human Services Transportation Plan.

Public Meetings	
Inform	Legal Ad Press Releases Webpage Ad Notice of Language Services (venue)
Identify	Contact CMCOG-COATS prior to meeting Language Card
Interact	Telephone-Based Interpretation Service Designated Staff person
Instruct	Meeting Sign-In Process Accessing/Using the Telephone Based Interpretation Service

Inform

The advertisement requirements for Public Meetings are prescriptive, with a legal advertisement in a "newspaper of general circulation" being the standard method for fulfilling the legal requirement for meeting advertisement. Press releases, website postings/announcements, and email blasts to Interested Parties are supplemental advertisement techniques that the CMCOG-COATS MPO is committed to using, per its PPP.

The CMCOG-COATS MPO will provide notice of the availability of translation and/or interpretation services in legal ads, press releases, and website posts that announce or advertise a public meeting. The notice will be provided in English and other languages as requested. The following sample text would be used and adapted, as necessary:

> ENGLISH:
> "The content of this [advertisement / press release / posting] is available in alternative formats and other languages upon request by contacting the CMCOG-COATS Metropolitan Planning Organization (MPO). Persons who plan to attend the announced [meeting / event / activity] and require language interpretation services and/or special accommodations under the American with Disabilities Act should contact the CMCOG-COATS MPO at least seven (7) days prior to the [meeting / event / activity]. Contact the MPO by phone at (803) 744-5133, by written letter addressed to 236 Stoneridge Drive, Columbia, SC, 29210 or by email to rsimmons@centralmidlands.org

At the meeting venue, the CMCOG-COATS MPO will display a poster-sized version of its *Notice of Language Services* (**Appendix B**). The notice will be displayed in both English and Spanish.

Identify

Whether or not an LEP person contacts the MPO prior to a Public Meeting, the key identification point will be the Welcome/Sign-In station provided at the meeting venue. It is preferable that LEP persons "self-identify" themselves, as requested in the *Notice of Language Services*. The MPO will maintain a Language Identification Card as standard material for the Welcome/Sign-In station.

Interact

At each Public Meeting, the CMCOG-COATS MPO will have at least one trained staff person designated to interact with the LEP person(s) in attendance. This person will be trained in accessing and using the on-demand telephone interpretation service, which will be used to facilitate discussion. A cellphone with speaker capability will be provided for this purpose. (Cell phone reception should be checked when evaluating venues as potential meeting sites.)

Instruct

Training for the Public Meeting Contact Point will address the following:

- Writing Legal Advertisements, Press Releases, and Webpage Postings – Training may or may not be required for staff who draft and assemble the various announcements and other materials in which the availability of language services is advertised.
- Identifying LEP Persons – Training is recommended for persons who will staff the Welcome/Sign-In Station. These staff should be familiar with the *Notice of Language Services* and use of the Language Identification Card.
- Interacting with LEP Persons – Training is critical for the person who is designated to interact with the LEP persons. These staff should be familiar with the access process and credentials for the on-demand interpretation service and have some experience with handling the dynamics of communication via interpreter. Learning through "shadowing" a person performing this function is recommended.

Office Walk-In

An Office Walk-In involves an LEP person or group visiting the CMCOG-COATS MPO at their office in person. While this method of contact may be infrequent, the purpose of such a visit may be more urgent and have a weightier purpose—such as a discrimination complaint.

Office Walk-In	
Inform	Notice of Language Services (lobby) Language Reception Instructions (lobby)
Identify	Language Card
Interact	Telephone-Based Interpretation Service
Instruct	Reception Process

Walk-in visitors are typically unannounced but may have called ahead to arrange a meeting with a certain staff person.

Inform

Initial contact between the LEP person and CMCOG-COATS staff will likely occur in the CMCOG-COATS office lobby. Therefore, in this location, a version of the *Notice of Language Services* (**Appendix B**) will be displayed. The notice will be displayed in both English and Spanish. Along with the *Notice*, a second smaller poster will briefly describe (again, in English and Spanish) the process that the CMCOG-COATS reception staff will use to identify the language spoken and call the telephone-based interpretation service.

Identify

It is preferable that LEP persons "self-identify" themselves, as requested in the *Notice of Language Services*. The MPO will maintain a Language Identification Card at the Reception Desk, for use in discovering the language being spoken.

Interact

Likely, the CMCOG-COATS receptionist will be the first contact point. Each reception staff person will be trained in accessing and using the on-demand telephone interpretation service, which will be used to facilitate discussion.

Instruct

Training for the CMCOG-COATS reception staff and the CMCOG-COATS MPO staff will address the following:

- Lobby Posters and other Bi-Lingual Informational Material – Training will identify the location, content, and use of the lobby posters and any other supplemental material developed for use in the CMCOG-COATS lobby to notify the LEP person of the availability of language services and the process that he or she can expect.
- Identifying LEP Persons – Training will focus on the use of the Language Identification Card.
- Interacting with LEP Persons – Staff will be informed about the credentials and access process for the telephone-based interpretation service. Instruction will also include general principles on interacting with an LEP person and the interpreter.

Telephone Call

Telephone calls to the CMCOG-COATS MPO would likely come through the main CMCOG-COATS phone number, in which case, they would be answered by the CMCOG-COATS reception staff. In particular, phone calls regarding language assistance services may be expected in reply to advertisements and other notices that request notification in advance of meeting.

Telephone Call	
Inform	Explanation of Services Available (through phone service)
Identify	Through Phone Service
Interact	Telephone-Based Interpretation Service
Instruct	Phone Answering Process

Inform

An LEP person who places a phone call to the CMCOG-COATS office will, in all likelihood, be responding to an advertisement, web posting, or other announcement that solicits the call for a purpose and provides notice about the availability of language assistance. In this case, the LEP person would be at least partially informed about the MPO's commitment to make information available in other languages. A more expansive explanation of the specific language services provided and the expectations for how they are provided would be communicated once the language of the LEP person is identified and interpretation services are initiated.

Identify

The LEP person may not self-identify his or her preferred language, and the person taking the call may not be able to identify the language without help. In either case, assistance in identifying a caller's language can be handled via the Telephone-Based Interpretation Service.

Interact

Likely, the CMCOG-COATS receptionist will be the first contact point. Each reception staff person will be trained in accessing and using the on-demand telephone interpretation service, which will be used to facilitate discussion. Most all interaction with the LEP person will occur with the interpreter's help. The receptionist may also transfer the call to the CMCOG-COATS MPO staff, which may require the use of advanced phone system features in transferring the call.

Instruct

Training for the CMCOG-COATS reception staff and the CMCOG-COATS MPO staff will address the following:

- Identifying LEP Persons – Training will focus on the process and expectations for how the Telephone-Based Interpretation Service will identify the LEP person's language.
- Interacting with LEP Persons – Staff will be informed about the credentials and access process for the telephone-based interpretation service. Instruction will also include general principles on

interacting with an LEP person and the interpreter. Instruction about the telephone system features and process necessary to transfer the conference call to another person should be given to both reception staff and MPO staff.

Webpage

Webpage	
Inform	Webpage notice
Identify	Self-Identify
Interact	Google Translate
Instruct	Web Standards/Protocol

The CMCOG-COATS MPO's site address is www.centralmidlands.org. The site provides a platform for disseminating information about its plans and programs, advertising, and upcoming activities. Contact with the CMCOG-COATS MPO through their website portal is one of the more likely contact points used by LEP persons, for many of the same reasons that non-LEP persons seek out a webpage. Information and answers to questions may be handled on a self-serve basis, which is typically more comfortable for most persons who are savvy with the internet and computer technology. There is much information already on the CMCOG-COATS MPO webpage that may be readily accessed. Beyond this, for an LEP person, looking up a webpage is far less confrontational than telephone or in-person contact.

As an implementation step of this plan, CMCOG-COATS MPO intends to implement Google Translate on the transportation website. In addition, certain human-translated "vital documents" (identified previously) will be made available on the website in Spanish. To verify the accuracy of the Google Translate tool for the Spanish language, an analysis of the Spanish Google Translate output for the CMCOG-COATS MPO webpage was completed by a bi-lingual English/Spanish translator to verify the accuracy of the translation. Although some translation issues were identified, there were no substantive issues that would inhibit a speaker of Spanish from understanding the implied meaning of the text.

<u>Inform</u>

The *Notice of Language Services* (**Appendix B**) will be integrated into the CMCOG-COATS MPO webpage through one or more of the following:

- Adding the *Notice of Language Services* to the CMCOG-COATS MPO webpage, with one or more links added in the navigation menu. Links would be placed under the "Public Participation Plan" and "Comments" sections. The *Notice* would display in Spanish and English.

- Adding a hyperlink to the *Notice of Language Services* adjacent to the Google Translate icon when this tool is added to the webpage.

- Integrating the *Notice of Language Services* into the Google Translate tool, such that a new "popup" tab opens the first time a user activates Google Translate. The notice will display in Spanish and English.

Identify

Since use of the CMCOG-COATS MPO webpage would be self-directed, identification of the LEP person would be accomplished through the user's selection of language through the Google Translate tool.

Interact

With an LEP Person accessing the webpage, interaction occurs according to the user's preferences and access of the posted information. Translation of the webpage is automated, and interpersonal interaction is not expected. However, interactions with the webpage may be only an initial contact point, and may generate other contact points (phone call, walk-in, written correspondence, etc.)

Instruct

Minimal instruction of staff is required for the webpage contact point. Instead, the web page design and ease of use may require some thought about how LEP persons would approach and use the webpage. Training of the IT staff may be necessary for successful webpage integration of the Google Translate tool (web standards, protocols, HTML coding).

Written Correspondence

Contact through Written Communication includes both paper and electronic email correspondence. Both contact points are likely with LEP persons, as these communication methods are less confrontational and require minimal interpersonal interaction. Written correspondence may be very well suited for certain purposes, such as identifying an issue of concern or providing specific comments on a plan or program. In other cases, written correspondence will serve as a starting point for additional contact, whether a phone call, face-to-face discussion, or a webpage visit.

Written Correspondence	
Inform	Notice of Services Available
Identify	Language ID tools
Interface	Google Translate Translation services
Instruct	Translation services Other translation tools

Inform

Written correspondence may be the most accessible and well-advertised contact point for LEP persons, as most materials published by the CMCOG-COATS MPO include the office mailing address and an email address. On the CMCOG-COATS website, the office address appears at the bottom of every page, with CMCOG-COATS 's general phone and fax number. In addition, most persons— whether LEP or not—

understand the concept of written correspondence and its usefulness for accessing information, providing comments/feedback, and asking questions.

Similar to those who make a phone call to the CMCOG-COATS office, an LEP person who provides written correspondence will, in all likelihood, be responding to an advertisement, web posting, or other announcement that solicits the call for a purpose and provides notice about the availability of language assistance. In this case, the LEP person would be at least partially informed about the MPO's commitment to make information available in other languages.

Identify

Identifying the language of a paper copy, written document may require the contracted help of a translation service. The paper copy or electronic scan (PDF or other image format) would be provided to the translation service provider, which would identify the language and translate the document into English. A listing of translation service providers, including webpage and contact phone numbers, is provided in **Appendix G**.

For email or other written electronic correspondence, the contracted translation service may be used, or the "Detect language" function of Google Translate may be used to automatically detect the language. The electronic text would be copied into an automated translation tool (Google Translate, Bing Translator, etc.), which would detect the language assuming that it is one that is supported by the tool. Even if the translation is not fully accurate, this method should be sufficient to identify the language.

Interact

Some, but not all, of the correspondence from LEP persons will require a response, which would be the primary point of interaction. If the correspondence is simply providing feedback or comment on a plan or program, a response would be optional. Regardless, the response would be prepared in English and then translated into the language spoken by the LEP person. Since an accurate translation would be desired, the contracted help of a translation service would be used to prepare the response. Google Translate may be used if the message is simple and an immediate response is needed. However, since it is based on automated routines (as opposed to human translation), it may not accurately communicate the message desired.

Instruct

Training for the written communication contact point would focus on the selection and use of the various translation tools. The training will introduce the Google Translate tool and its capabilities, along with examples. The process for accessing the contracted translation service and the expectations for turnaround of a translation would also be described.

LEP Plan Coordination & Staff Training

As part of the LAP, the CMCOG-COATS MPO has identified resources and tools to be used in various contexts (i.e., Contact Points) to provide language assistance services. The resources and tools when identified will be compiled into an *LEP Employee Resources Manual*, and staff expertise in using them will be developed through an *LEP Employee Training Presentation*. Reginald Simmons, the CMCOG-COATS MPO Transportation Director, has been designated as the Language Assistance Coordinator and will oversee the staff training activities.

LEP Employee Training Presentation

The Training Presentation has been prepared in Microsoft PowerPoint and includes two primary sections: 1) an overview of the LEP Plan, including the Four Factor Analysis; and 2) an explanation of the tools and resources appropriated in the LAP. The presentation includes a hyperlink to an online video presentation developed by the U.S. Department of Justice for laypersons who are learning about language access and assistance. With the video and a time for questions, the full Training Presentation can be completed in 1 hour.

LEP Employee Resources Manual

The *Manual* is a compilation of the various resources and tools available to the CMCOG-COATS staff for providing language assistance. The *Manual* is comprised of tools and resources that are found in the Appendix of this LEP Plan Document. Versions of these materials are maintained in electronic (PDF) and paper copy (binder). Each staff member who participates in the *Training Presentation* will receive a paper copy of the *Manual*. Much of the material in the *Manual* is self-explanatory and may be used for a variety of training formats:

- On its own for brief “crash course”;
- With the guidance of a trained staff person for “one-on-one” training; or
- Alongside a copy of the Training Presentation for “self-paced” training.

Paper copies of the *Manual* will be maintained in the CMCOG-COATS receptionist’s desk and at the Welcome Center of CMCOG-COATS MPO public meetings, so that the language assistance materials are available for quick reference in serving LEP persons.

Plan Evaluation Process

The LAP, along with the larger LEP Plan, will be evaluated annually by interested staff or a committee assembled by the Language Assistance Coordinator, in compliance with current FHWA and FTA guidance. An update to the LAP will be considered a "technical update" and would not require public comment and re-adoption by the MPO unless the update substantially changes the public participation process.

The following materials are provided in **Appendix H** for use in the annual review process:

LEP Plan Self-Assessment Checklist

The LEP Plan Self-Assessment Checklist may be used as the overarching template for the assessment. The Checklist provides a series of questions designed to encourage discussion and critical thinking about the success of interactions (if any) with LEP persons, the usefulness of the plan provisions and LAP, and the evolving nature/growth of LEP populations and their needs in the CMCOG-COATS MPO region.

LEP Interaction Tracking Form

The LEP Interaction Tracking Form has two components that are used in documenting interactions with LEP persons:

- The *Record of Interactions* collects information about each interaction with an LEP person. Each row represents an interaction. Multiple copies of this form may be used in a given year.

- The *Annual Report Summary* draws from the Record of Interactions and serves as a one-page, annual report of the information collected about LEP interactions.

The *Record* and *Annual Report* are intended to inform certain questions asked in the Self-Assessment.

Sources

Federal Government's Renewed Commitment to Language Access Obligations under Executive Order 13166.
http://www.lep.gov/13166/AG_021711_EO_13166_Memo_to_Agencies_with_Supplement.pdf

Title VI Requirements and Guidelines for Federal Transit Administration Recipients (FTA Circular 4702.1B) Federal Transit Administration.
http://www.fta.dot.gov/documents/FTA_Title_VI_FINAL.pdf

LEP Guidance, USDOT.
https://www.transportation.gov/civil-rights/civil-rights-awareness-enforcement/dots-lep-guidance

Overview of Title VI of the Civil Rights Act of 1964, Department of Justice.
http://www.justice.gov/crt/about/cor/coord/titlevi.php

Appendix

Appendix A	CMCOG-COATS MPO Title VI Assurance
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Appendix A
CMCOG-COATS MPO TITLE VI ASSURANCE

COATS MPO Title VI Assurances

The COATS MPO HEREBY CERTIFIES THAT, as a condition of receiving Federal financial assistance under the Federal Transit Act of 1964, as amended, it will ensure that:

1. No person on the basis of race, color, or national origin will be subjected to discrimination in the level and quality of transportation services and transit-related benefits.

2. The COATS MPO will compile, maintain, and submit in a timely manner Title VI information required by FTA Circular 4702.1A and in compliance with the Department of Transportation's Title VI regulation, 49 CFR Part 21.9.

3. The COATS MPO will make it known to the public that those person or persons alleging discrimination on the basis of race, color, or national origin as it relates to the provision of transportation services and transit-related benefits may file a complaint with the Federal Transit Administration and/or the U.S. Department of Transportation.

The person or persons whose signature appears below are authorized to sign this assurance on behalf of the grant applicant or recipient.

_____ _____

Benjamin J. Mauldin, Executive Director Date
CMCOG/COATS MPO

_____

(SIGNATURE OF AUTHORIZED OFFICER)

Appendix B
Notification of Language Services

Notice of Language Services

The CMCOG-COATS MPO provides language interpretation and document translation services upon request. If your preferred language is not English, please allow us to discover your preferred language and converse or correspond with you in that language. The following describes what you can expect when you interact with our staff …

In-Person

If you are attending a meeting or visiting the CMCOG-COATS MPO Office in-person, please approach the Welcome/Sign-In Station or Reception Desk and state your preferred language. If the person cannot understand your request, he or she will show you a Language Identification Card. Please point to your preferred language. The person helping you will ask you to wait a moment while a telephone-based interpretation service is contacted to assist in the conversation. Interpretation is available for many different languages and is provided free of charge. Please be patient while we bring the interpreter on the line.

By Phone

If you wish to call the CMCOG-COATS MPO, please call the main office number at (803) 376-5390 and request your preferred language. If the person answering your call cannot understand your request, he or she will ask you to wait a moment while a telephone-based interpretation service is contacted to assist in the conversation. Interpretation is available for many different languages and is provided free of charge. Please be patient while we discover your language and bring the interpreter on the line.

By Written Correspondence

When writing correspondence to the CMCOG-COATS MPO, please write in your preferred language. Address paper correspondence to CMCOG-COATS MPO, 236 Stoneridge Drive, Columbia, SC 29212. Address email correspondence to rsimmons@centralmidlands.org. We will translate your correspondence and then provide a response (if feasible and appropriate) in your preferred language as well as English. Please allow up to 45 days for the written, translated response in your language.

Document Translations Available

The CMCOG-COATS MPO is committed to maintaining Spanish translations of vital documents, which encompass those that explain how to access the MPO's services (including language assistance services), complaint forms, and notification of rights. These translated documents available in paper copy through the CMCOG-COATS MPO office, and many are also available online at the MPO's website (www.centralmidlands.org).

Appendix C
Title VI Notice to Beneficiaries

Title VI Notice to Beneficiaries

CMCOG-COATS METROPOLITAN PLANNING ORGANIZATION (MPO)
NOTIFICATION OF PROTECTIONS TO THE PUBLIC OF RIGHTS UNDER TITLE VI AND INSTRUCTIONS ON HOW TO FILE A COMPLAINT

It is CMCOG-COATS MPO's policy to utilize its best efforts to assure 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 subjected to discrimination under its programs or services, as provided by Title VI of the Civil Rights Act of 1964, as amended.

Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint. All complaints received are documented and assigned to the appropriate staff for investigation.

For more information on the CMCOG-COATS MPO's civil rights program and the procedures to file a complaint, or to get information in another language, please contact:

Mr. Reginald Simmons
MPO Title VI Compliance Officer
CMCOG-COATS MPO
236 Stoneridge Drive
Columbia, SC 29210
(803) 744-5133
rsimmons@centralmidlands.org
www.centralmidlands.org

After the complaint is processed, a response (if requested) will be sent to the customer filing the complaint and appropriate corrective action is taken.

A Complainant may file a complaint directly with the South Carolina Department of Transportation by filing a complaint with the Civil Rights Office, South Carolina Department of Transportation, 955 Park Street, P.O. Box 191, Columbia, SC 29201.

Appendix D
Title VI Complaint Form

CMCOG-COATS Metropolitan Planning Organization (MPO)
Title VI Complaint Form

CMCOG-COATS MPO recognizes its responsibilities to the communities it serves. It is CMCOG-COATS MPO's policy to utilize its best efforts to assure 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 subjected to discrimination under its programs or services, as provided by Title VI of the Civil Rights Act of 1964, as amended. These procedures apply to all external complaints relating to any program or activity administered by CMCOG-COATS MPO and/or its sub-recipients, consultants and contractors, filed under Title VI of the Civil Rights Act of 1964 as amended, (including Disadvantaged Business Enterprise and Equal Employment Opportunity components), as well as other related laws that prohibit discrimination.

The following information is necessary for processing your complaint. If you require assistance in completing this form, please contact the CMCOG-COATS MPO Compliance Officer by calling (803) 744-5133. Please return the completed form to the CMCOG-COATS MPO Compliance Officer at CMCOG-COATS MPO, 236 Stoneridge Drive, Columbia, SC 29210. Title VI complaints must be filed within 180 calendar days from the date of the alleged discrimination.

Complainant Name: _____

Name of Individual Assisting Complainant: _____

Complainant Address: _____

_____

Assisting Individual Address: _____

_____

Complainant Phone: _____

Assisting Individual Phone: _____

Complainant Alt. Phone: _____

Assisting Individual Alt. Phone: _____

Which of the following describes the reason(s) the alleged discrimination took place?

Race Color National Origin

Date(s) of Incident: _____

CMCOG-COATS Metropolitan Planning Organization (MPO) Title VI Complaint Form (continued)

Please provide a detailed description of the circumstances of the incident(s), including any additional information supporting your complaint (please use additional pages as necessary).

_____

_____

_____

Please provide the name(s), and title and address (if known) of the person who discriminated against the Complainant.

_____

Please provide, if applicable, names and contact information of people who may have knowledge of the alleged incident(s) or are perceived as parties in the complained-of incident(s):

_____

Please list any other agency where complaint has been filed:

_____

I affirm that I have read the above complaint and that it is true to the best of my knowledge, information and belief.

_____

Complainant's Signature Print Name of Complainant Date

_____

Assisting Individual Complainant's Signature Print Assisting Individual Name Date

Date Received: _____ Received By: _____

This page has been intentionally left blank.

Appendix E
Title VI Complaint Form Procedure

CMCOG-COATS Metropolitan Planning Organization (MPO)
Title VI Complaint Form Procedure

The CMCOG-COATS MPO will acknowledge receipt of the complaint by notifying the Complainant within 7 calendar days of the "Date Received" shown above. The CMCOG-COATS MPO will transmit the complaint to the proper state or federal agency—Federal Highway Administration (FHWA), Federal Transit Administration (FTA), and the South Carolina Department of Transportation (SCDOT) for investigation and disposition pursuant to that agency's Title VI complaint procedures.

1. Complete and return form to CMCOG-COATS MPO Compliance Officer at CMCOG-COATS MPO, 236 Stoneridge Drive, Columbia, SC 29210 within 180 calendar days from the alleged incident.

2. The complaint will be reviewed and investigated by the proper federal and/or State agency.

3. The State or federal agency will contact the complainant and CMCOG-COATS MPO to notify them of the results of the complaint.

4. If the Complainant is unsatisfied with the response, the complaint may be presented to the Department of Justice within 10 calendar days from receiving the response.

5. The Department of Justice will respond to the Complainant, and/or the Individual Assisting Complainant.

6. The CMCOG-COATS MPO Title VI Compliance Officer will maintain a log of all complaints received by the CMCOG-COATS MPO. The Title VI complaint log is available at the offices of CMCOG-COATS MPO, located at 236 Stoneridge Drive, Columbia, SC 29210.

7. A copy of the complaint and the investigative report/findings and remedial action plan, if appropriate, will be issued to the proper state or federal agency (e.g.: FHWA, FTA, and SCDOT) within 120 calendar days of receipt of the complaint.

8. A summary of the complaint and its resolution will be included as part of the Title VI updates to the proper state or federal agency (e.g.: FHWA, FTA, and SCDOT).

9. Records will be available for compliance review audits.

Appendix F

Language Identification Card

Language Identification Survey

Language Identification Cards

Side 1 of 2 *Instructions: Place a check by the language spoken.* ☑

☐ Mark this box if you read or speak English.	*English*
☐ ضع علامة في هذا المربع إذا كنت تقرأ أو تتحدث العربية.	*Arabic*
☐ Խնդրում ենք նշում կատարեք այս քառակուսում, եթե խոսում կամ կարդում եք հայերեն:	*Armenian*
☐ যদি আপনি বাংলা পড়েন বা বলেন তা হলে এই বাক্সে দাগ দিন।	*Bengali*
☐ ឈូមបញ្ជាក់ក្នុងប្រអប់នេះ បើអ្នកអាន ឬនិយាយភាសា ខ្មែរ ។	*Cambodian*
☐ Motka i kahhon ya yangin ûntûngnu' manaitai pat ûntûngnu' kumentos Chamorro.	*Chamorro*
☐ 如果你能读中文或讲中文，请选择此框。	*Simplified Chinese*
☐ 如果你能讀中文或講中文，請選擇此框。	*Traditional Chinese*
☐ Označite ovaj kvadratić ako čitate ili govorite hrvatski jezik.	*Croatian*
☐ Zaškrtněte tuto kolonku, pokud čtete a hovoříte česky.	*Czech*
☐ Kruis dit vakje aan als u Nederlands kunt lezen of spreken.	*Dutch*
☐ اگر خواندن و نوشتن فارسي بلد هستيد، اين مربع را علامت بزنيد.	*Farsi*
☐ Cocher ici si vous lisez ou parlez le français.	*French*
☐ Kreuzen Sie dieses Kästchen an, wenn Sie Deutsch lesen oder sprechen.	*German*
☐ Σημειώστε αυτό το πλαίσιο αν διαβάζετε ή μιλάτε Ελληνικά.	*Greek*
☐ Make kazye sa a si ou li oswa ou pale kreyòl ayisyen.	*Haitian Creole*
☐ अगर आप हिन्दी बोलते या पढ़ सकते हों तो इस बक्स पर चिह्न लगाएँ।	*Hindi*
☐ Kos lub voj no yog koj paub twm thiab hais lus Hmoob.	*Hmong*
☐ Jelölje meg ezt a kockát, ha megérti vagy beszéli a magyar nyelvet.	*Hungarian*

Source: *Language Identification Flashcard - 2004 Census Test* AOC
U.S. Census Bureau, Economics and Statistics Administration, U.S. Department of Commerce 2012
www.lep.gov/ISpeakCards2004.pdf

Language Identification Cards

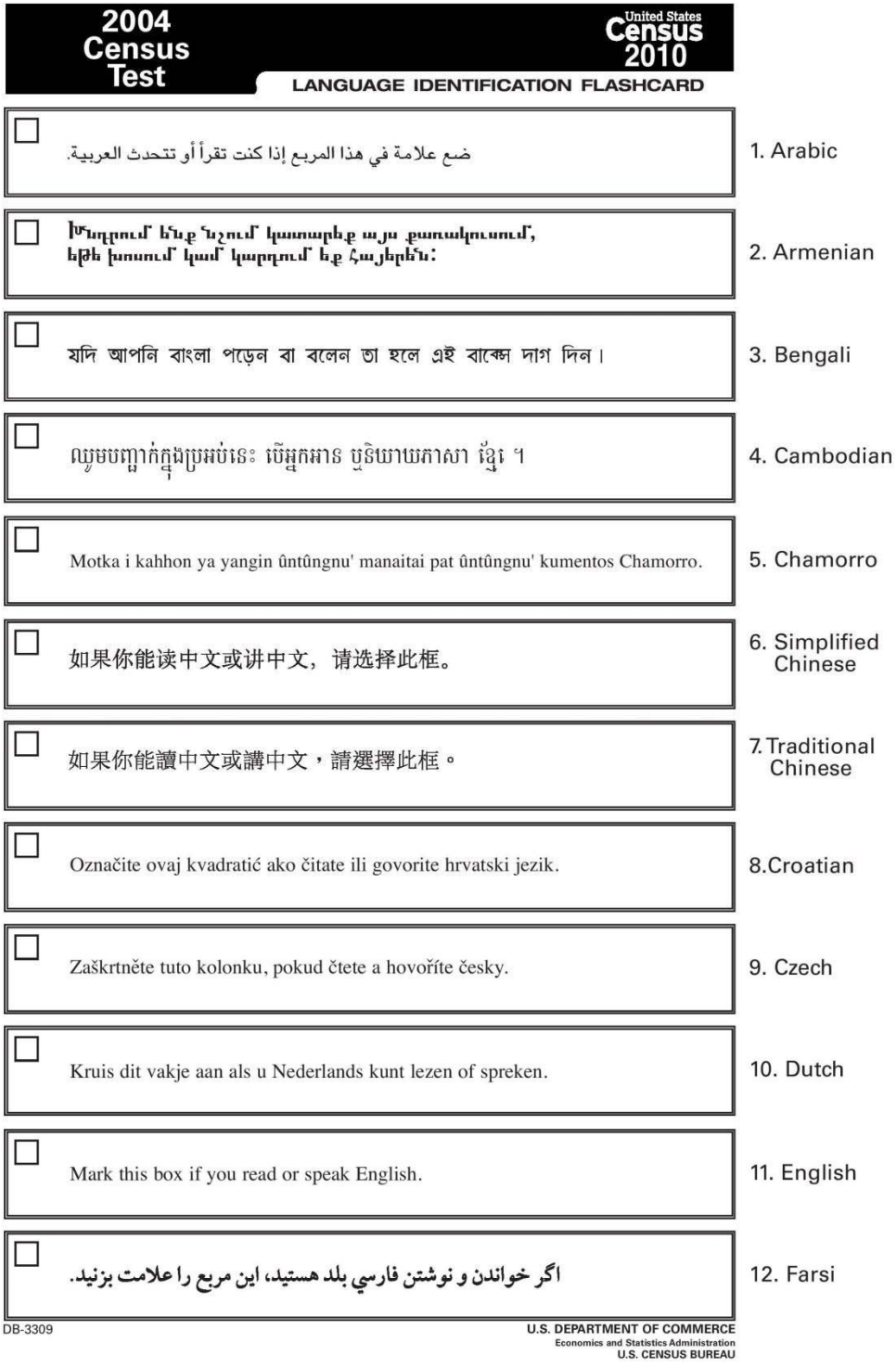
Side 2 of 2 *Instructions: Place a check by the language spoken.* ☑

☐ Marchi questa casella se legge o parla italiano.	*Italian*
☐ 日本語を読んだり、話せる場合はここに印を付けてください。	*Japanese*
☐ 한국어를 읽거나 말할 수 있으면 이 칸에 표시하십시오.	*Korean*
☐ ให้ทำเครื่องหมายในช่องนี้ ถ้าท่านอ่านหรือพูดภาษาลาว.	*Laotian*
☐ Kakōlleiki bọọk (box) in elaññe kwōjela kajin im waakin (read) majōl.	*Marshallese*
☐ Prosimy o zaznaczenie tego kwadratu, jeżeli posługuje się Pan/Pani językiem polskim.	*Polish*
☐ Assinale este quadrado se você lê ou fala português.	*Portuguese*
☐ Însemnaţi această căsuţă dacă citiţi sau vorbiţi româneşte.	*Romanian*
☐ Пометьте этот квадратик, если вы читаете или говорите по-русски.	*Russian*
☐ Обележите овај квадратић уколико читате или говорите српски језик.	*Serbian*
☐ Označte tento štvorček, ak viete čítať alebo hovoriť po slovensky.	*Slovak*
☐ Marque esta casilla si lee o habla español.	*Spanish*
☐ Markahan itong kuwadrado kung kayo ay marunong magbasa o magsalita ng Tagalog.	*Tagalog*
☐ ให้กาเครื่องหมายลงในช่องถ้าท่านอ่านหรือพูดภาษาไทย.	*Thai*
☐ Maaka 'i he puha ni kapau 'oku ke lau pe lea fakatonga.	*Tongan*
☐ Відмітьте цю клітинку, якщо ви читаєте або говорите українською мовою.	*Ukrainian*
☐ اگر آپ اردو پڑھتے یا بولتے ہیں تو اس خانے میں نشان لگائیں۔	*Urdu*
☐ Xin đánh dấu vào ô này nếu quý vị biết đọc và nói được Việt Ngữ.	*Vietnamese*
☐ באצייכנט דעם קעסטל אויב איר לייענט אדער רעדט אידיש.	*Yiddish*

Source: *Language Identification Flashcard - 2004 Census Test*

U.S. Census Bureau, Economics and Statistics Administration, U.S. Department of Commerce 2012
www.lep.gov/ISpeakCards2004.pdf

Language Identification Survey



Language Identification Survey (continued)

☐ Cocher ici si vous lisez ou parlez le français.	13. French
☐ Kreuzen Sie dieses Kästchen an, wenn Sie Deutsch lesen oder sprechen.	14. German
☐ Σημειώστε αυτό το πλαίσιο αν διαβάζετε ή μιλάτε Ελληνικά.	15. Greek
☐ Make kazye sa a si ou li oswa ou pale kreyòl ayisyen.	16. Haitian Creole
☐ अगर आप हिन्दी बोलते या पढ़ सकते हों तो इस बक्स पर चिह्न लगाएँ।	17. Hindi
☐ Kos lub voj no yog koj paub twm thiab hais lus Hmoob.	18. Hmong
☐ Jelölje meg ezt a kockát, ha megérti vagy beszéli a magyar nyelvet.	19. Hungarian
☐ Markaam daytoy nga kahon no makabasa wenno makasaoka iti Ilocano.	20. Ilocano
☐ Marchi questa casella se legge o parla italiano.	21. Italian
☐ 日本語を読んだり、話せる場合はここに印を付けてください。	22. Japanese
☐ 한국어를 읽거나 말할 수 있으면 이 칸에 표시하십시오.	23. Korean
☐ ໃຫ້ໝາຍໃສ່ຊ່ອງນີ້ ຖ້າທ່ານອ່ານຫຼືປາກພາສາລາວ.	24. Laotian
☐ Prosimy o zaznaczenie tego kwadratu, jeżeli posługuje się Pan/Pani językiem polskim.	25. Polish

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Economics and Statistics Administration
U.S. CENSUS BUREAU

Language Identification Survey (continued)

☐ Assinale este quadrado se você lê ou fala português.	26. Portuguese
☐ Însemnaţi această căsuţă dacă citiţi sau vorbiţi româneşte.	27. Romanian
☐ Пометьте этот квадратик, если вы читаете или говорите по-русски.	28. Russian
☐ Обележите овај квадратић уколико читате или говорите српски језик.	29. Serbian
☐ Označte tento štvorček, ak viete čítať alebo hovoriť po slovensky.	30. Slovak
☐ Marque esta casilla si lee o habla español.	31. Spanish
☐ Markahan itong kuwadrado kung kayo ay marunong magbasa o magsalita ng Tagalog.	32. Tagalog
☐ ให้กาเครื่องหมายลงในช่องถ้าท่านอ่านหรือพูดภาษาไทย.	33. Thai
☐ Maaka 'i he puha ni kapau 'oku ke lau pe lea fakatonga.	34. Tongan
☐ Відмітьте цю клітинку, якщо ви читаєте або говорите українською мовою.	35. Ukranian
☐ اگر آپ اردو پڑھتے یا بولتے ہیں تو اس خانے میں نشان لگائیں۔	36. Urdu
☐ Xin đánh dấu vào ô này nếu quý vị biết đọc và nói được Việt Ngữ.	37. Vietnamese
☐ באצייכנט דעם קעסטל אויב איר לייענט אדער רעדט אידיש.	38. Yiddish

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U.S. DEPARTMENT OF COMMERCE
Economics and Statistics Administration
U.S. CENSUS BUREAU

Appendix G
Human Translation & Interpretation Service Providers

Home > SC > Columbia > Languages Interpreter

Languages Interpreter in Columbia, SC

BBB Rated A+/A All Filters SORT: Default

Please contact the business for updated hours/services due to the COVID-19 advisory.

Languages Translation Services

Translators & Interpreters, Business & Personal Coaches

(82) **BBB RatingA+**

Website | Make Appointment | More Info

(888) 519-3521

Serving the Columbia area.

Ad

Innerlingua Translations

Translators & Interpreters

BBB RatingA+

Website | More Info

(866) 664-0119

Serving the Columbia area.

Ad

1. Comunicar Language & Consltng

Translators & Interpreters

Website

(803) 400-1178

3400 Colonial Dr
Columbia, SC 29203

2. Languages Translation Services

Translators & Interpreters, Recording Service-Sound & Vide...

(82) | **BBB Rating: A+**

Website | Make Appointment | More Info

(888) 519-3521

Serving the Columbia Area

PP This is the best company in the business! The best professionals, the best organization, fast response, reasonable price and one great person,...

3. Corporate Spanish of Columbia, Inc.

Translators & Interpreters

(2)

(803) 386-1705

Columbia, SC 29209

SA Nice work! Dan at Southeast Spanish translated my wife's driver's license and birth certificate so that she could get her SC DL. Let me tell you...

4. Columbia Interpreters & Translators

Translators & Interpreters

(1)

Website

(803) 221-0698

432 Buttonbush Ct
Columbia, SC 29229

CJ Very professional and efficient. Quick turn around on the translation of time sensitive documents. Will definitely use again!

5. Palmetto Interpreters
Translators & Interpreters

(803) 233-7251
1330 Richland St
Columbia, SC 29201

6. Certified Translation Services
Translators & Interpreters, Business Coaches & Consultants
BBB Rating: A+
Website

(803) 781-7017
1 Harbison Way Ste 105
Columbia, SC 29212

7. Hispanic Connections
Translators & Interpreters
Website

(803) 765-0560
341 Fox Squirrel Cir
Columbia, SC 29209

8. Palmetto Interpreters
Translators & Interpreters

(803) 233-7251
89 Groves Wood Ct
Columbia, SC 29212

9. Angelika Woods Translations
Translators & Interpreters

(803) 865-1236
204 Nautique Cir
Columbia, SC 29229

10. Definitely Taking Requests
Translators & Interpreters
Website

(803) 772-5677
Columbia, SC 29210

11. Niki's International LTD
Translators & Interpreters

(803) 255-0889
Columbia, SC 29201

12. Translate Express Inc
Translators & Interpreters, Transcription Services, Medical T...
(3)
Website | More Info

(800) 401-7496
Serving the
Columbia Area

TS We had all our publications and notices translated by TranslateXpress since 2005 and we couldn't be happier. Excellent quality translations, very...

13. Morgan Interpreter Services
Translators & Interpreters, Notaries Public
(2)

(803) 847-0698
Sumter, SC 29150

DR Mrs. Morgan is a God send. She is very knowledgeable, professional and kind. She is my go to Interpreter! She also offers lessons!

14. Innerlingua Translations

Translators & Interpreters
BBB Rating: A+
Website | More Info

(866) 664-0119
Serving the Columbia Area

From Business: Since 1992, Innerlingua had provided translations to the legal, finance, manufacturing, and medical fields. Our clientele includes: Software, Logistics,...

15. Mota Intellectual Services

Translators & Interpreters

(803) 796-8527
1215 Augusta Rd
West Columbia, SC 29169

Sponsored Links

Language Interpreter - Your Brand Can Be Everywhere™
Ad www.translations.com/solutions/interpretation ▾ (212) 689-1616
Translations.com Can Help. Contact Us to Learn about Interpretation!
➤ Visit Website

24/7 Interpretation Services - Telelanguage
Ad www.telelanguage.com/ ▾ (888) 983-5352
Professional **Interpreters** and Certified Medical **Interpreters**
➤ Visit Website

Interpreters Available Now - 240+ Languages On Demand 24/7
Ad www.languageline.com/ ▾
More Than 11,000 Trained, LanguageLine-Certified **Interpreters** In 240+ **Languages** And ASL.
➤ Visit Website

Appendix H

Limited English Proficiency Plan Self-Assessment Checklist LEP Interaction Tracking Form: Record of Interactions LEP Interaction Tracking Form: Annual Report

CMCOG-COATS Metropolitan Planning Organization (MPO)
Limited English Proficiency Plan Self-Assessment Checklist

LEP Plan Status		
Is CMCOG-COATS MPO receiving federal funding?	☐ Yes ☐ No	
Date of the most recent LEP Plan/LAP:		
Date of most recent Four Factor Analysis:		
Date(s) of demographic data:		
Is an update to the current LEP Plan/LAP needed?	☐ Yes ☐ No	
Interactions with LEP Persons		
Has CMCOG-COATS MPO interacted with any LEP persons during the past year?	☐ Yes ☐ No	
If so, how many interactions with LEP persons were recorded?	At public meetings	
	Office walk-in	
	Telephone call	
	Written correspondence	
	Webpage (e.g., Unique Google Translate users)	
Identifying LEP Communities		
Does CMCOG-COATS MPO have a process for collecting data on the number of LEP persons in the service area and the languages most commonly spoken?	☐ Yes ☐ No	
How often is the language data for CMCOG-COATS MPO's service area analyzed?	**Once every _____ years.**	
What techniques and resources are used by CMCOG-COATS MPO to identify LEP communities? (e.g., spatial mapping, community input, etc.)	**Describe:** _____ _____ _____ _____	

Identifying LEP Communities (continued)	
What data does CMCOG-COATS MPO use for identifying LEP communities and the languages most commonly spoken?	**Describe:** _____ _____ _____ _____ _____

SAFE HARBOR POPULATIONS

In the most recent Four Factor Analysis, what language group(s) **DID** meet the Safe Harbor Thresholds? Please list the LEP population, the percentage of the total service area population, and whether the population is increasing or decreasing vs. the previous Four Factor Analysis.

Language	LEP Population	% of Total Population	☐ Increasing ☐ Decreasing
1.			
2.			
3.			
4.			
5.			

OTHER POPULATIONS

In the most recent Four Factor Analysis, what language group(s) **DID NOT** meet the Safe Harbor Thresholds? Please list the LEP population, the percentage of the total service area population, and whether the population is increasing or decreasing vs. the previous Four Factor Analysis.

Language	LEP Population	% of Total Population	☐ Increasing ☐ Decreasing
1.			
2.			
3.			
4.			
5.			

Providing Notice of Language Assistance	
How does CMCOG-COATS MPO inform the public about the availability of language assistance services? (e.g., posters, website, etc.)?	**Describe:** _____ _____ _____
In what language(s) does CMCOG-COATS MPO advertise language assistance services?	1. _____ 2. _____ 3. _____
Providing Language Assistance	
For the Safe Harbor LEP populations, what vital documents are translated?	1. _____ 2. _____ 3. _____ 4. _____ 5. _____
Does CMCOG-COATS MPO offer automated translation services on its website?	☐ Yes ☐ No
If so, what services are currently in use?	☐ Google Translate ☐ Bing Translator ☐ Other: _____ ☐ Other: _____
What are the top three (3) languages for which translation are most requested?	1. _____ 2. _____ 3. _____

Training & Staff Resources	
How does CMCOG-COATS MPO train staff for interacting with LEP persons? (e.g., identify language spoken, handle translation requests, access interpretation services)	**Describe:** _____ _____ _____ _____ _____ _____
Monitoring and Updating the Language Assistance Plan	
Is the LEP Plan and LAP available to the public for review? If yes, where is it available?	☐ Yes ☐ No
If so, where is it available?	**Describe:** _____ _____ _____ _____
How often is the LAP updated (i.e., annually, biennially, etc.)?	☐ Annually ☐ Biennially ☐ Every 3 years ☐ Every 4 years ☐ Every _____ years
When was the LAP last updated?	**Date:** _____

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LEP Interaction Tracking Form

Record of Interactions

Year: _____ Page _____ of _____

Interaction Tracking (*to be filled out after each interaction with an LEP Individual*)							
No.	**Date of Interaction**	**Name of LEP Individual**	**Location of Interaction**	**Language Spoken by LEP Individual**	**Service requested by LEP Individual**	**LEP Tools Used**	**Successful Interaction Y / N**

LEP Interaction Tracking Form
Annual Report Summary

Year: _____

Interactions Summary			
Total Interactions	**Successful Interactions**	**Unsuccessful Interactions**	**Top Interaction Location**

Language Summary	
Language	**Number of Times Requested**
West Germanic	
Spanish	

Services / Requests Summary	
Services most frequently requested …	
Plans or programs most frequently addressed …	