2018 Title VI Compliance Report

Developed in Compliance with
FTA Circular 4701.1B Dated October 12, 2012
The Stanislaus Council of Governments (StanCOG) is the Metropolitan Planning Organization (MPO) and Regional Transportation Planning Agency (RTPA) for the Stanislaus County region. Governed by a board of 17 members representing the nine cities and the County of Stanislaus, StanCOG serves as the forum for regional decision-making. In this capacity, StanCOG builds consensus among local and regional agencies, develops long-term strategic plans, programs Federal and State funding for allocation to regional transportation infrastructure and transit projects, and provides information/data on a broad range of topics pertinent to the region’s economic and social conditions. The following members currently serve on StanCOG’s Policy Board:

**Bill Zoslocki— Board Chairman**  
City of Modesto

**Gary Soiseth—Vice Chairman**  
City of Turlock

**Mike Kline**  
City of Ceres

**Jeramy Young**  
City of Hughson

**Ted Brandvold**  
City of Modesto

**Mani Grewal**  
City of Modesto

**Nick Candea**  
City of Newman

**Tom Dunlop**  
City of Oakdale

**Deborah Novelli**  
City of Patterson

**Richard O’Brien**  
City of Riverbank

**Vito Chisea**  
Stanislaus County

**Jim DeMartini**  
Stanislaus County

**Dick Monteith**  
Stanislaus County

**Kristin Olsen**  
Stanislaus County

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Stanislaus County

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City of Waterford

**Dennis T. Agar**  
Caltrans Ex - Officio
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**OVERVIEW**

In accordance with 49 CFR Part 21, any agency receiving Federal financial assistance must establish and execute a program to ensure that all operations and activities do not discriminate against minority individuals or communities. Title VI of the Civil Rights Act of 1964 (Title VI) states,

“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.”

As a Metropolitan Planning Organization (MPO) and recipient of Federal Transportation Administration (FTA) funds, the Stanislaus Council of Governments (StanCOG) is required to file a report to the FTA demonstrating adherence to Title VI of the 1964 Civil Rights Act. Pursuant to the reporting requirements established in FTA Circular 4702.1B, dated October 1, 2012, the following report describes how StanCOG’s activities, programs, and policies adhere to the provisions established in Title VI.

**COMPLIANCE WITH TITLE VI PROGRAM REQUIREMENTS**

**Civil Rights Compliance and List of Active Lawsuits**

StanCOG has not had any civil rights compliance review activities in the past three years, nor received any Title VI service complaints. Furthermore, StanCOG has not been named in any lawsuit or compliance issue alleging discrimination on the basis of race, color, or national origin.

**Pending Federal Financial Assistance**

StanCOG currently has one pending application for Federal financial assistance. Table 6, below, identifies this grant.

<table>
<thead>
<tr>
<th>Grant Application Number</th>
<th>Grant Program</th>
<th>Requested Funding Amount from the FTA</th>
</tr>
</thead>
<tbody>
<tr>
<td>CA-37-X168-01</td>
<td>FTA Job Access Reverse Commute (Section 5316)</td>
<td>$705,955</td>
</tr>
</tbody>
</table>

**Equal Employment Opportunities**

StanCOG is required under the Equal Employment Opportunity (EEO) provision to provide equal employment to all people, without regard to race, color, religion, sex, or national origin. In addition to these efforts, StanCOG has an Equal Rights Plan that seeks to identify job applicants from underrepresented and minority population groups during staff employment recruitment procedures. StanCOG also subscribes to the Stanislaus County Equal Rights policies, and participates in the County’s Equal Rights Committee and other activities to ensure that equal employment opportunities exist in the agency. StanCOG’s Equal Rights policy is currently contained in a Memorandum of Understanding between StanCOG and the California Department of Transportation (Caltrans).
PROGRAM – SPECIFIC REQUIREMENTS

StanCOG as the Metropolitan Planning Organization and designated recipient adheres to the Title VI requirements outlined in Chapter IV of the FTA Circular 4702.1B, dated October 1, 2012.

Assessment of Planning Efforts

The following briefly identifies how public involvement is highly incorporated into the development of the Regional Transportation Plan (RTP) and Federal Transportation Improvement Program (FTIP). StanCOG’s development of these documents includes methods/procedures to ensure that public participation opportunities exist for all members of the public.

Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)

Every four years, as required by state and federal law, regional transportation planning agencies/metropolitan planning organizations update their respective Regional Transportation Plans/Sustainable Communities Strategies (RTP/SCS). In the Stanislaus region, the stakeholder driven process of developing and updating the RTP/SCS is referred to as “Valley Vision Stanislaus.” The current RTP/SCS for the Stanislaus Region was adopted in 2014. The 2018 update is underway and will be completed by October 2018.

The RTP is the region’s 25-year financially-constrained blueprint for future transportation investments based on specific transportation goals and objectives defined by StanCOG with input from the public and its member agencies. A successful RTP should help promote the safe and efficient management, operation and development of an intermodal transportation system, including roadways, transit, goods movement, bicycle and pedestrian facilities, and aviation facilities.

Transportation planning and land use became more closely linked following the passage of Senate Bill 375 in 2008. As a result of this legislation, each of California’s 18 Metropolitan Planning Organizations, including StanCOG, must prepare a Sustainable Communities Strategy as part of their RTP development. The Sustainable Communities Strategy sets forth a forecasted development pattern for the region which, when integrated with the transportation network and other transportation measures and policies, will reduce greenhouse gas emissions from passenger vehicles and light trucks to achieve emission reduction targets set by the California Air Resources Board. The future land use and transportation scenario presented in the Sustainable Communities Strategy must accommodate forecasted population growth, employment growth, and housing sufficient to meet the needs of all income groups while considering State housing goals.

Transportation helps shape a region’s economic vitality and quality of life; it influences the pattern of growth and economic activity through accessibility to land. Transportation also affects other public policy issues such as air quality, affordable housing, and public safety. The RTP is more than a mere listing of highway and transit projects to be pursued over 25 years; it requires developing strategies for operating, maintaining, and financing the region’s transportation system in such a way as to advance the region’s long term goals. In order to assess the performance and success of the RTP/SCS, ten goals and corresponding objectives were adopted. The adopted goals to be included in the 2018 RTP/SCS are as follows:
<table>
<thead>
<tr>
<th>Goal</th>
<th>Objective</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mobility &amp; Accessibility</td>
<td>Improve the ability of people and goods to move between desired locations; and provide a variety of modal and mobility options.</td>
</tr>
<tr>
<td>Social Equity</td>
<td>Promote equitable access to opportunities by ensuring all populations share in the benefits of transportation improvements and are provided a range of transportation and housing choices.</td>
</tr>
<tr>
<td>Economic &amp; Community Vitality</td>
<td>Foster job creation, business attraction, retention and expansion by improving quality of life. Facilitate economic development and opportunities through infrastructure investments that support goods movement within and through the region, including but not limited to the county’s strategic freight corridors.</td>
</tr>
<tr>
<td>Sustainable Development Pattern</td>
<td>Provide a mix of land uses and compact development patterns and encourage infill development to preserve agricultural land and natural resources.</td>
</tr>
<tr>
<td>Environmental Quality</td>
<td>Consider environmental impacts when making transportation investments and minimize impacts on clean air and natural resources. Support infrastructure investments that facilitate vehicle electrification and the provision of electrification infrastructure in public and private parking facilities and structures.</td>
</tr>
<tr>
<td>Safety &amp; Health</td>
<td>Operate and maintain the transportation system to ensure public safety and security; and improve the health of residents by improving air quality and providing more transportation options.</td>
</tr>
<tr>
<td>System Preservation</td>
<td>Maintain transportation system in a state of good repair; and protect investment by maximizing use of existing transportation facilities.</td>
</tr>
<tr>
<td>Smart Infrastructure</td>
<td>Coordinate, monitor, and integrate planning and programming for intelligent transportation system (ITS), smart infrastructure, demand-responsive transportation, and automated vehicles.</td>
</tr>
<tr>
<td>Reliability &amp; Congestion</td>
<td>Maintain or improve reliability of the transportation network and maintain or reduce congestion.</td>
</tr>
<tr>
<td>Project Delivery</td>
<td>Efficiently use available transportation funding to expedite project delivery of transportation improvements within the region for the benefit of residents of Stanislaus County and the traveling public in general.</td>
</tr>
</tbody>
</table>
Public involvement and outreach during the development of the 2018 RTP is critical to ensuring that all members of the region’s population, including low-income, elderly, minority, and disabled groups, have the opportunity to provide input regarding the future of the region’s transportation system. StanCOG has developed an extensive public outreach process, including presentations to the City Councils, public workshops and presentations at other community events to seek input from the public, community groups, and the local agencies on the 2018 RTP/SCS scenarios. StanCOG used a mix of in-person presentations, workshops, causal meetings, and other electronic outreach methods to maximize engagement opportunities for all members of the public. This outreach approach helps to address Title VI compliance issues and provided all interested citizens with ample opportunity to give meaningful input during the development of the plan. The intent of this effort has been to determine the scenario which best meets the needs of the region and addresses the goals and objectives of the 2018 RTP/SCS.

Federal Transportation Improvement Program (FTIP)

Pursuant to the current Federal transportation bill, the Fixing America’s Surface Transportation (FAST) Act, StanCOG developed the 2017 FTIP to identify the financial costs and development phases associated with all capital and non-capital transportation projects within the Stanislaus region. The document covers a four-year programming period from Fiscal Years 2016/17 through 2019/20, and must be updated every four years. The FTIP is a compilation of projects identified with their associated funding source(s), requested Federal/State/local funding amount(s), and project development phases (i.e. Preliminary Engineering, Right-of-Way purchase, Construction), which is determined in cooperation with StanCOG’s partner agencies: the Federal Highway Administration (FHWA), the FTA, and the California Department of Transportation (Caltrans). These projects are consistent with the 2014 RTP, and their identification in the FTIP ensures that Federal and State transportation funding continues to flow into the Stanislaus region in accordance with Federal and State programming regulations.

Pursuant to Federal law, reasonable opportunity must be provided for public involvement during the development of the FTIP. The currently adopted Public Participation Plan (PPP) provides direction for StanCOG’s implementation of public participation and outreach practices during the 2017 FTIP’s development. Specifically, StanCOG followed the PPP’s established procedures to ensure compliance with Title VI provisions, Executive Order 12898 (Federal Actions to Address Environmental Justice in Minority and Low-Income Populations), Executive Order 13166 (Improving Access to Services for Persons with Limited English Proficiency), and the Brown Act. Similar to the RTP/SCS, development of the FTIP involved multiple public hearings and extensive review by StanCOG’s various standing and ad hoc committees. Through these committees, members of the public had the opportunity to review and provide feedback on the document before its final approval.
MINORITY PARTICIPATION IN THE DECISION-MAKING PROCESS

The 2016 American Community Survey identifies the two major races in the county as White only and Hispanic, with approximately 44% of the population identified as being White only, and Hispanics also making up approximately 44%. All other races combined equal approximately 12% of the population, with Black/African American alone constituting approximately 2.5%, and Asian alone totaling approximately 5%. Given these demographics, which highlight a large minority population in the region, it is important to StanCOG that public involvement during plan/program development workshops and hearings include participation from citizens representing the Stanislaus region’s underserved and/or underrepresented minority populations.

Below are demographic maps representing the percent minority and non-minority populations identified by 2016 American Community Survey 1- estimate census tract-level data.
In addition to Title VI compliance, StanCOG complies with other Federal laws that address inclusion of the underserved and underrepresented minority population in the overall planning and decision-making process. Executive Order 12898 (Federal Actions to Address Environmental Justice in Minority and Low Income Population) requires that each Federal agency shall, to the greatest extent allowed by law, administer and implement its programs, policies and activities that affect human health or the environment so as to identify and avoid “disproportionately high and adverse” effects on minority and low-income populations. Executive Order 13166 (Improving Access to Services for Persons with Limited English Proficiency) requires that all Federal agencies identify any need for services to those with limited English proficiency and develop and implement a system to provide services so all persons can have meaningful access to services. Lastly, pursuant to the Brown Act, all of StanCOG’s standing committees are made open to the public. A public comment period is programmed in the agenda for all Brown Act meetings to afford time to any member, social organization, or group who wishes to address the decision-makers or committee members.
Representation on StanCOG’s Committees

StanCOG’s standing and ad hoc committees provide a forum for public involvement and opportunities to incorporate and comply with social equity and environmental justice issues in the regional planning processes. Combined, StanCOG’s committees include representatives from local government bodies, public transit agencies, public and private social service organizations, low-income population groups, minority populations, as well as members of the general public. Some agencies, such as the Citizen Advisory Committee and Social Services Transportation Advisory Council, are specifically structured to include a diverse representation from both cultural and socio-economic population groups. Efforts to include underrepresented groups in these committees have resulted in expanded community involvement. In addition, the agency’s computerized mail list is continually updated to include additional individuals and organizations.

The following provides a brief summary of all of StanCOG’s standing committees, including the estimated racial breakdown for all of StanCOG’s standing committees’ members.

Executive Committee

The Executive Committee is a standing committee established under StanCOG’s Joint Powers Authority Agreement and consists of two Stanislaus County supervisors, one representative from the City of Modesto, and two representatives from the other incorporated cities in Stanislaus County, who are jointly selected by these cities. It is responsible for appointing members of the Citizen Advisory Committee, the Social Services Transportation Advisory Council, and the Bicycle and Pedestrian Advisory Committee. Table 1, below, identifies the racial breakdown of the committee’s membership.

Table 1: Executive Committee (5 members)

<table>
<thead>
<tr>
<th>Racial Category</th>
<th>Number of Persons</th>
</tr>
</thead>
<tbody>
<tr>
<td>Caucasian</td>
<td>5</td>
</tr>
</tbody>
</table>

Management and Finance Committee (MFC)

The MFC is a standing committee comprised of one City Manager, or management staff representative, from each of the nine incorporated cities in Stanislaus County, and a representative from the County’s Chief Executive Office. The MFC reviews all technical and financial issues and makes policy recommendations directly to the Policy Board. Table 2, below, identifies the racial breakdown of the committee’s membership.

Table 2: Management and Finance Committee (10 members)

<table>
<thead>
<tr>
<th>Racial Category</th>
<th>Number of Persons</th>
</tr>
</thead>
<tbody>
<tr>
<td>Caucasian</td>
<td>9</td>
</tr>
<tr>
<td>Hispanic/Latino</td>
<td>1</td>
</tr>
</tbody>
</table>
Citizens’ Advisory Committee (CAC)

The CAC is a standing committee comprised of up to 10 residents from Stanislaus County, which are appointed by the Executive Committee. The CAC reviews and makes direct recommendations on all standing committee agenda items to the Policy Board. The intent of the CAC is to provide the Policy Board with input on transportation related issues directly from the public’s perspective. Membership is open to all members of the public, including minority population groups who are underrepresented and/or underserved. Table 3, below, identifies the racial breakdown of the CAC’s membership.

<table>
<thead>
<tr>
<th>Racial Category</th>
<th>Number of Persons</th>
</tr>
</thead>
<tbody>
<tr>
<td>Caucasian</td>
<td>7</td>
</tr>
</tbody>
</table>

Social Services Transportation Advisory Council (SSTAC)

In accordance with the Transportation Development Act (TDA), the SSTAC was established as a standing committee to identify and review any potential unmet transit needs within Stanislaus County. The SSTAC’s membership includes representatives from the region’s public transit and private social service agencies, as well as people representing populations that are typically dependent upon public transit: senior citizens, people with disabilities, and low-income residents. The SSTAC reviews transit issues, conducts the annual Unmet Transit Needs (UTN) Assessment process, and collaborates on the allocation and distribution of Transportation Development Act (TDA) funding required for public transit. Recommendations from SSTAC are provided directly to the Policy Board. Table 4, below, identifies the racial breakdown of the SSTAC’s membership.

<table>
<thead>
<tr>
<th>Racial Category</th>
<th>Number of Persons</th>
</tr>
</thead>
<tbody>
<tr>
<td>Caucasian</td>
<td>5</td>
</tr>
<tr>
<td>Hispanic/Latino</td>
<td>1</td>
</tr>
</tbody>
</table>

Bicycle and Pedestrian Advisory Committee (BPAC)

The BPAC is a standing committee that was formed to provide advice on the update and development of the region’s Non-Motorized Transportation Plan. Membership is composed of a public citizen representative from each of StanCOG’s member agencies, and appointed by the Executive Committee. The BPAC reviews regional transportation projects and programs to identify ways in which the project/program will enhance non-motorized opportunities within the entire Stanislaus region. Table 5, below, identifies the racial breakdown of the BPAC’s membership.

<table>
<thead>
<tr>
<th>Racial Category</th>
<th>Number of Persons</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>6</td>
</tr>
<tr>
<td>Asian</td>
<td>1</td>
</tr>
</tbody>
</table>
Valley Vision Stanislaus Steering Committee (VVS)

The Valley Vision Stanislaus Steering Committee is one of the StanCOG standing committees. This committee was formed in 2011 to collaboratively address the requirements of Senate Bill 375 (SB 375), which calls on StanCOG to prepare an integrated land use and transportation document as part of all future Regional Transportation Plan (RTP) updates. The Valley Vision Stanislaus plan sets a development pattern for the region, which when combined with transportation policies, will reduce greenhouse gas (GHG) emissions from vehicles.

Table 6: Valley Vision Stanislaus Steering Committee (15 Members)

<table>
<thead>
<tr>
<th>Racial Category</th>
<th>Number of Persons</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>14</td>
</tr>
<tr>
<td>Hispanic/ Latino</td>
<td>1</td>
</tr>
</tbody>
</table>

Measure L Oversight Committee (MLOC)

Measure L Oversight Committee (MLOC) The Measure L Oversight Committee is an advisory committee of StanCOG that is composed of ten residents of Stanislaus County - one representative from each municipal agency. The MLOC provides an enhanced level of accountability for expenditures made under the Measure L Expenditure Plan to ensure that all voter mandates are carried out and that the financial integrity and performance of the program is maintained.

Table 7: Measure L Oversight Committee (10 Members)

<table>
<thead>
<tr>
<th>Racial Category</th>
<th>Number of Persons</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>10</td>
</tr>
</tbody>
</table>

Ad Hoc Committees

The formation and use of the Ad Hoc committees' is based upon the objective of providing opportunities for involvement in regional transportation programs by citizens, elected officials, agency staff, and representatives of civic and community groups.

Technical Advisory Committee (TAC)

The TAC is comprised of one technical-level staff member from each jurisdiction’s planning or public works divisions, plus one member from each public transit operator within Stanislaus County. The TAC’s role is to review all of the region’s planning and transportation issues or programs from a technical and financial perspective, and make recommendations accordingly to the MFC.

Planning and Programming Working Group (PPWG)

The PPWG is an ad hoc committee, consisting of 25 members, that focuses on addressing critical regional issues at a more detailed level than the standing committees. The PPWG’s membership includes representatives from the Management and Finance Committee, Citizens’ Advisory Committee, and Technical Advisory Committee who work with StanCOG staff to address key regional issues through project planning, programing of project funds, establishing project/program delivery schedules, and evaluating
Mobility Advisory Committee (MAC)

The MAC was formed as an Ad Hoc support committee to StanCOG’s Consolidated Transportation Services Agency (CTSA). In coordination with the CTSA, the MAC is primarily focused on identifying and addressing the transit needs of Stanislaus County’s senior and disabled populations. Representatives from local private social service and transit agencies, public transit operators, and the elderly and disabled communities make up the MAC’s membership.

MONITOR TITLE VI ACTIVITIES

Identifying Impacts of Transportation Development on Minority Communities

Identification and planning for minority communities is integrated into all of StanCOG’s long-range planning documents, regional studies, and planning processes. Consistent with previous iterations, the 2018 RTP will include an assessment of the benefits and adverse impacts of new, major transportation projects to low-income and minority groups. In addition, pursuant to the Transportation Development Act (TDA), StanCOG conducts an annual Unmet Transit Needs (UTN) Assessment process to identify transit-dependent populations throughout the region and plan for their transit needs accordingly. This process involves multiple public hearings, collaboration among the region’s public transit and private social service agencies at regularly scheduled SSTAC meetings, and public outreach through the dissemination of a form made available for the public to identify potential unmet transit needs in the region. Furthermore, all of the region’s public transit operators continually review passenger transit needs within their systems and elicit public response to improve the effectiveness and efficiency of transit services within their jurisdictions. These agencies continually report back to StanCOG during regularly scheduled SSTAC meetings.

Providing Technical Assistance and Ensuring Title VI Compliance

StanCOG staff provides extensive data and technical assistance to the region’s four public transit operators, and to multiple social service agencies that provide transportation services for elderly and disabled populations within the Stanislaus region. As the MPO and RTPA, StanCOG maintains a record of census and other demographic data for Stanislaus County. This public information is made available to public transit operators and private social service agencies to support the updating and development of their Title VI compliance information. In addition, StanCOG’s SSTAC provides a forum for regional public and private social service transit agencies to collaborate on identifying and addressing the transportation needs of every population group within the region.

Information Dissemination

To ensure that plans, programs, and transportation services meet the diverse needs of the Stanislaus region’s entire population, StanCOG’s 2015 Public Participation Plan (PPP) has identified the following goals and objectives:

- Strive for a balanced representation of all groups of the public, including the typically underrepresented in the planning process; while providing ample opportunities for public
review and input of all planning and programming documents.

- Promote a culture of dialogue and partnership among residents, property owners, the business community, organizations and public officials; while educating local officials and the public in the transportation planning process.
- Make both technical information and meeting notices involved in the planning process available in accessible formats; while providing communications and agency reports that are understandable and timely.
- Demonstrate explicit consideration and response to public input received during the planning and programming process; while treating all interested participants fairly and respectfully.

The 2015 PPP establishes a means to advance public participation among various population groups: lower income households, minorities, persons with disabilities, tribal governments, representatives from community- and service-based organizations, and public agencies.

The following list of activities identifies StanCOG’s current public information distribution methods:

- All agency reports and public information are posted online for public access through the agency’s website;
- Major project presentations and public hearings regarding new policies, long-range planning topics, or transportation funding matters are made throughout all development phases and circulated through StanCOG’s standing and ad hoc committees for review and public participation prior to the Policy Board’s approval;
- The Policy Board agenda for all meetings is posted outside the StanCOG office at 1111 I Street, Suite 308, in Modesto, and on StanCOG’s website, at www.stancog.org, at least 72 hours prior to the meeting. Copies are available at StanCOG’s office during business hours or on the website;
- All agendas for meetings subject to the Brown Act requirements are posted online and outside of StanCOG’s office at least 72 hours in advance of that meeting;
- StanCOG staff continually maintains and updates a mailing list to include any public individual, organization, or social group that wishes to receive certain information directly before any public hearing, workshop, or presentation.

Public Involvement

Public participation is a key component in all of StanCOG’s planning processes. The policies and procedures established in StanCOG’s currently adopted 2015 Public Participation Plan (PPP) enable all members of the public to actively participate in the planning and decision-making processes undergone during the development of the region’s long-range planning and funding documents. StanCOG’s adopted Fiscal Year 2017/18 Overall Work Plan (OWP) further promotes Title VI compliance.

As outlined in the PPP and OWP, opportunities for public involvement can be seen in a wide-range of activities currently undertaken by StanCOG:

- Participation of citizens in the Policy Board meeting, and all other standing, ad hoc, and other technical committee meetings conducted by StanCOG;
- Direct participation of the Citizen’s Advisory Committee in StanCOG’s formal planning process;
- Placement of public hearing notices in both English and Spanish newspapers of general circulation;
• Presentations to and meetings with community groups, organizations, and traditionally underrepresented or underserved minority populations;
• Representation from the elderly, disabled, low-income, and minority (i.e. Black, Hispanic, Asian American, American Indian/Alaskan Native, and Pacific Islander) population groups on StanCOG’s Social Service Transportation Advisory Council;
• Dissemination of news releases and public service announcements;
• Public outreach efforts and information provided through the local media sources;
• Continual utilization of StanCOG’s web page to disseminate information to the public regarding draft planning documents, new policies, and upcoming public hearings;
• Providing for a regional public forum for plan implementation project teams to identify and address specific regional planning opportunities;
• Public outreach efforts and information provided through social media, such as Facebook.

Subrecipient Monitoring

StanCOG requires all subrecipients to sign and agree to terms outlined in StanCOG’s Subrecipient Agreement Section 20.a.

20. Compliance with Non-Discrimination and Equal Employment Opportunity Laws. SUBRECIPIENT assures DESIGNATED RECIPIENT that it complies with, and that SUBRECIPIENT will require that its contractors, subcontractors and subgrantees comply with, the following non-discrimination and equal opportunity laws. Any failure by SUBRECIPIENT to comply with these provisions shall constitute a material breach of this Agreement, which may result in the termination of this Agreement or such other remedy as DESIGNATED RECIPIENT may deem appropriate.

a. In accordance with Title VI of the Civil Rights Act, as amended, 42 U.S.C. § 2000d and Federal transit law at 49 U.S.C. § 5332, SUBRECIPIENT agrees that it will not discriminate against any employee or applicant for employment because of race, color, creed, national origin, sex, age, or disability. In addition, SUBRECIPIENT agrees to comply with applicable Federal implementing regulations and other implementing requirements FTA may issue, including, but not limited to, U.S. DOT regulations, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act,” 49 C.F.R. Part 21, and FTA Circular 4702.1B, “Title VI and Title VI – Dependent Guidelines for Federal Transit Administration Recipients.”

Compliance with Non-Discrimination and Equal Employment Opportunity Laws

Subrecipient activities and compliance with regulations are monitored through reports submitted to StanCOG on a quarterly basis.

Access to Services for Persons with Limited English Proficiency

As previously identified above, StanCOG must adhere to the provisions established in Executive Order 13166, which requires services to be provided for persons with limited English proficiency (LEP). StanCOG is in compliance with the “Safe Harbor” provision identified in the FTA C4702.1B Chapter III 9.c. for recipients regarding translation of written materials for LEP population. The following list identifies StanCOG’s LEP procedures.
Title VI Equity Analysis

StanCOG is a Metropolitan Planning Organization and designated recipient. StanCOG has not changed locations in the past three years. At this time there are no plans for relocation or expansion of our current operations location. There are no other facilities managed or maintained by StanCOG.

CONCLUSION

In conclusion, StanCOG continues to actively encourage public participation to ensure that all members of the public have an equal opportunity in the planning and decision making process conducted by StanCOG and all of its member agencies. In developing the 2015 Public Participation Plan, 2018 Regional Transportation Plan, 2017 Federal Transportation Improvement Program, and FY 2017/18 Overall Work Program, StanCOG has ensured that all Title VI provisions have been followed. StanCOG has not been involved in any civil rights compliance review activities in the past three years or named in any lawsuits involving non-compliance with the Title VI provisions. StanCOG adheres to the Equal employment opportunities processes. StanCOG intends to take many more proactive steps to further improve the quality of transit service for all residents within the Stanislaus region. Furthermore, StanCOG will continue to explicitly assess the impact of proposed transit investments on low income and minority populations throughout all future transportation project/program development.
APPENDIX A: TITLE VI PROGRAM CHECKLIST
Every three years, on a date determined by FTA, each recipient is required to submit the following information to the Federal Transit Administration (FTA) as part of their Title VI Program. Subrecipients shall submit the information below to their primary recipient (the entity from whom the subrecipient receives funds directly), on a schedule to be determined by the primary recipient.

General Requirements (Chapter III)

All recipients must submit:

- Title VI Notice to the Public, including a list of locations where the notice is posted
- Title VI Complaint Procedures (i.e., instructions to the public regarding how to file a Title VI discrimination complaint)
- Title VI Complaint Form
- List of transit-related Title VI investigations, complaints, and lawsuits
- Public Participation Plan, including information about outreach methods to engage minority and limited English proficient populations (LEP), as well as a summary of outreach efforts made since the last Title VI Program submission
- Language Assistance Plan for providing language assistance to persons with limited English proficiency (LEP), based on the DOT LEP Guidance
- A table depicting the membership of non-elected committees and councils, the membership of which is selected by the recipient, broken down by race, and a description of the process the agency uses to encourage the participation of minorities on such committees
- Primary recipients shall include a description of how the agency monitors its subrecipients for compliance with Title VI, and a schedule of subrecipient Title VI Program submissions
- A Title VI equity analysis if the recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc.
- A copy of board meeting minutes, resolution, or other appropriate documentation showing the board of directors or appropriate governing entity or official(s) responsible for policy decisions reviewed and approved the Title VI Program. For State DOT’s, the appropriate governing entity is the State’s Secretary of Transportation or equivalent. The approval must occur prior to submission to FTA.
- Additional information as specified in chapters IV, V, and VI, depending on whether the recipient is a transit provider, a State, or a planning entity (see below)

Requirements of Transit Providers (Chapter IV)

All Fixed Route Transit Providers must submit:

- All requirements set out in Chapter III (General Requirements)
- Service standards
Transit Providers that operate 50 or more fixed route vehicles in peak service and are located in an Urbanized Area (UZA) of 200,000 or more people must submit:

- Demographic and service profile maps and charts
- Demographic ridership and travel patterns, collected by surveys
- Results of their monitoring program and report, including evidence that the board or other governing entity or official(s) considered, was aware of the results, and approved the analysis
- A description of the public engagement process for setting the “major service change policy,” disparate impact policy, and disproportionate burden policy
- Results of service and/or fare equity analyses conducted since the last Title VI Program submission, including evidence that the board or other governing entity or official(s) considered, was aware of, and approved the results of the analysis

Requirements of States (Chapter V)

States must submit:

- All requirements set out in Chapter III (General Requirements)
- The requirements set out in Chapter IV (Transit Provider) if the State is a provider of fixed route public transportation
- Demographic profile of the State
- Demographic maps that show the impacts of the distribution of State and Federal funds in the aggregate for public transportation projects
- Analysis of the State’s transportation system investments that identifies and addresses any disparate impacts
- A description of the Statewide planning process that identifies the transportation needs of minority populations
- Description of the procedures the agency uses to ensure nondiscriminatory pass-through of FTA financial assistance
- Description of the procedures the agency uses to provide assistance to potential subrecipients, including efforts to assist applicants that would serve predominantly minority populations

Requirements of MPOs (Chapter VI)

Metropolitan Planning Organizations and other planning entities must submit:

- All requirements set out in Chapter III (General Requirements)
☐ The requirements set out in Chapter IV (Transit Provider) if the MPO is a provider of fixed route public transportation
☐ Demographic profile of the metropolitan area
☐ A description of the procedures by which the mobility needs of minority populations are identified and considered within the planning process
☐ Demographic maps that show the impacts of the distribution of State and Federal funds in the aggregate for public transportation projects
☐ Analysis of the MPO’s transportation system investments that identifies and addresses any disparate impacts
☐ Description of the procedures the agency uses to ensure nondiscriminatory pass-through of FTA financial assistance (if requested)
☐ Description of the procedures the agency uses to provide assistance to potential subrecipients in a nondiscriminatory manner (if requested)
TITLE VI PROGRAM CHECKLIST
(Chapter III)

Agency Name: Stanislaus Council of Governments (StanCOG)

1. Notice to the public
   a. Race, color and national origin (Sample notice in Appendix B)
   b. Translated into non-English languages and consistent with the agency’s Limited English Proficiency (LEP) Plan (Chapter III-4)

2. List of locations where notice is posted, at a minimum (Chapter III-4)
   a. Agency’s website
   b. Public areas of the agency’s office(s), including reception desk and meeting rooms
   c. Stations or stops
   d. Transit vehicles

3. How to file a title VI discrimination complaint and complaint form must be on agency’s website (Chapter III-5 and Appendix C and D)

4. List of any public transportation Title VI investigations, complaints or lawsuits filed since last submission (see Appendix E)

5. Public Participation Plan - Promoting Inclusive Public Participation (Chapter III-5)
   a. Summary of outreach efforts made
   b. Outreach plan to engage minority and limited English proficient populations (can be a component of a larger outreach for those that are traditionally underserved)

   a. Four Factor Analysis (Chapter III-7)
      i. The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient.
      ii. The frequency with which LEP persons come into contact with the program.
      iii. The nature and importance of the program, activity, or service provided by the program to people’s lives.
      iv. The resources available to the recipient for LEP outreach, as well as the costs associated with that outreach.
   b. Safe Harbor Provision – applies to the translation of written documents only (Chapter III-9)
   c. Describe how the agency provides language assistance services by language (Chapter III-8)
   d. Describe how the agency provides notice to LEP persons about the availability of language assistance
   e. Describe how the agency monitors, evaluates and updates the language access plan
   f. Describe how the agency trains employees to provide timely and reasonable language assistance to LEP populations

7. Table depicting racial breakdown of transit-related, non-elected planning boards, advisory councils or committees. Also a description of efforts made to encourage minority participation (Chapter III-9 and Appendix F)
8. If a facility has been constructed, a Title VI equity analysis must have been conducted during the planning stage regarding the location. A copy of the analysis must be provided. (Chapter III-11)

9. Board Resolution or similar approving the Title VI Plan (Chapter III-1)

FIXED ROUTE TRANSIT PROVIDERS – TITLE VI PROGRAM REQUIREMENTS (Chapter IV)

1. Requirements are tiered – All fixed route transit providers must complete 2 and 3. Threshold: If an agency operates more than 50 fixed route vehicles in peak service and is located in an UZA of 200,000 or more, then all requirements of Chapter IV apply.

2. Requirement to set system-wide service standards (Chapter IV-4 and Appendix G)
   a. Vehicle load for each mode
   b. Vehicle headway for each mode
   c. On-time performance for each mode
   d. Service availability for each mode

3. Requirement to set service policies (Chapter IV-6 and Appendix H)
   a. Distribution of transit amenities for each mode
      i. Seating (i.e., benches, seats at stops/stations)
      ii. Bus and rail shelters
      iii. Rail platform canopies
      iv. Passenger information
         1. Printed signs, system maps, route maps and schedules
         2. Digital equipment such as next vehicle arrival time signs along bus routes and at fixed guideway stations
      v. Escalators
      vi. Elevators
      vii. Waste receptacles (including trash and recycling)
   b. Vehicle assignment for each mode

Reviewer's Signature                                                                                                                                    Date
Compliance Branch Chief Signature                                                                                                         Date
APPENDIX B: TITLE VI NOTICE TO THE PUBLIC (GENERAL REQUIREMENT)
Public Notice
ADA Title II and Civil Rights Title VI

It is the policy of the Stanislaus Council of Governments that no person shall be denied the benefits of or be subjected to discrimination in any County program, service, or activity on the grounds of race, color, national origin, age, and disability. The Stanislaus Council of Governments also requires its contractors and grantees to comply with this policy.

Questions, concerns, complaints, request for reasonable accommodations, or other inquiries from the public with regard to the accessibility of County services or facilities for StanCOG shall be directed to:

Name: Stephen Hanamaikai
Address: 1111 I Street Suite 308, Modesto CA 95354
Phone Number: 209-525-4600
Email Address: shanamaikai@stancog.org

Aviso Público
Ley de Estados Unidos con Discapacidad (ADA) Título II y Derechos Civiles Título VI

La política del Consejo de Gobierno de Stanislaus dicta que a ninguna persona se le puede negar el beneficio o el acceso a programas, servicios o actividades del Condado basado en su raza, color, origen nacional, edad o incapacidad. El Consejo de Gobierno de Stanislaus también exige a sus contratistas y concesionarios cumplir con esta política.

Preguntas, inquietudes, quejas, acomodaciones especiales dentro de lo posible, u otras consultas del público respecto del acceso a servicios o instalaciones del Condado deben ser dirigidos a:
Locations of the Title VI Notice to the Public Postings:

- StanCOG website: http://www.stancog.org/title‐vi.shtm
- Office receptionist area
- Policy Board public meeting room
APPENDIX C: TITLE VI COMPLAINT PROCEDURE & FORMS (GENERAL REQUIREMENT)

Online procedure can be viewed at: http://www.stancog.org/title-vi.shtm
Title VI Complaint Process

The Stanislaus Council of Governments (StanCOG) is committed to a policy of nondiscrimination in the conduct of its business, including its Title VI responsibilities, and to the delivery of equitable and accessible transportation services. Any person who believes that he or she has been subjected to discrimination under Title VI on the basis of race, color, national origin, age, gender, or disability may file a Title VI complaint with STANCOG within 180 days from the date of the alleged discrimination.

Filing a Complaint with STANCOG

Complaints may be filed with STANCOG in writing and may be addressed to:

Stanislaus Council of Governments
Office of Compliance (Rosa Park)
1111 I Street, Suite 308
Modesto, CA 95354

Complaints may also be sent via e-mail to: rpark@stancog.org

Title VI Complaint Forms may be obtained on the StanCOG website at www.stancog.org or by calling 209.525.4600.

STANCOG will provide appropriate assistance to complainants who are limited in their ability to communicate in English.

What Happens to My Title VI Complaint to STANCOG?

Once a complaint is received, it will be assigned to an investigator. In instances where additional information is needed, the investigator will contact the complainant by phone or in writing.

Failure of the complainant to provide the requested information by a certain date may result in the administrative closure of the complaint or a delay in complaint resolution.

Based upon receipt of all the information required, STANCOG will investigate a Title VI complaint within 90 days of receipt. STANCOG will use its best efforts to respond to a Title VI complaint within 90 calendar days of its receipt of such complaint. Receipt of additional relevant information and/or simultaneous filing of a complaint with STANCOG and an external entity may expand the timing of the complaint resolution.
Title VI Policy Statement

The Stanislaus Council of Governments is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis of race, color, national origin, age, gender, or disability, pursuant to Title VI of the Civil Rights Act of 1964, as amended.

Toward this end, it is STANCOG’s objective to:

- Ensure that the level and quality of transportation service is provided without regard to race, color, national origin, age, gender, or disability;

- Identify and address, as appropriate, disproportionately high and adverse human health and environmental effects, including social and economic effects of programs and activities on minority populations and low-income populations;

- Promote the full and fair participation of all affected populations in transportation decision making;

- Prevent the denial, reduction, or delay in benefits related to programs and activities that benefit minority populations or low-income populations; and

- Ensure meaningful access to programs and activities by persons with limited English proficiency (LEP).

The Executive Director, management, and all employees share the responsibility for carrying out STANCOG’s commitment to Title VI compliance. The Title VI staff is responsible for the day-to-day operation of the program and receives and investigates Title VI complaints that come through the complaint procedures process.
APPENDIX D: FEDERAL TRANSIT ADMINISTRATION’S SIGNED CERTIFICATIONS AND ASSURANCES

The annual Title VI Certification and Assurances were provided to the FTA via an update in the FTA’s web-based Grants Management System (Trams). The StanCOG certifications and assurances, signed by StanCOG’s Executive Director and General Counsel, were last updated in May 2018.
APPENDIX E: STANCOG’S 2015 PUBLIC PARTICIPATION PLAN

A sample of this plan is attached. The full plan is available to view at:

Planning for Tomorrow's Transportation Needs Today

2015 PUBLIC PARTICIPATION PLAN

Adopted March 18, 2015
Per Resolution 14-30

STANISLAUS COUNCIL OF GOVERNMENTS
1111 I STREET, SUITE 308
MODESTO, CA 95354
Public Participation Plan

March 2015
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## STANISLAUS COUNCIL OF GOVERNMENTS

### POLICY BOARD

**CHAIR**  
Stanislaus County  
Vito Chiesa

**VICE CHAIR**  
City of Modesto  
Bill Zoslocki

City of Ceres  
Mike Kline

City of Hughson  
Matthew Beekman

City of Modesto  
Jenny Kenoyer  
Tony Madrigal

City of Newman  
Ed Katen

City of Oakdale  
Tom Dunlop

City of Patterson  
Luis Molina

City of Riverbank  
Richard O’Brien

City of Turlock  
Gary Soiseth

City of Waterford  
Michael Van Winkle

Stanislaus County  
Jim DeMartini  
Dick Monteith  
William O’Brien  
Terry Withrow

Caltrans Ex-Officio  
Dennis T. Agar

### STAFF

**Executive Director**  
Carlos P. Yamzon

**Deputy Executive Director**  
Rosa De León Park

**Senior Planner**  
Jeanette Fabela

**Manager of Administrative Services**  
Cindy Malekos

**Associate Planners**  
Arthur Y. Chen  
Regina Valentine

**Budget & Grants Coordinator**  
Robin Whitehead

**Assistant Planners**  
Cathy Wang  
Travis I. Jacobs

**Planning Technician**  
Debbie Trujillo

**Accounting Technician**  
Karen Kincy

**Administrative Assistant**  
Carla Alviso
“Never doubt that a small group of thoughtful, concerned citizens can change the world. Indeed, it is the only thing that ever has.”

- Margaret Mead
‘Everyday we rely on streets, highways, sidewalks and public transportation to get us where we need to go to work, shop, attend school, visit friends, and do all the other things we do in our daily lives. Safe, reliable, accessible transportation systems are important to each of us and to the well-being of our communities.

But good transportation does not just happen. It takes a lot of work by elected officials, state, and local transportation agencies, community groups and individuals to see that the roads, pedestrian ways, and public transportation modes are planned, financed, built and maintained in the best possible manner. By getting involved in planning for transportation projects, you can help ensure that your needs are fairly considered when transportation decisions are made in your community.’

- Caltrans, Community Primer on Environmental Justice and Transportation Planning, April 2010

The involvement of the public is critical to successful regional transportation planning and programming. When the public is engaged in the process, the feedback gathered helps assure projects address community needs. Likewise, the public gains a better understanding of the tradeoffs and constraints associated with transportation planning.

The PPP was prepared to inform the public and other stakeholders about the overall StanCOG public participation process, how they can receive information from StanCOG, and how they can provide input
into regional planning, policy, and decision-making efforts. It sets forth the StanCOG commitment to an open process that provides opportunities for input throughout the decision making continuum.

Transportation law is clear in that the public is to have access to, and participate in, the development of the long-range transportation plans (Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)) and capital programs (Federal Transportation Improvement Program (FTIP) & State Transportation Improvement Program(STIP)), as well as the development of other planning studies. The “Moving Ahead for Progress in the 21st Century Act” (MAP-21), signed into law on July 6, 2012, and effective on October 1, 2012, contains specific language outlining federal requirements regarding public involvement processes and procedures. In general, the MAP-21 legislation built upon previous transportation legislation (ISTEA, TEA-21 and SAFETEA-LU) to provide states and metropolitan planning organizations specific direction in conducting and promoting broad-based public involvement activities. MAP-21 Legislation (Public Law 112-141) requires metropolitan planning organizations to provide citizens, affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with a reasonable opportunity to comment on the transportation plan.

It is clearly in the best interest of the MPO to share information with the public, to make clear the technical aspects of issues and to listen to the thoughts and ideas of the citizens who use the transportation facilities and services, live and work in the communities in which projects are being considered, and are the neighbors of these facilities.

Good public participation rests on several basic premises—that there is open and timely sharing of information about choices before decisions are made, that the information is complete and clear, and that the agencies and the public are able to openly and honestly discuss the issues. The preparation and implementation of this Plan will ensure that StanCOG continues to improve on the way we provide information and to ensure that we provide a venue for the public to openly discuss transportation related issues.

One challenge to effective public participation is the complexity of transportation related information provided as technical data. However, MPOs are required, to the maximum extent possible, to use visualization techniques—drawings, computer models, visual simulation, geographic information system (GIS) maps, and other state-of-the-art techniques—to help the public understand complex problems and projects, and their impacts in developing transportation plans and capital programs. These techniques should help clarify many of the issues in the plans and programs. Having more timely information with accompanying analysis will allow appropriate assessments of proposals or plan elements.

StanCOG is required to make information available pursuant to governing laws and depends on the public to provide feedback on what kind of information and analysis would be a better indicator of impacts by a project related to issues or areas of concern. StanCOG will continue our goal to provide easily accessible information to as much of the public as possible. Most information is made available electronically, via our website. Other ways to acquire information or to participate in the planning process are also available. These are further discussed in Chapter 2, Planning Process.
The planning process provides numerous instances in which information must be made available to the public for comment. Making information available and engaging the public in a meaningful discussion about the issues and choices may be two different exercises. Early public involvement and transparent information has a tendency for a successful outcome.

This Public Participation Plan (PPP) serves as a guide for the Stanislaus Council of Governments’ (StanCOG) public involvement process as well as the continuing, comprehensive and coordinated planning process among the stakeholders to ensure the ongoing opportunity for broad-based participation in the development and review of regional plans and programs managed and produced by StanCOG.

Good transportation options are essential for travel to everyday needs. Transportation affects the economic well-being of an area through access to work and through the transport needs of local businesses. Transportation also affects air quality, water, noise, and general quality of life. It affects where you live and work, how you spend your time and even how much you spend for housing. In short, transportation affects nearly every part of your life for better or for worse. The public has in-depth knowledge about the region and its transportation needs which is vital to making good transportation decisions. By working with StanCOG and the local agencies, the public can determine the best use of transportation resources to meet needs of all residents. The PPP outlines goals and procedures to ensure StanCOG is providing all interested parties with a reasonable opportunity to be involved in the planning process. The PPP also contains guidance to the public on how transportation decisions are made through the MPO process (Chapter 2).

**Background**

The Stanislaus Council of Governments (StanCOG) is the federally-mandated Metropolitan Planning Organization (MPO) and state-recognized Regional Transportation Planning Agency (RTPA) for the Stanislaus County region, consisting of Stanislaus County and the nine incorporated cities of Ceres, Hughson, Modesto, Newman, Oakdale, Patterson, Riverbank, Turlock and Waterford. StanCOG, which was originally named the Stanislaus Area Association of Governments (SAAG), was formed in 1971, through a Joint Powers Authority between the 10-members agencies listed above.

A MPO is a federally-mandated and federally-funded transportation policy-making organization that is made up of representatives from local governments. In 1962, the United States Congress passed legislation that led to the formation of a MPO for any urbanized area with a population greater than 50,000. The legislation ensures that designated federal funding for transportation projects and programs are channeled through the MPO regional planning process. MPOs were created to ensure that existing and future expenditures of governmental funds for transportation projects and programs are based on a continuing, cooperative, and comprehensive (“3-C”) planning process.

MPOs are primarily federally-funded; therefore federal policies serve as direction to the MPOs regarding intended functions and service improvements to the local agencies and the public. The following chart highlights key federal transportation policy milestones.
### Federal Transportation Policy Milestones

<table>
<thead>
<tr>
<th>Year</th>
<th>Action</th>
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<tr>
<td>1962</td>
<td>Federal Highway Act (FHWA) focused on the need for transportation planning in urbanized areas; and led to the creation of Metropolitan Planning Organizations (MPO) for any area over 50,000 persons.</td>
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<tr>
<td>1964</td>
<td>Urban Mass Transportation Act (UMTA), the first U.S. government public transportation program.</td>
</tr>
<tr>
<td>1964</td>
<td>Civil Rights Act, Title VI prohibited discrimination in any program receiving federal funds.</td>
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<tr>
<td>1978</td>
<td>Surface Transportation Act was the first time Congress considered transit, highways, and safety in the same legislation.</td>
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<tr>
<td>1990</td>
<td>Americans with Disabilities Act (ADA) required virtually all public transportation service to be accessible to persons with disabilities.</td>
</tr>
<tr>
<td>1991</td>
<td>Intermodal Surface Transportation Efficiency Act (ISTEA), landmark transportation reform amended federal transportation law; created programs oriented toward community building, and strengthened public involvement and shared decision-making with localities.</td>
</tr>
<tr>
<td>1994</td>
<td>Executive Order 12898, Environmental Justice required that to the greatest extent practicable and permitted by law each agency receiving federal dollars should identify and address disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.</td>
</tr>
<tr>
<td>1998</td>
<td>Transportation Equity Act for the 21st Century (TEA-21) continued and extended reforms of ISTEA, added some new programs, and designated special projects.</td>
</tr>
<tr>
<td>2000</td>
<td>Executive Order 13166, Limited English Proficiency (LEP) required the improvement of access to services for persons with limited English proficiency.</td>
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<tr>
<td>2005</td>
<td>Safe, Accountable, Flexible, Efficient Transportation Efficiency Act—A Legacy for Users (SAFETEA-LU) continued most ISTEA reforms; emphasized transportation safety and security; added requirements to coordinate transportation plans with environmental and land use plans; and supported special projects.</td>
</tr>
<tr>
<td>2012</td>
<td>Moving Ahead for Progress in the 21st Century (MAP-21) transforms policy and programmatic framework for investments to guide growth and development. MAP-21 also creates a streamlined and performance-based surface transportation program and builds on many of the highway, transit, bike, and pedestrian programs and policies established by the ISTEA.</td>
</tr>
</tbody>
</table>

The 1962 Federal Highway Act and subsequent 1970 update prescribe the five (5) core functions of an MPO: 1) Prepare a Regional Transportation Plan (RTP), 2) Prepare a Transportation Improvement Program (TIP), 3) Prepare an Overall Work Program (OWP), 4) establish a setting for regional decision-making, and 5) involve the public in all functions of the agency.

MPOs not only receive federal funding, but also receive state funding and therefore must also comply with State policies, for example Assembly Bill 32 (AB 32) which requires California to reduce Green House Gas (GHG) emissions, and Senate Bill 375 (SB 375) which supports the State’s climate action goals to reduce GHG emissions through coordinated transportation and land use planning with the goal of more sustainable communities. These bills are further discussed in Chapter 2.
Organization of the PPP

The Public Participation Plan is organized into 5 sections: Introduction, Planning Process, Goals and Procedures, Public Involvement Evaluation and Appendix. The following is a brief description of each section.

1. **Introduction** provides background into the function of an MPO; introduces the intent of the PPP; and outlines the remaining sections of the document.

2. **Planning Process** further describes StanCOG and its function; identifies federal and state requirements for public participation.

3. **Goals and Procedures** outlines the specific goals of the PPP and the actions (procedures) used to accomplish these goals; and identifies the StanCOG outreach techniques and strategies.

4. **Public Involvement Evaluation** describes the evaluation techniques utilized by StanCOG to measure the effectiveness of the outreach program.

5. **Appendix** provides detailed information on items referred to in the PPP.
APPENDIX F: STANCOG’S FY 2017-18 OVERALL WORK PLAN

A sample of this plan is attached. The full plan is available to view at:

OVERALL WORK PROGRAM
Fiscal Year 2017/18
Draft
February 28, 2017
This report was prepared by the Stanislaus Council of Governments (StanCOG)
With financial assistance from
The Federal Highway Administration,
The Federal Transit Administration and
The California Department of Transportation

Stanislaus Council of Governments (StanCOG)
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Fax: 209.558.7833
www.stancog.org
# OVERALL WORK PROGRAM OVERVIEW

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OVERALL WORK PROGRAM OVERVIEW

A. INTRODUCTION

StanCOG is a Joint Powers Agency created originally as the Stanislaus Area Association of Governments (SAAG) on May 11, 1971 by the County of Stanislaus and the Cities of Ceres, Hughson, Modesto, Newman, Riverbank, Turlock, Oakdale, Patterson, and Waterford and operates in accordance with (1) the Joint Powers Agreement, which its member agencies have signed; (2) its Bylaws; and (3) the Appendix to the Bylaws. The Joint Powers Agreement was rewritten to update the language and confirm that StanCOG is an independent agency; final approval occurred on March 27, 2001. Moreover, the agency officially adopted the new name Stanislaus Council of Governments or StanCOG on June 1, 2001. In 2007/08 the Joint Powers Agreement was amended to clarify StanCOG’s authority of eminent domain, and in 2015 the JPA was amended to clarify the composition of its standing committees and term of office for the Executive Committee and Policy Board Chair and Vice-chair.

As the Metropolitan Planning Organization (MPO) and Regional Transportation Planning Agency (RTPA) for the Stanislaus County Region, the Stanislaus Council of Governments (StanCOG) is designated by law to have lead responsibility for the development of the area's transportation plans and to coordinate the transportation planning process. All urban areas with a population exceeding 50,000 are required to have an MPO if local agencies spend federal funds on transportation improvements. The planning process includes making informed predictions about future transportation needs, investigating and assessing alternative actions for meeting those needs, and making recommendations about which course of action to pursue. The information generated by this process is used by decision-makers to select transportation policies and programs from the choice of alternatives.

Measure L (Local Roads First Transportation Funding) passed on November 8, 2016. It achieved 71.95% voter approval. This measure provides for the implementation of the Expenditure Plan, as approved and adopted by StanCOG, which will result in countywide local street and road improvements, arterial street widening, signalization, bicyclist, pedestrian, and driver safety, regional projects, and transit improvements. These needed improvements shall be funded by a one-half of one percent retail transactions and use tax established for a twenty-five year period. The Operative date of this Measure is April 1, 2017 and shall expire on March 31, 2042. Over the course of the 25 year Expenditure Plan, it is conservatively estimated that $960 million dollars will be generated to transportation investments throughout Stanislaus County.

The Overall Work Program (OWP) is a comprehensive inventory of proposed work activities and responsibilities, updated each fiscal year that guides and coordinates the regional transportation planning process of StanCOG. One purpose of the OWP is contractual, between StanCOG and its funding agencies. However, the most important purpose is the scheduling and distribution of work, especially the allocation of resources needed to address the tasks required by the agency. In effect, this work program constitutes a set of instructions for the administration, project management and planning of work to be carried out by staff and/or supplemented by consultants if necessary. It serves as a guide for StanCOG, its member agencies, the public, Caltrans, the Federal Highway Administration (FHWA), and the Federal Transit Administration (FTA).

The OWP describes activities that will be performed during Fiscal Year 2017/2018 and it assigns institutional responsibility for these tasks. The OWP identifies, within one document, the major activities of regional and interregional significance, which are planned and scheduled for the upcoming fiscal year.
B. PURPOSE

The OWP is an annual statement of work identifying the planning priorities and activities to be carried out within StanCOG’s metropolitan planning area. The OWP includes a description of the planning work and resulting products, who will perform the work, time frames for completing the work, the cost of the work, and the source of the funds.

C. STANISLAUS COUNTY REGIONAL ISSUES

The Stanislaus County Region faces its share of issues related to growth. Concerns about the environment and quality of life, the challenges of a volatile economy and the desire to increase opportunities, the needs of a deteriorating infrastructure and the decline of stable funding, all contribute to the challenges that StanCOG must undertake as the region’s transportation planning agency. The following presents these issues and examples of ongoing and potential strategies that StanCOG must embark on to meet the transportation challenges of the region.

1. Paying for Needed Transportation Improvements

Identifying and acquiring funds for the maintenance, rehabilitation, and expansion of Stanislaus County’s transportation infrastructure is a critical regional issue. The Regional Transportation Plan (RTP) will continue to carry the region’s transportation goals and values for long-term transportation planning, identifying these issues, and presenting strategies that are grounded with realistic, financially constrained and second tier unconstrained transportation projects.

2. Air Quality

Air Quality conformity continues to be a top ranking issue, and one that affects transportation planning and transportation choices. Stanislaus County is one of the eight counties in the San Joaquin Valley Air Basin, which is currently designated as a non-attainment area with respect to federal air quality conformity standards for ozone and particulate matter under 2.5 microns in diameter (PM 2.5).

3. Goods Movement

StanCOG has long been active in goods movement issues, and supports, in conjunction with San Joaquin and Merced counties, the North San Joaquin Valley Goods Movement Task Force.

4. East-West Connectivity

Two other previously significant freight movement projects; the State Route 132 Connectivity Feasibility Study and the North County Corridor Feasibility Study independently addressed freight movement issues along two highly traveled transportation corridors. Both projects have since been advanced and are currently in the final stages of the environmental and preliminary design phases.

The North County Corridor (NCC) is a proposed east-west expressway for serving directly the communities of Oakdale, Riverbank, and Modesto with interregional connectivity to promote goods movement and safe travel for our entire community. The purpose of the project is to identify a roadway alignment for an East-West facility from SR-108 (McHenry Avenue) north of the City of Modesto to SR-120 approximately six miles east of the City of Oakdale. This new roadway would be approximately 18 miles in length from a location on SR-219 (Kiernan Avenue) to a location on State Route 120, approximately six miles east of the City of Oakdale. The project would serve as a bypass for the cities of Riverbank, Oakdale and Modesto. The North County Corridor Transportation Expressway Authority anticipates that the ultimate facility would be planned as a multi-lane, access-controlled expressway/freeway, with interchanges, at-grade intersections, grade-separated railroad crossings, irrigation district crossings, frontage roads, and local street alignments. The project is in the final stages of environmental documentation and preliminary design to determine a precise alignment along the eighteen mile corridor.
The State Route 132 West Freeway/Expressway proposes a 4-lane freeway/expressway, grade separated structures at various local road crossings, a State Route 99/State Route 132 interchange, and State Route 99 corridor connectivity improvements. The project will be built in two phases. Phase 1, in general, will construct a 2-lane expressway on a new alignment. Phase 2, in general, will construct the remaining portion of the proposed 4-lane freeway/expressway, the proposed State Route 132/Carpenter Road interchange, the proposed State Route 99/State Route 132 freeway to freeway interchange, and State Route 99 corridor connectivity improvements. The project is intended to improve regional and interregional circulation, relieve traffic congestion along existing State Route 132 (Maze Boulevard), and enhance safety and operations for the transportation network in the area.

5. **Public Transportation Services**  Transit services are provided individually by the Cities of Modesto, Turlock, Ceres, and the County of Stanislaus. Due to the dispersed rural urban areas it is difficult to provide a premium transit service. Sustaining and meeting fairbox recovery ratios is an ongoing challenge.

6. **Economic Development**  StanCOG participates in the California partnership for the San Joaquin Valley addressing economic development matters, such as San Joaquin Rail Service and Greenhouse Gas Reduction Funding. In 2016/17 StanCOG developed the State Route 99 Corridor Enhancement Plan in collaboration with regional member agencies for the development of an aesthetic and practical strategy for the enhancement and beautification of the approximately twenty five mile segment of the State Route 99 Corridor that traverses Stanislaus County.

D. **ORGANIZATIONAL STRUCTURE**

*The Policy Board*  The Policy Board of StanCOG is comprised of sixteen voting members (each with one vote), including five members of the Stanislaus County Board of Supervisors, three council representatives for the City of Modesto, and one council representative from each of the other cities in the County. A Caltrans District 10 representative serves in an “ex-officio” capacity on the Policy Board and actively participates in the discussions. Caltrans is provided time on each Policy Board agenda for a report on transportation issues that could affect StanCOG. Transit operators within Stanislaus County are represented through their city and county elected officials serving on the Policy Board.

The following are the StanCOG standing committees:

*Executive Committee*  The Executive Committee consists of five members of the StanCOG Policy Board: two representatives from the Stanislaus County Board of Supervisors, one representative from the City of Modesto, and two representatives from among the other Cities. The Chairperson and Vice-Chairperson of the Policy Board are ex officio two of the five members of the Executive Committee, representing their respective Member Agencies, and also serve as the Chairperson and Vice-Chairperson of the Executive Committee. This committee reviews and makes recommendations to the Policy Board regarding executive level financial and administrative matters.

*Management and Finance Committee (MFC)*  The Management and Finance Committee is composed of each City Manager/Administrator from the nine cities in Stanislaus County and the Chief Administrative Official for the County of Stanislaus. The MFC provides input to the StanCOG Policy Board on financial matters related to transportation projects and programs in the Stanislaus region.
Technical Advisory Committee (TAC) The Technical Advisory Committee includes the Public Works and Transit staff from the jurisdictions in Stanislaus County. This group meets regarding technical matters related to transportation projects and programs.

Planning and Programming Working Group (PPWG) The Planning and Programming Working Group, an ad hoc group of planning, public works and transit staff from the jurisdictions, is convened as needed to discuss matters regarding the programming of transportation projects and programs.

Citizens Advisory Committee (CAC) The Citizens Advisory Committee is a standing committee of StanCOG that is comprised of ten residents of Stanislaus County. The CAC provides feedback to the Policy Board from the viewpoint of the public on matters related to transportation activities in the Stanislaus region. The ten members of the CAC consist of a representative from each of the ten jurisdictions in the region.

Social Services Transportation Advisory Council (SSTAC) In addition to its committees that were created by the Bylaws, StanCOG also maintains the Social Services Transportation Advisory Council. In 1988, SB 498 statutorily created the SSTAC, which meets monthly. The primary focus of the SSTAC is to review any potential unmet transit needs and to advise StanCOG on transit issues. Public comment is taken at the individual meetings. The SSTAC then makes an annual recommendation to the StanCOG Policy Board regarding unmet transit needs that it feels are reasonable to meet. This information is utilized by the Policy Board as one means for its annual unmet transit needs determination and finding. Through the efforts of the SSTAC, numerous transit improvements have been realized or are in the process of being implemented. The activities of the SSTAC are part of StanCOG's formal public participation procedures.

Mobility Advisory Committee (MAC) The Mobility Advisory Committee was formed to provide ad hoc support to StanCOG’s Consolidated Transportation Services Agency (CTSA), now known as MOVE. MAC works with MOVE on identifying and addressing the transit needs of Stanislaus County’s senior and disabled populations. Representatives from local social service agencies, public transit operators, and the elderly and disabled communities make up the MAC, which meets as needed.

Bicycle/Pedestrian Advisory Committee (BPAC) The Bicycle/Pedestrian Advisory Committee is a standing committee of StanCOG that is composed of ten residents of Stanislaus County. The BPAC provides input to the Policy Board on matters related to bicycle and pedestrian needs or concerns. It also provides advice on the development of the StanCOG Non-Motorized Transportation Plan. The ten members of the BPAC consist of a representative from each of the ten jurisdictions in the region.

Valley Vision Stanislaus Steering Committee (VVS) The Valley Vision Stanislaus Steering Committee is a standing committee of StanCOG. It advises the StanCOG Policy Board on issues related to the development of the Sustainable Communities Strategy (SCS) as part of the Regional Transportation Plan (RTP). It consists of up to 21 members. Tier I members include one representative from each of the 10 StanCOG Member Agencies, one representative from Local Agency Formation Commission, and one representative from the StanCOG Policy Board. Tier II members are appointed as needed from the Citizens Advisory Committee, Health Industry, Agriculture Industry, Environment/Conservation, Economic Development, Building Industry, Education, Environmental Justice and a Transit User/Provider.
APPENDIX G: STANCOG’S LIMITED ENGLISH PROFICIENCY PLAN
Limited English Proficiency (LEP) Plan

March 2018

Developed in compliance with FTA Circular 4702.1B | Approved via Policy Board Resolution 17-32
The Stanislaus Council of Governments (StanCOG) is the Metropolitan Planning Organization (MPO), and Regional Transportation Planning Agency (RTPA) for the Stanislaus County region. Governed by a board of sixteen elected members representing the nine cities and county agencies in the Stanislaus region, and one ex-officio representative, StanCOG serves as the forum for regional decision-making.

In this capacity, StanCOG builds consensus among local and regional agencies, develops long-term strategic plans, programs Federal and State funding for allocation to regional transportation infrastructure and transit projects, and provides information and data on a broad range of topics pertinent to the region’s economic and social conditions.

The following members currently serve on StanCOG’s Policy Board:

<table>
<thead>
<tr>
<th>Name</th>
<th>City/County</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bill Zoslocki</td>
<td>City of Modesto</td>
</tr>
<tr>
<td>Gary Soiseth</td>
<td>City of Turlock</td>
</tr>
<tr>
<td>Mike Kline</td>
<td>City of Ceres</td>
</tr>
<tr>
<td>Jeramy Young</td>
<td>City of Hughson</td>
</tr>
<tr>
<td>Ted Brandvold</td>
<td>City of Modesto</td>
</tr>
<tr>
<td>Mani Grewal</td>
<td>City of Modesto</td>
</tr>
<tr>
<td>Nick Candea</td>
<td>City of Newman</td>
</tr>
<tr>
<td>Tom Dunlop</td>
<td>City of Oakdale</td>
</tr>
<tr>
<td>Deborah Novelli</td>
<td>City of Patterson</td>
</tr>
<tr>
<td>Richard O’Brien</td>
<td>City of Riverbank</td>
</tr>
<tr>
<td>Michael Van Winkle</td>
<td>City of Waterford</td>
</tr>
<tr>
<td>Vito Chiesa</td>
<td>Stanislaus County</td>
</tr>
<tr>
<td>Jim DeMartini</td>
<td>Stanislaus County</td>
</tr>
<tr>
<td>Dick Monteith</td>
<td>Stanislaus County</td>
</tr>
<tr>
<td>Kristin Olsen</td>
<td>Stanislaus County</td>
</tr>
<tr>
<td>Terry Withrow</td>
<td>Stanislaus County</td>
</tr>
<tr>
<td>Dennis T. Agar</td>
<td>Caltrans Ex - Officio</td>
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THE STANISLAUS REGION

For the purposes of this document, the Stanislaus region's borders are concurrent with those borders established for the County of Stanislaus, which are illustrated in the figure below.
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OVERVIEW
The Stanislaus Council of Governments (StanCOG) is committed to facilitating a cooperative and effective understanding of federally conducted and federally assisted programs to all community members of the Stanislaus region, including limited English proficient individuals.

While most individuals in the United States read, write, speak and understand English, there are many individuals whose primary language is not English. Individuals who do not speak English as their primary language AND possess a limited ability to read, write, speak or understand English are considered by federal law to be limited English proficient, or “LEP.” This language barrier may prevent individuals from accessing services and benefits, and they may be entitled to language assistance with respect to a particular type or service, benefit, or encounter.

In accordance with Federal law, any agency receiving Federal financial assistance must establish and execute a program to ensure that all operations and activities do not discriminate against minority individuals or communities.

As a Metropolitan Planning Organization (MPO) and recipient of Federal Transit Administration (FTA) funds, the Stanislaus Council of Governments (StanCOG) is required to file a report to the FTA demonstrating adherence to Title VI of the 1964 Civil Rights Act. Pursuant to the reporting requirements established in FTA Circular 4702.1B, dated October 1, 2012 (see Appendix B: FTA Circular 4702.1B), the following report describes how StanCOG’s activities, programs, and policies adhere to the provisions established in Title VI.

The LEP Plan describes how to identify individuals who may need language assistance, methods to provide such assistance, staff training, and how to provide notification to LEP individuals impacted or encountered during the planning and development process.

The main objective of this LEP Plan is to ensure that community members throughout the Stanislaus region have the opportunity to participate in the transportation planning and decision-making process.

WHO IS A LIMITED ENGLISH PROFICIENT (LEP) INDIVIDUAL?
As defined in FTA Circular 4702.1B, LEP individuals refers to persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. It includes people who reported to the U.S. Census that they speak English less than very well, not well, or not at all.

TITLE VI AND EXECUTIVE ORDER 13166
Two federal documents provide the foundation for the development of the LEP plan: Title VI of the Civil Rights Act of 1964, and Executive Order 13166 "Improving Access to Services for Persons with Limited English Proficiency," signed in 2000.

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., and its implementing regulations state,
“No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

The Supreme Court, in Lau v. Nichols, 414 U.S. 563 (1974), interpreted Title VI regulations promulgated by the former Department of Health, Education, and Welfare to hold that Title VI prohibits conduct that has a disproportionate effect on LEP individuals because such conduct constitutes national origin discrimination.

In August 2000, President Bill Clinton issued Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency,” which directs Federal agencies to examine the services they provide to ultimately develop and implement a system by which LEP individuals can meaningfully access those services (see Appendix A: Executive Order 13166).

This Executive Order states,

“Each Federal Agency shall prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons. Each plan shall be consistent with the standards set forth in the LEP Guidance, and shall include the steps the agency will take to ensure that eligible LEP persons can meaningfully access the agency’s programs and activities.”

On October 25, 2001, President George W. Bush affirmed his commitment to Executive Order 13166 through a memorandum issued by Assistant Attorney General for Civil Rights, Ralph F. Boyd, Jr. Federal agencies were directed to provide guidance and technical assistance to recipients of Federal funds as to how they can provide meaningful access to limited English proficient individuals of Federal programs.

POLICY GUIDANCE FROM U.S. DEPARTMENT OF TRANSPORTATION
On December 14, 2005, in accordance with Executive Order 13166, the United States Department of Transportation (DOT) issued its Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient Persons. This document states,

“Title VI and its implementing regulations require that DOT recipients take responsible steps to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are Limited English Proficient (LEP) and that recipients should use the DOT LEP Guidance to determine how best to comply with statutory and regulatory obligations to provide meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are LEP.”

Adopting the framework established by the Department of Justice in its August 11, 2000 Guidance, the DOT identifies four factors that should be considered by a recipient of federal funds in assessing the needs of LEP persons and for implementing a plan to address those needs.

These four factors are:
• **FACTOR 1**: The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee;

• **FACTOR 2**: The frequency with which LEP individuals come in contact with the program;

• **FACTOR 3**: The nature and importance of the program, activity, or service provided by the program to the people’s lives; and

• **FACTOR 4**: The resources available to the grantee/recipient and the costs associated therewith.

**FOUR FACTOR LEP ASSESSMENT FOR STANCOG**

As a recipient of federal funding, StanCOG must take reasonable steps to ensure meaningful access to the information and services it provides. As such, StanCOG references the same four factor framework recommended by the DOT. The DOT policy guidelines give recipients of federal funds substantial flexibility in determining what language assistance is appropriate based on a local assessment of these factors.

The following is an assessment of needs in the Stanislaus region in relation to the four factors and the transportation planning process.

**FACTOR 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee**

In order to gain a comprehensive understanding of the profile of individuals that may be participating in the transportation planning process, StanCOG examines the American Community Survey 2016 5-year estimate (2016 ACS) demographic data for the Stanislaus region. For the purposes of this LEP Plan, individuals that identified as being able to speak English less than “very well” are considered LEP individuals. This LEP plan addresses only LEP individuals and identifies specifically the four most common languages spoken in the Stanislaus region.

Table 1 and 2 on the following pages illustrate the demographic information extrapolated from the 2016 ACS. Table 1 depicts the number and the proportion of individuals over five (5) years of age who are identified as being LEP. In examining the Stanislaus region by city, the greatest proportions of LEP individuals are found in Ceres (25.5%), Newman (22.1%), and Waterford (20.4%). With the exception of the Cities of Oakdale (region low of 5.9% LEP individuals) and Hughson (9.5% LEP individuals), in examining the Stanislaus region as a whole, the data set describes similar concentrations of LEP individuals across the region. In fact, it’s estimated that 16.5% of Stanislaus County’s total population indicate themselves as speaking English less than “very well”.

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Stanislaus Council of Governments  
Title VI Compliance Report: Limited English Proficiency Plan, March 2018  
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TABLE 1: IDENTIFYING LIMITED ENGLISH PROFICIENCY INDIVIDUALS

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Total Population Age 5 Years and Over</th>
<th>Population Identified as Speaking English Less than “Very Well”</th>
<th>Percent of Population</th>
</tr>
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<tbody>
<tr>
<td>Ceres</td>
<td>43,443</td>
<td>11,069</td>
<td>25.5%</td>
</tr>
<tr>
<td>Hughson</td>
<td>6,669</td>
<td>631</td>
<td>9.5%</td>
</tr>
<tr>
<td>Modesto</td>
<td>193,631</td>
<td>25,330</td>
<td>13.1%</td>
</tr>
<tr>
<td>Newman</td>
<td>9,898</td>
<td>2,188</td>
<td>22.1%</td>
</tr>
<tr>
<td>Oakdale</td>
<td>19,884</td>
<td>1,165</td>
<td>5.9%</td>
</tr>
<tr>
<td>Patterson</td>
<td>19,047</td>
<td>3,375</td>
<td>17.7%</td>
</tr>
<tr>
<td>Riverbank</td>
<td>21,840</td>
<td>4,084</td>
<td>18.7%</td>
</tr>
<tr>
<td>Turlock</td>
<td>66,662</td>
<td>11,215</td>
<td>16.8%</td>
</tr>
<tr>
<td>Waterford</td>
<td>8,045</td>
<td>1,645</td>
<td>20.4%</td>
</tr>
<tr>
<td>Stanislaus County</td>
<td>491,494</td>
<td>80,921</td>
<td>16.5%</td>
</tr>
</tbody>
</table>

Source: U.S. Census Bureau, American Community Survey 2016 5-year estimate (S1601)
Note: The unincorporated areas of Stanislaus County are not included separately due to limited data available.
Table 2 illustrates the total population over five (5) years of age who indicate that they speak English less than “very well,” by the four most common language groups. In the Stanislaus region, an estimated 77% of LEP individuals speak the Spanish language. The second most common language spoken by LEP individuals is Other Indo-European languages at 9%, followed by Asian and Pacific languages at 8%, and Other languages at 6%. This hierarchy of language frequency is prevalent through each of the local jurisdictions with Spanish being the most common language spoken by LEP individuals.

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Total LEP Individuals</th>
<th>Total Spanish</th>
<th>% of LEP</th>
<th>Total Other Indo-European</th>
<th>% of LEP-Other Indo-European</th>
<th>Total Asian and Pacific Island</th>
<th>% of LEP-Asian and Pacific Island</th>
<th>Total Other</th>
<th>% of LEP-Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ceres</td>
<td>11,069</td>
<td>8,819</td>
<td>80%</td>
<td>1,284</td>
<td>12%</td>
<td>699</td>
<td>6%</td>
<td>267</td>
<td>2%</td>
</tr>
<tr>
<td>Hughson</td>
<td>631</td>
<td>458</td>
<td>73%</td>
<td>86</td>
<td>14%</td>
<td>26</td>
<td>4%</td>
<td>61</td>
<td>10%</td>
</tr>
<tr>
<td>Modesto</td>
<td>25,330</td>
<td>17,706</td>
<td>70%</td>
<td>2,330</td>
<td>9%</td>
<td>3,670</td>
<td>14%</td>
<td>1,624</td>
<td>6%</td>
</tr>
<tr>
<td>Newman</td>
<td>2,188</td>
<td>2,105</td>
<td>96%</td>
<td>76</td>
<td>3%</td>
<td>0</td>
<td>0%</td>
<td>7</td>
<td>0%</td>
</tr>
<tr>
<td>Oakdale</td>
<td>1,165</td>
<td>1,078</td>
<td>93%</td>
<td>41</td>
<td>4%</td>
<td>46</td>
<td>4%</td>
<td>-</td>
<td>0%</td>
</tr>
<tr>
<td>Patterson</td>
<td>3,375</td>
<td>2,825</td>
<td>84%</td>
<td>159</td>
<td>5%</td>
<td>364</td>
<td>14%</td>
<td>27</td>
<td>1%</td>
</tr>
<tr>
<td>Riverbank</td>
<td>4,084</td>
<td>3,783</td>
<td>93%</td>
<td>83</td>
<td>2%</td>
<td>177</td>
<td>4%</td>
<td>41</td>
<td>1%</td>
</tr>
<tr>
<td>Turlock</td>
<td>11,215</td>
<td>5,989</td>
<td>53%</td>
<td>2,151</td>
<td>19%</td>
<td>593</td>
<td>5%</td>
<td>2,482</td>
<td>22%</td>
</tr>
<tr>
<td>Waterford</td>
<td>1,645</td>
<td>1,547</td>
<td>94%</td>
<td>0</td>
<td>0%</td>
<td>98</td>
<td>6%</td>
<td>-</td>
<td>0%</td>
</tr>
<tr>
<td>Stanislaus County</td>
<td>80,921</td>
<td>62,530</td>
<td>77%</td>
<td>7,137</td>
<td>9%</td>
<td>6,694</td>
<td>8%</td>
<td>4,560</td>
<td>6%</td>
</tr>
</tbody>
</table>

Source: U.S. Census Bureau, American Community Survey 2016 5-year estimate (S1601)
Note: The unincorporated areas of Stanislaus County are not included separately due to limited data available.

The 2016 ACS identifies the two major races in the Stanislaus County region as White only (not Hispanic or Latino) and Hispanic or Latino (of any race), making up 44.12% and 44.29%, respectively, of the county-wide population.

StanCOG takes great effort to conduct targeted outreach and provide translation services for Spanish speaking individuals. As made evident by the 2016 ACS data summarized in Tables 1 and 2, there is a large, growing population of LEP individuals in the region who speak Spanish. It is important to StanCOG that public involvement during plan and program development workshops, meetings, hearings, and all other aspects of StanCOG’s work, continue to include participation from these citizens.

**FACTOR 2: The frequency with which LEP individuals come in contact with the program.**

The LEP population in the Stanislaus region is diverse; however, StanCOG’s prior experience with LEP individuals has been primarily with Spanish speakers. This is consistent with the identified majority of LEP individuals as Spanish language speakers above. In developing long range transportation plans and
other transportation planning activities, StanCOG gathers public input from a range of minority and low-income residents from community-based organizations. StanCOG staff has attended the region's Hispanic Leadership Council and El Concillio meetings and has conducted public outreach to provide an overview of the unmet transit needs assessment process and to announce transportation planning developments and solicit comments from LEP populations with regard to the long-range regional transportation plan (RTP), the Sustainable Communities Strategy, and the federal transportation improvement program (FTIP). Planning materials are regularly translated into Spanish and Spanish language translation services are available for all public meetings, upon request, to ensure active engagement of Spanish speaking LEP individuals in regional planning activities.

**FACTOR 3: The nature and importance of the program, activity, or service provided by the program to the people’s lives.**

StanCOG participates in a wide range of regional and project level planning activities. In conjunction with other Regional Transportation Planning Agencies, Metropolitan Planning Organizations, the California Department of Transportation (Caltrans), and the local jurisdictions, StanCOG participates as a member of regional project development teams and steering committees that work toward implementing projects that improve transportation and mobility in the region.

As the primary agency responsible for coordinating the regional transportation planning process for the Stanislaus region, StanCOG must ensure that all segments of the population, including LEP persons, have the opportunity to be involved in the planning process. Evaluating the impact of proposed transportation investments on the underserved and underrepresented community groups is a significant step in developing a comprehensive transportation investment plan. As such, StanCOG provides oversight and helps ensure that LEP individuals and other underrepresented persons and groups are not overlooked in the transportation planning process.

StanCOG develops several transportation planning documents including:

- The 25-year Regional Transportation Plan (RTP);
- Federal Transportation Improvement Program (FTIP);
- Sustainable Community Strategy (SCS);
- Non-Motorized Transportation Plan;
- Unmet Transit Needs Identification and Analysis Report;
- Public Transit - Human Services Coordination Plan; and
- Other technical planning studies, as needed.

These planning documents work in tandem with each other to serve as a program or schedule of short and long range transportation capital improvements, programs, and activities intended to be implemented through a combination of federal, state, and local funding. StanCOG is committed to ensuring that our planning projects and activities are accessible to all citizens within the Stanislaus region. The forecasted plans and development of transportation projects and programs can have a significant impact on the communities in the region. As a result, StanCOG staff takes appropriate steps during the planning and public outreach phases of these activities to encourage participation from all members of the public, including those in the LEP community. This ensures a variety of input from all stakeholders and community members, and that every effort is taken to make the planning process as inclusive as possible.

Stanislaus Council of Governments
Title VI Compliance Report: Limited English Proficiency Plan, March 2018
FACTOR 4: The resources available to the grantee/recipient and the costs associated therewith.

In the Stanislaus region, while the large majority of identified LEP individuals and their subsequent need include members from the Spanish speaking community, StanCOG is committed to involving the participation of all residents in the transportation planning and decision-making process. As such, a variety of resources and strategies are currently employed to cater to the immediate LEP needs and to include others who represent LEP interests in the region at decision-making tables, and on advisory committees and citizen panels.

Access to LEP and Title VI Complaint Process

This LEP plan and the Title VI complaint process will be clearly posted on StanCOG’s website (www.stancog.org) to ensure its widespread availability to community members. A statement of the availability of language assistance upon request will be made clearly visible on the website. The website information can be translated into several languages utilizing Google’s Translation tool ensuring that members of various language backgrounds have access to the materials. StanCOG recognizes there may be limitations found in utilizing Google’s translation tool; however, it serves as the most cost effective and widely accessible tool to provide basic translation for our website. StanCOG can provide more accurate translation on a case by case basis, as needed.

In addition, StanCOG is committed to a policy of nondiscrimination in the conduct of its business, including its Title VI responsibilities, and to the delivery of equitable and accessible transportation services. Any person who believes that he or she has been subjected to discrimination under Title VI on the basis of race, color, national origin, age, gender, or disability may file a Title VI complaint with StanCOG. The Title VI Complaint form is available in both English and Spanish (see Appendix C: Title VI Compliance Process).

Language Translation Assistance

Currently, StanCOG has the staff capability to provide direct Spanish interpretation of documents and Spanish interpretive services during meetings. However, StanCOG can provide upon request an interpreter for Committee/Policy Board agendas with 72 hour advance notice to the subject meeting for other languages.

Additionally, survey forms for StanCOG’s transportation planning process such as the Sustainable Community Strategies (SCS) and Unmet Transit Needs (UTN) Assessment processes are already available in Spanish to provide direct service to the large Spanish speaking population of LEP individuals in the Stanislaus region.

Given the small size of the LEP population of other languages, there is not an immediate need to produce translated materials in other languages on a regular basis. However, these forms and other similar planning materials can be translated into other languages on an as needed and/or fee based process. StanCOG will continue to monitor and reevaluate populations of LEP individuals and their needs in future LEP updates.
Translated outreach materials from organizations such as federal, state, and local transportation agencies will be used when possible and applicable during public outreach workshops and other meetings to maximize efficient use of available resources.

**Local Media Outreach**

Meetings, agendas, and hearing notices are regularly published on the StanCOG website and in local English and Spanish language newspapers. For large regional planning projects, StanCOG utilizes an array of English and non-English media outlets to announce public meetings and participation opportunities. This ensures that community members have proper notice and opportunity to participate in StanCOG’s regional planning and development activities.

**Dedication of Budgetary Funds for Translation Services**

StanCOG staff has an annual budget that identifies the work items for its planning responsibilities including, but not limited to, the Regional Transportation Plan, Federal Transportation Improvement Program, and other planning documents. The budget establishes provisions for outreach activities required for each of these work items and serves as the primary funding source to deliver the LEP efforts identified in this report. StanCOG will continue efforts to monitor language assistance needs, and will work with state and local agencies to provide language translation and interpretation services, as needed, and within available funds.

**SAFE HARBOR PROVISION**

As a recipient of Federal funding, StanCOG is required by the Federal law’s “Safe Harbor” provision to undertake reasonable efforts to provide translation of vital written documents, as needed. The written translation need is based on each eligible LEP language group that constitutes 5 percent or 1,000 individuals, whichever is less, of the population eligible to be served or likely to be affected or encountered.

The safe harbor provision does not affect the requirement to provide meaningful access to LEP individuals through oral interpreters, when oral language services are needed and are reasonable. Translation of documents, if needed, can be provided orally.

The failure to provide written translations under the circumstances outlined above does not mean there is noncompliance. Instead, the safe harbor provisions provide a guide to enhance compliance requirements than can be provided by a fact-intensive, four factor analysis.

**LEP IMPLEMENTATION PLAN**

StanCOG is dedicated to providing LEP individuals with meaningful access to materials by ensuring that effective communication exists between the project, activity, or service and the LEP individuals.

The essential key to accomplish effective communication lies in the following ability to:

1) Identify LEP individuals;
2) Notify LEP individuals of the availability of language assistance services;
3) Provide Language Assistance Measures to translate vital documents;
4) Train staff in how to identify and assist LEP individuals; and
5) Monitor and evaluate access to language assistance.

In order to achieve these critical elements and provide meaningful access and communication to LEP individuals, StanCOG will coordinate with its staff, Policy Board, Advisory Committees, and community stakeholders to identify and pursue efforts to address the needs of the LEP population throughout the Stanislaus region. These efforts are described in the following sections below.

1. Identify LEP Individuals

StanCOG will continue its efforts to identify LEP individuals and address their language assistance needs.

- In this process, StanCOG will examine records to see if requests for language assistance have been received in the past, either at meetings or over the phone, to determine whether language assistance might be needed at future events or meetings.
- Also, at StanCOG events, staff will informally engage participants to establish each attendee's ability to speak and understand English.
- StanCOG will use Census Bureau Language Identification Flashcards at public meetings to assist in identifying language assistance needs for future events and meetings (see Appendix F: I-Speak Identification Flash Cards).

2. Notify LEP Individuals of the Availability of Language Assistance Services

When possible, StanCOG will notify LEP individuals of the availability of language assistance services in advance of meetings and with publication of vital documents that may encounter or affect LEP individuals. When a target audience is expected to include a large number of LEP individuals, StanCOG will prepare documents, meeting notices, flyers and agendas in the alternative language based on the known LEP population. Interpreters will be available as needed.

Public participation is a key component in StanCOG’s entire regional planning process. The policies and procedures established in StanCOG’s currently adopted 2015 Public Participation Plan (PPP) enable all members of the public to actively participate in the planning and decision-making processes undergone during the development of the region’s long-range planning and funding documents.

Opportunities for public involvement can be seen in a wide-range of activities currently undertaken by StanCOG:

- Participation of citizens in the Policy Board meeting, and all other standing, ad hoc, and other technical committee meetings conducted by StanCOG;
- Direct participation of the Citizens Advisory Committee in StanCOG’s formal planning process;
- Placement of public hearing notices in both English and Spanish newspapers of general circulation;
Presentations to and meetings with community groups, organizations, and traditionally underrepresented or underserved minority populations;

Representation from the elderly, disabled, low-income, and minority (i.e. Black/African American, Hispanic, Asian American, American Indian/Alaskan Native, and Pacific Islander) population groups on StanCOG’s Social Services Transportation Advisory Council;

Dissemination of news releases and public service announcements (with translation available);

Public outreach efforts and information provided through the local media sources;

Preparation and distribution of the StanCOG informational brochure (provided in English and Spanish languages);

Continual utilization of StanCOG’s web page to disseminate information to the public regarding draft planning documents, new policies, and upcoming public hearings;

Providing for a regional public forum for plan implementation project teams to identify and address specific regional planning opportunities.

StanCOG will continue to work with community-based organizations throughout the Stanislaus region to inform LEP individuals of available language assistance opportunities and translation services. Through collaboration with the community and stakeholder groups, StanCOG can better determine what information regarding community development programs and projects are most important to those who speak languages other than English.

Publications in local newspapers, online, and through other media will be available in the pertinent LEP language of the target area to spread up-to-date information regarding meeting schedules, project status, and language assistance opportunities.

3. Provide Language Assistance Measures to Translate Vital Documents

To serve LEP individuals, StanCOG provides numerous language assistance measures including both oral and written language services. StanCOG will provide interpretive services, within reason, for public meetings, if advance notice is provided to StanCOG and such services are readily available. Upon request, StanCOG will also make translated versions (or provide interpretation of relevant sections) of documents/publications available within a reasonable timeframe and if resources permit.

StanCOG will identify those documents deemed vital and provide translated services, as needed and as described above. A list of forms and documents commonly used by LEP individuals will be maintained and reviewed regularly. These documents may include applications, consent forms, letters containing information regarding program participation, meeting and event notices, notification to LEP persons informing them of free language assistance, and general outreach materials.

StanCOG will attempt to access language assistance services from a professional translation service or qualified community volunteers, when an interpreter is needed in person or on the telephone. A list of volunteers will need to be developed.

The following list identifies StanCOG’s LEP procedures:
• All committee agenda packets and report documents are advertised as being able to be translated upon written request (notification is placed in the public hearing and directly on the agenda packet);

• Major mailers and public information handouts are published in both English and Spanish languages, and can be further translated upon request;

• During StanCOG’s outreach to local social organizations, both verbal and visual presentations have been translated into Spanish, as needed;

• Public information and hearing notices are posted in both English and Spanish language newspapers of general circulation, including the Modesto Bee and Vida en el Valle, which covers Stanislaus and San Joaquin Counties with a weekly circulation of approximately 30,000 papers;

• StanCOG’s planning processes and policy decisions are currently covered by English and Spanish news media sources, and are further open to other minority media sources;

• All public workshops and hearings are structured to involve citizen participation from all populations, with translation either provided directly by StanCOG staff (current staff includes two fluent Spanish language speakers) or allowed by a translator brought in to represent the person or group involved.

4. Train Staff on How to Identify and Assist LEP Individuals

Awareness training and LEP informational meetings will be provided to StanCOG staff to educate its members about the Title VI LEP requirements and how to provide meaningful access to services for LEP individuals.

StanCOG staff will have knowledge of current areas of LEP groups throughout the Stanislaus region and their language assistance needs. To address potential LEP individuals’ needs, informational materials regarding language assistance services will be readily available to StanCOG staff. Staff will also be instructed on how to use the Census Bureau’s language identification flashcards to further help identify and document the language assistance needs of LEP individuals.

In addition, StanCOG staff provides extensive data and technical assistance to the region’s four public transit operators, and to multiple social service agencies that provide transportation services for elderly and disabled populations within the Stanislaus region. As the Metropolitan Planning Organization and Regional Transportation Planning Agency, StanCOG maintains a record of census and other demographic data for the Stanislaus region. This public information is made available to public transit operators and private social service agencies to support the updating and development of their Title VI compliance information. In addition, StanCOG’s Social Services Transportation Advisory Council (SSTAC) provides a forum for regional public and private social service transit agencies to collaborate on identifying and addressing the transportation needs of every population group within the region.

StanCOG will annually review the Title VI complaint procedures and LEP plan with its staff members to ensure efficient management and assistance to LEP individuals. This review will include how StanCOG handles LEP complaints using the documented Title VI procedures, and potential methods to improve meeting the needs of LEP individuals. Staff will be trained regularly on how to assist LEP groups utilizing the LEP plan and Title VI complaint process, and will have resources available to assure effective language assistance to LEP individuals through telephone and in-person contact.
5. Monitor and Evaluate Access to Language Assistance

StanCOG will review this LEP Plan annually to ensure reasonable efforts are made to identify and address the needs of LEP individuals in the Stanislaus region.

Further updates of the LEP plan will include:

- Updates to demographic information concerning LEP populations;
- Analysis of LEP individuals encountered;
- How the needs of LEP persons have been addressed;
- Determination on the effectiveness of language assistance measures;
- Determination if the needs of language services have changed;
- Evaluation of the Title VI Complaint process and addressing past complaints; and
- Evaluation of StanCOG’s performance in adhering to the objectives of the LEP plan.

StanCOG continues to actively encourage public participation to ensure that all members of the public have an equal opportunity in the planning and decision making process conducted by StanCOG and all of its member agencies.

In developing the adopted 2015 Public Participation Plan, 2014 Regional Transportation Plan, 2017 Federal Transportation Improvement Program, and the FY 2017/18 Overall Work Program, StanCOG has ensured that all Title VI provisions have been followed.

StanCOG has not been involved in any civil rights compliance review activities in the past three years or named in any lawsuits involving non-compliance with the Title VI provisions. StanCOG adheres to the equal employment opportunities processes. StanCOG intends to take many more proactive steps to further improve the quality of transit service for all residents within the Stanislaus region. Furthermore, StanCOG will continue to explicitly assess the impact of proposed transit investments on low income and minority populations throughout all future transportation project/program development.

Dessimination of StanCOG’s LEP Plan

StanCOG’s LEP Plan and Title VI Civil Rights Complaint Procedures are available on StanCOG’s website at www.stancog.org. Any person or agency with internet access will be able to access and download the plan from the StanCOG website. Alternatively, any person or agency may request a copy of the plan via telephone, fax, mail, or in person and shall be provided a copy of the plan. LEP individuals may request translated copies of the plan, which StanCOG will provide, if feasible.

Questions or comments regarding the LEP Plan may be submitted to:

Stanislaus Council of Governments
ATTN: Rosa De León Park, Executive Director
1111 I Street, Suite 308
Modesto, CA 95354
Phone: (209) 525-4642
Fax: (209) 558-7833
Email: rpark@stancog.org

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APPENDIX A: Executive Order 13116

“IMPROVING ACCESS TO SERVICES FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY”

Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency.

Executive Order 13166 was signed by President Clinton in 2000. It clarifies federal agencies’ and their grant recipients’ responsibilities to make their services available to LEP populations.

A link to this executive order can be accessed through the following link:

Part V

The President

Executive Order 13166—Improving Access to Services for Persons With Limited English Proficiency

Department of Justice

Enforcement of Title VI of the Civil Rights Act of 1964—National Origin Discrimination Against Persons With Limited English Proficiency; Notice
By the authority vested in me as President by the Constitution and the laws of the United States of America, and to improve access to federally conducted and federally assisted programs and activities for persons who, as a result of national origin, are limited in their English proficiency (LEP), it is hereby ordered as follows:

Section 1. Goals.

The Federal Government provides and funds an array of services that can be made accessible to otherwise eligible persons who are not proficient in the English language. The Federal Government is committed to improving the accessibility of these services to eligible LEP persons, a goal that reinforces its equally important commitment to promoting programs and activities designed to help individuals learn English. To this end, each Federal agency shall examine the services it provides and develop and implement a system by which LEP persons can meaningfully access those services consistent with, and without unduly burdening, the fundamental mission of the agency. Each Federal agency shall also work to ensure that recipients of Federal financial assistance (recipients) provide meaningful access to their LEP applicants and beneficiaries. To assist the agencies with this endeavor, the Department of Justice has today issued a general guidance document (LEP Guidance), which sets forth the compliance standards that recipients must follow to ensure that the programs and activities they normally provide in English are accessible to LEP persons and thus do not discriminate on the basis of national origin in violation of title VI of the Civil Rights Act of 1964, as amended, and its implementing regulations. As described in the LEP Guidance, recipients must take reasonable steps to ensure meaningful access to their programs and activities by LEP persons.

Sec. 2. Federally Conducted Programs and Activities.

Each Federal agency shall prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons. Each plan shall be consistent with the standards set forth in the LEP Guidance, and shall include the steps the agency will take to ensure that eligible LEP persons can meaningfully access the agency’s programs and activities. Agencies shall develop and begin to implement these plans within 120 days of the date of this order, and shall send copies of their plans to the Department of Justice, which shall serve as the central repository of the agencies’ plans.

Sec. 3. Federally Assisted Programs and Activities.

Each agency providing Federal financial assistance shall draft title VI guidance specifically tailored to its recipients that is consistent with the LEP Guidance issued by the Department of Justice. This agency-specific guidance shall detail how the general standards established in the LEP Guidance will be applied to the agency’s recipients. The agency-specific guidance shall take into account the types of services provided by the recipients, the individuals served by the recipients, and other factors set out in the LEP Guidance. Agencies that already have developed title VI guidance that the Department of Justice determines is consistent with the LEP Guidance shall examine their existing guidance, as well as their programs and activities, to determine if additional guidance is necessary to comply with this order. The Department of Justice shall consult with the agencies in creating their guidance and, within 120 days of the date of this order,
each agency shall submit its specific guidance to the Department of Justice for review and approval. Following approval by the Department of Justice, each agency shall publish its guidance document in the Federal Register for public comment.

Sec. 4. Consultations.

In carrying out this order, agencies shall ensure that stakeholders, such as LEP persons and their representative organizations, recipients, and other appropriate individuals or entities, have an adequate opportunity to provide input. Agencies will evaluate the particular needs of the LEP persons they and their recipients serve and the burdens of compliance on the agency and its recipients. This input from stakeholders will assist the agencies in developing an approach to ensuring meaningful access by LEP persons that is practical and effective, fiscally responsible, responsive to the particular circumstances of each agency, and can be readily implemented.

Sec. 5. Judicial Review.

This order is intended only to improve the internal management of the executive branch and does not create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies, its officers or employees, or any person.

THE WHITE HOUSE,
August 11, 2000.

[FR Doc. 00–20938
Filed 8–15–00; 8:45 am]
Billing code 3195–01–P
APPENDIX B: FTA Circular 4702.1B
“Title VI and Title VI-Dependent Guidelines for Federal Transit Administration Recipients.”

FTA Circular 4702.1B, “Title VI and Title VI-Dependent Guidelines for Federal Transit Administration Recipients”

This document provides recipients and subrecipients of FTA financial assistance with guidance and instructions necessary to carry out the U.S. Department of Transportation’s Title VI regulations (49 CFR part 21) and to integrate into their programs and activities considerations expressed in the Department’s Order on Environmental Justice (Order 5610.2), and Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (“LEP”) Persons (70 FR 74087, December 14, 2005).

A sample of the document has been provided in this appendix. The full document can be accessed through the following link:

https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA_Title_VI_FINAL.pdf
1. PURPOSE. The purpose of this Circular is to provide recipients of Federal Transit Administration (FTA) financial assistance with guidance and instructions necessary to carry out U.S. Department of Transportation (“DOT” or “the Department”) Title VI regulations (49 CFR part 21) and to integrate into their programs and activities considerations expressed in the Department’s Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (“LEP”) Persons (70 FR 74087, December 14, 2005).

2. CANCELLATION. This Circular supersedes FTA Circular 4702.1A “Title VI and Title VI-Dependent Guidelines for Federal Transit Administration Recipients,” dated May 13, 2007.

3. AUTHORITY.
   c. 49 CFR § 1.51.
   d. 49 CFR part 21.
   e. 28 CFR § 42.401 et seq.

4. WAIVER. FTA reserves the right to waive any requirements of this Circular to the extent permitted by law.

5. FEDERAL REGISTER NOTICE. In conjunction with publication of this Circular, FTA published a notice in the Federal Register on August 28, 2012, addressing comments received during development of the Circular.

6. AMENDMENTS TO THE CIRCULAR. FTA reserves the right to update this Circular to reflect changes in other revised or new guidance and regulations that undergo notice and comment, without further notice and comment on this Circular. FTA will post updates on our
The website allows the public to register for notification when FTA issues Federal Register notices or new guidance. Please visit the website and click on “Sign Up For Email Updates” for more information.

7. **ACCESSIBLE FORMATS.** This document is available in accessible formats upon request. To obtain paper copies of this Circular as well as information regarding these accessible formats, call FTA’s Administrative Services Help Desk, at 202-366-4865. Individuals with hearing impairments may contact the Federal Relay Service at 1-800-877-8339 for assistance with the call.

/s/
Peter Rogoff
Administrator
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CHAPTER I

INTRODUCTION AND BACKGROUND

1. **THE FEDERAL TRANSIT ADMINISTRATION (FTA).** FTA is one of ten operating administrations within the U.S. Department of Transportation (DOT). Headed by an Administrator who is appointed by the President of the United States, FTA functions through a Washington, DC, headquarters office, ten regional offices, and five metropolitan offices that assist transit agencies in all 50 States, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, Northern Mariana Islands, and American Samoa.

   Public transportation includes buses, subways, light rail, commuter rail, monorail, passenger ferry boats, trolleys, inclined railways, people movers, and vans. Public transportation can be either fixed route or demand response service.

   The Federal Government, through FTA, provides financial assistance to develop new transit systems and improve, maintain, and operate existing systems. FTA oversees thousands of grants to hundreds of State and local transit providers, primarily through its ten regional offices. These grant recipients are responsible for managing their programs in accordance with Federal requirements, and FTA is responsible for ensuring that recipients follow Federal statutory and administrative requirements.

2. **AUTHORIZING LEGISLATION.** Most Federal transit laws are codified at title 49 U.S.C. Chapter 53. Authorizing legislation is substantive legislation enacted by Congress that establishes or continues the legal operation of a Federal program or agency. FTA’s most recent authorizing legislation is the Moving Ahead for Progress in the 21st Century (MAP-21), Public Law 112-141, signed into law on July 6, 2012, and effective October 1, 2012.

3. **HOW TO CONTACT FTA.** FTA’s regional and metropolitan offices are responsible for providing financial assistance to FTA recipients and oversight of grant implementation for most FTA programs. Certain specific programs are the responsibility of FTA headquarters. Inquiries should be directed to either the regional or metropolitan office responsible for the geographic area in which the recipient is located. See FTA’s website for more information.

   Visit FTA’s website, [http://www.fta.dot.gov](http://www.fta.dot.gov), or contact FTA Headquarters at the following address and phone number:

   Federal Transit Administration
   Office of Communications and Congressional Affairs
   1200 New Jersey Avenue SE
   East Building
   Washington, DC 20590
   Phone: 202-366-4043; Fax: 202-366-3472

4. **GRANTS.GOV.** FTA posts all competitive grant opportunities on Grants.gov. Grants.gov is the one website for information on all discretionary Federal grant opportunities. Led by the U.S. Department of Health and Human Services (DHHS) and in partnership with Federal grant-making agencies, including 26 agencies, 11 commissions, and several States,
Grants.gov is one of 24 government-wide E-government initiatives. It is designed to improve access to government services via the Internet. More information about Grants.gov is available at http://www.grants.gov/.

5. **DEFINITIONS.** All definitions in chapter 53 of title 49, United States Code, and in 49 CFR part 21 apply to this Circular, as well as the following definitions:

   a. **Applicant** means a person or entity that submits an application, request, or plan required to be approved by the FTA Administrator or by a primary recipient, as a condition of eligibility for financial assistance from FTA, and “application” means such an application, request, or plan.

   b. **Demand response system**: Any non-fixed route system of transporting individuals that requires advanced scheduling including services provided by public entities, non-profits, and private providers. An advance request for service is a key characteristic of demand response service.

   c. **Designated recipient** means an entity designated, in accordance with the planning process under sections 5303 and 5304, by the Governor of a State, responsible local officials, and publicly owned operators of public transportation, to receive and apportion amounts under section 5336 to urbanized areas of 200,000 or more in population; or a State or regional authority, if the authority is responsible under the laws of a State for a capital project and for financing and directly providing public transportation.

   d. **Direct recipient** means an entity that receives funding directly from FTA. For purposes of this Circular, a direct recipient is distinguished from a primary recipient in that a direct recipient does not extend financial assistance to subrecipients, whereas a primary recipient does.

   e. **Discrimination** refers to any action or inaction, whether intentional or unintentional, in any program or activity of a Federal aid recipient, subrecipient, or contractor that results in disparate treatment, disparate impact, or perpetuating the effects of prior discrimination based on race, color, or national origin.

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

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

   h. **Disparate treatment** refers to actions that result in circumstances where similarly situated persons are intentionally treated differently (i.e., less favorably) than others because of their race, color, or national origin.
i. **Fixed guideway** means a public transportation facility—using and occupying a separate right-of-way for the exclusive use of public transportation; using rail; using a fixed catenary system; for a passenger ferry system; or for a bus rapid transit system.

j. **Fixed route** refers to public transportation service provided in vehicles operated along pre-determined routes according to a fixed schedule.

k. **Federal financial assistance** refers to

   (1) grants and loans of Federal funds;

   (2) the grant or donation of Federal property and interests in property;

   (3) the detail of Federal personnel;

   (4) the sale and lease of, and the permission to use (on other than a casual or transient basis), Federal property or any interest in such property without consideration or at a nominal consideration, or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient; and

   (5) any Federal agreement, arrangement, or other contract that has as one of its purposes the provision of assistance.

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

m. **Low-income person** means a person whose median household income is at or below the U.S. Department of Health and Human Services (HHS) poverty guidelines. Recipients are encouraged to use a locally developed threshold, such as the definition found in 49 U.S.C. 5302 as amended by MAP-21: “refers to an individual whose family income is at or below 150 percent of the poverty line (as that term is defined in Section 673(2) of the Community Services Block Grant Act (42 U.S.C 9902(2)), including any revision required by that section) for a family of the size involved” or another threshold, provided that the threshold is at least as inclusive as the HHS poverty guidelines.

n. **Low-income population** refers to any readily identifiable group of low-income persons who live in geographic proximity, and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed FTA program, policy or activity.

o. **Metropolitan planning organization (MPO)** means the policy board of an organization created and designated to carry out the metropolitan transportation planning process.
p. **Metropolitan transportation plan (MTP)** means the official multimodal transportation plan addressing no less than a 20-year planning horizon that is developed, adopted, and updated by the MPO through the metropolitan transportation planning process.

q. **Minority persons** include the following:

   (1) American Indian and Alaska Native, which refers to people having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.

   (2) Asian, which refers to people having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

   (3) Black or African American, which refers to people having origins in any of the Black racial groups of Africa.

   (4) Hispanic or Latino, which includes persons of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

   (5) Native Hawaiian or Other Pacific Islander, which refers to people having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

r. **Minority population** means any readily identifiable group of minority persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient populations (such as migrant workers or Native Americans) who will be similarly affected by a proposed DOT program, policy, or activity.

s. **Minority transit route** means a route that has at least 1/3 of its total revenue mileage in a Census block or block group, or traffic analysis zone(s) with a percentage of minority population that exceeds the percentage of minority population in the transit service area. A recipient may supplement this service area data with route-specific ridership data in cases where ridership does not reflect the characteristics of the census block, block group, or traffic analysis zone.

t. **National origin** means the particular nation in which a person was born, or where the person’s parents or ancestors were born.

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

v. **Non-profit organization**: A corporation or association determined by the Secretary of the Treasury to be an organization described by 26 U.S.C. 501(c) which is exempt from taxation under 26 U.S.C. 501(a) or one which has been determined under State law to be
non-profit and for which the designated State agency has received documentation certifying the status of the non-profit organization.

w. **Predominantly minority area** means a geographic area, such as a neighborhood, Census tract, block or block group, or traffic analysis zone, where the proportion of minority persons residing in that area exceeds the average proportion of minority persons in the recipient’s service area.

x. **Primary recipient** means any FTA recipient that extends Federal financial assistance to a subrecipient.

y. **Provider of fixed route public transportation (or “transit provider”)** means any entity that operates public transportation service, and includes States, local and regional entities, and public and private entities. This term is used in place of “recipient” in chapter IV and is inclusive of direct recipients, primary recipients, designated recipients, and subrecipients that provide fixed route public transportation service.

z. **Public transportation** means regular, continuing shared-ride surface transportation services that are open to the general public or open to a segment of the general public defined by age, disability, or low income; and does not include Amtrak, intercity bus service, charter bus service, school bus service, sightseeing service, courtesy shuttle service for patrons of one or more specific establishments, or intra-terminal or intra-facility shuttle services. Public transportation includes buses, subways, light rail, commuter rail, monorail, passenger ferry boats, trolleys, inclined railways, people movers, and vans. Public transportation can be either fixed route or demand response service.

aa. **Recipient** as used in this Circular, means any public or private entity that receives Federal financial assistance from FTA, whether directly from FTA or indirectly through a primary recipient. This term includes subrecipients, direct recipients, designated recipients, and primary recipients. The term does not include any ultimate beneficiary under any such assistance program.

bb. **Secretary** means the Secretary of the U.S. Department of Transportation.

c. **Service area** refers either to the geographic area in which a transit agency is authorized by its charter to provide service to the public, or to the planning area of a State Department of Transportation or Metropolitan Planning Organization.

dd. **Service standard/policy** means an established service performance measure or policy used by a transit provider or other recipient as a means to plan or distribute services and benefits within its service area.

ee. **Statewide transportation improvement program (STIP)** means a statewide prioritized listing/program of transportation projects covering a period of four years that is consistent with the long-range statewide transportation plan, metropolitan transportation plans, and TIPs, and required for projects to be eligible for funding under title 23 U.S.C. and title 49 U.S.C. Chapter 53.
ff. **Subrecipient** means an entity that receives Federal financial assistance from FTA through a primary recipient.

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

hh. **Transportation improvement program (TIP)** means a prioritized listing-program of transportation projects covering a period of four years that is developed and formally adopted by an MPO as part of the metropolitan transportation planning process, consistent with the metropolitan transportation plan, and required for projects to be eligible for funding under title 23 U.S.C. and title 49 U.S.C. Chapter 53.

ii. **Transportation management area (TMA)** means an urbanized area with a population over 200,000, as defined by the Bureau of the Census and designated by the Secretary of Transportation, or any additional area where TMA designation is requested by the Governor and the MPO and designated by the Secretary of Transportation.

6. **ENVIRONMENTAL JUSTICE.** Executive Order 12898, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations,” was signed by President Clinton on February 11, 1994. Subsequent to issuance of the Executive Order, the U.S. Department of Transportation (DOT) issued a DOT Order for implementing the Executive Order on environmental justice (EJ). The DOT Order (Order 5610.2(a), “Actions to Address Environmental Justice in Minority Populations and Low-Income Populations,” 77 FR 27534, May 10, 2012) describes the process the Department and its modal administrations (including FTA) will use to incorporate EJ principles into programs, policies, and activities.

The Presidential memorandum accompanying EO 12898 identified Title VI of the Civil Rights Act of 1964 as one of several Federal laws that should be applied “to prevent minority communities and low-income communities from being subject to disproportionately high and adverse environmental effects.” According to the U.S. Department of Justice, “...the core tenet of environmental justice—that development and urban renewal benefitting a community as a whole not be unjustifiably purchased through the disproportionate allocation of its adverse environmental and health burdens on the community’s minority—flows directly from the underlying principle of Title VI itself.”

Title VI prohibits discrimination by recipients of Federal financial assistance on the basis of race, color, and national origin, including the denial of meaningful access for limited English proficient (LEP) persons. Under DOT’s Title VI regulations, recipients of Federal financial assistance are prohibited from, among other things, using “criteria or methods of administering its program which have the effect of subjecting individuals to discrimination based on their race, color, or national origin.” For example, facially neutral policies or

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1 See Title VI Legal Manual, U.S. Department of Justice Civil Rights Division (2001), page 59.
practices that result in discriminatory effects or disparate impacts violate DOT's Title VI regulations, unless the recipient can show the policies or practices are substantially justified and there is no less discriminatory alternative. In addition, Title VI and DOT regulations prohibit recipients from intentionally discriminating against people on the basis of race, color, and national origin.

The overlap between the statutory obligation placed on Federal agencies under Title VI to ensure nondiscrimination in federally assisted programs administered by State and local entities, and the administrative directive to Federal agencies under the Executive Order to address disproportionate adverse impacts of Federal activities on minority and low-income populations explain why Title VI and environmental justice are often paired. The clear objective of the Executive Order and Presidential memorandum is to ensure that Federal agencies promote and enforce nondiscrimination as one way of achieving the overarching objective of environmental justice—fair distribution of the adverse impacts of, or burdens associated with, Federal programs, policies, and activities.

Over the years, U.S. DOT has encouraged a proactive approach to the implementation of environmental justice principles in its programs, policies, and activities. This is reflected in the DOT Order on Environmental Justice (DOT Order 5610.2(a)) which, consistent with E.O. 12898, sets forth a process by which DOT and its Operating Administrations, including FTA, will integrate the goals of environmental justice into their existing operations to ensure that consideration of EJ principles is an integral part of all programs, policies, and activities, from the inception of the planning process through to project completion, operations, and evaluation.

FTA has developed policy guidance in the form of a Circular (Circular 4703.1), “Environmental Justice Policy Guidance for Federal Transit Administration Recipients,” in order to provide recipients with a distinct framework to assist them as they integrate principles of environmental justice into their public transportation decision-making processes. FTA expects the clarification provided by the EJ Circular and the updated Title VI Circular will provide recipients with the guidance they need to properly incorporate both Title VI and environmental justice into their public transportation decision-making.

Because of the connection between EJ and Title VI, the consideration of EJ principles has sometimes been confused with the requirements of Title VI. Here is a summary of the key differences between the two:

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<th>Key Aspects of the Authorities</th>
<th>Title VI</th>
<th>Environmental Justice</th>
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<td>What is the basis for the authority?</td>
<td>Title VI is a Federal statute and provides 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 any program or activity receiving</td>
<td>The basis for addressing environmental justice is an Executive Order: EO 12898 directs each Federal agency to “make achieving environmental justice part of its mission.” The EO is intended to improve the internal management of the</td>
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<tr>
<td>Key Aspects of the Authorities</td>
<td>Title VI</td>
<td>Environmental Justice</td>
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<tr>
<td><strong>What is the purpose of the authority?</strong></td>
<td>Title VI prohibits recipients of Federal financial assistance (e.g., states, local governments, transit providers) from discriminating on the basis of race, color, or national origin in their programs or activities, and it obligates Federal funding agencies to enforce compliance.</td>
<td>EO 12898 calls on each Federal agency to achieve &quot;environmental justice...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....&quot;</td>
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<tr>
<td><strong>To whom does the authority apply?</strong></td>
<td>Title VI is a Federal law that applies to recipients and subrecipients of Federal financial assistance (e.g., States, local governments, transit providers), and not to DOT itself.</td>
<td>EO 12898 applies to Federal agency actions, including DOT’s and FTA’s actions. Title VI is one of the tools used by Federal agencies to implement this directive.</td>
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<td><strong>What does the authority require, and of whom?</strong></td>
<td>Under Title VI, DOT has the responsibility to provide oversight of recipients and to enforce their compliance with Title VI, to ensure that recipients do not use DOT funds to subsidize discrimination based on race, color, or national origin.</td>
<td>EO 12898 is a directive from the President of the United States to Federal agencies intended to improve the internal management of the Federal government. DOT issued its own Order implementing EO 12898, and updated the Order in May 2012 (Order 5610.2(a)).</td>
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<td><strong>What does the authority say with regard to negative effects or impacts?</strong></td>
<td>In accordance with 49 CFR part 21 and Title VI case law, if an otherwise facially neutral program, policy, or activity will have a discriminatory impact on minority populations, that program, policy, or activity may only be carried out if (1) the recipient can demonstrate a substantial legitimate justification for the program, policy, or activity; (2) there are...</td>
<td>In accordance with EO 12898 and the DOT Order on EJ, if a DOT program, policy, or activity will have a disproportionately high and adverse effect on minority or low-income populations, that program, policy, or activity may only be carried out if further mitigation measures or alternatives that would reduce the disproportionately high and...</td>
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### Key Aspects of the Authorities

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<th>Environmental Justice</th>
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<td>no comparably effective alternative practices that would result in less-disparate impacts; and (3) the justification for the program, policy or activity is not a pretext for discrimination.</td>
<td>adverse effects are not practicable. In determining whether a mitigation measure or an alternative is “practicable,” the social, economic (including costs) and environmental effects of avoiding or mitigating the adverse effects will be taken into account.</td>
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### Does the authority create any rights or remedies?

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<th>Title VI</th>
<th>Environmental Justice</th>
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<td>Title VI allows persons alleging discrimination based on race, color, or national origin by recipients of Federal funds to file administrative complaints with the Federal departments and agencies that provide financial assistance. Persons alleging intentional discrimination (i.e., disparate treatment) may bring a court action seeking to enforce Title VI but cannot do so with regard to allegations of discrimination based on agency disparate impact regulations. Disparate impact claims may be filed with the Federal agency.</td>
<td>EO 12898 establishes the Executive Branch policy on environmental justice; it is not enforceable in court and does not create any rights or remedies.</td>
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Thus, while Title VI is one tool for agencies to use to achieve the principles of environmental justice, it is important to recognize that Title VI imposes statutory and regulatory requirements that are broader in scope than environmental justice. Recipients are cautioned that while there may be overlap, engaging in an EJ analysis under Federal transportation planning and NEPA provisions will not satisfy Title VI requirements, as outlined in this Title VI Circular. Similarly, a Title VI analysis will not necessarily satisfy environmental justice, given that Title VI does not include low-income populations. Moreover, Title VI applies to all activities of Federal recipients, not solely those which may have disproportionately high and adverse human health or environmental effects on EJ populations.

For example, while a bus rehabilitation project may not impose disproportionally high or adverse health or environmental effects on minority or low-income populations, the use of those buses subsequent to the rehabilitation may be subject to a Title VI analysis to ensure that vehicles assigned to a particular area do not result in a disparate impact on the basis of
race, color, or national origin. In addition, if there are substantive changes to the service levels for which the rehabilitated or other buses will be used, i.e., the vehicles are deployed in such a way that the nature and quantity of service in a particular area is changed, then a service equity analysis must be conducted to determine whether this change results in a disparate impact on the basis of race, color, or national origin. The requirements for that particular analysis are part of the compliance determinations made for Federal transit recipients under chapter IV of this Circular.
APPENDIX C: FTA Circular 4703.1
Environmental Justice Policy Guidance for Federal Transit Administration Recipients

The purpose of this circular is to provide recipients of Federal Transit Administration (FTA) financial assistance with guidance in order to incorporate environmental justice principles into plans, projects, and activities that receive funding from FTA.

A link to the full document can be found at the following website:

APPENDIX D: STANCOG’S TITLE VI COMPLAINT PROCEDURES
Title VI Complaint Process

The Stanislaus Council of Governments (StanCOG) is committed to a policy of nondiscrimination in the conduct of its business, including its Title VI responsibilities, and to the delivery of equitable and accessible transportation services. Any person who believes that he or she has been subjected to discrimination under Title VI on the basis of race, color, national origin, age, gender, or disability may file a Title VI complaint with STANCOG within 180 days from the date of the alleged discrimination.

Filing a Complaint with STANCOG

Complaints may be filed with STANCOG in writing and may be addressed to:

Stanislaus Council of Governments
Office of Compliance (Rosa Park)
1111 I Street, Suite 308
Modesto, CA 95354

Complaints may also be sent via e-mail to: rpark@stancog.org

Title VI Complaint Forms may be obtained on the StanCOG website at www.stancog.org or by calling 209.525.4600.

STANCOG will provide appropriate assistance to complainants who are limited in their ability to communicate in English.

What Happens to My Title VI Complaint to STANCOG?

Once a complaint is received, it will be assigned to an investigator. In instances where additional information is needed, the investigator will contact the complainant by phone or in writing.

Failure of the complainant to provide the requested information by a certain date may result in the administrative closure of the complaint or a delay in complaint resolution.

Based upon receipt of all the information required, STANCOG will investigate a Title VI complaint within 90 days of receipt. STANCOG will use its best efforts to respond to a Title VI complaint within 90 calendar days of its receipt of such complaint. Receipt of additional relevant information and/or simultaneous filing of a complaint with STANCOG and an external entity may expand the timing of the complaint resolution.
Title VI Policy Statement

The Stanislaus Council of Governments is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis of race, color, national origin, age, gender, or disability, pursuant to Title VI of the Civil Rights Act of 1964, as amended.

Toward this end, it is STANCOG’s objective to:

- Ensure that the level and quality of transportation service is provided without regard to race, color, national origin, age, gender, or disability;

- Identify and address, as appropriate, disproportionately high and adverse human health and environmental effects, including social and economic effects of programs and activities on minority populations and low-income populations;

- Promote the full and fair participation of all affected populations in transportation decision making;

- Prevent the denial, reduction, or delay in benefits related to programs and activities that benefit minority populations or low-income populations; and

- Ensure meaningful access to programs and activities by persons with limited English proficiency (LEP).

The Executive Director, management, and all employees share the responsibility for carrying out STANCOG’s commitment to Title VI compliance. The Title VI staff is responsible for the day-to-day operation of the program and receives and investigates Title VI complaints that come through the complaint procedures process.
Title VI Complaint Form
Stanislaus Council of Governments (StanCOG)
Office of Compliance

StanCOG is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis of race, color, national origin, age, gender, or disability pursuant to Title VI of the Civil Rights Act of 1964, as amended. Title VI complaints must be filed within 180 days from the date of the alleged discrimination.

The following information is necessary to assist us in processing your complaint. If you require any assistance in completing this form, please contact StanCOG at (209) 525-4600. The completed form must be returned to StanCOG, Title VI Coordinator, 1111 “I” Street, Suite #308, Modesto, CA 95354.

<table>
<thead>
<tr>
<th>Your Name:</th>
<th>Phone:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street Address:</td>
<td>Alt Phone:</td>
</tr>
<tr>
<td></td>
<td>City, State and Zip Code:</td>
</tr>
</tbody>
</table>

Person(s) Discriminated against (if someone other than complainant): Name(s):

Street Address, City, State and Zip Code:

Which of the following best describes the reason for the alleged discrimination? (Check one)

☐ RACE       Date of Incident: _____________________________
☐ COLOR      Time of Incident: _____________________________
☐ NATIONAL ORIGIN (LIMITED ENGLISH PROFICIENCY)  
☐ AGE        
☐ GENDER     
☐ DISABILITY

Please describe the alleged discrimination incident. Provide the names and titles of all StanCOG employees responsible. Explain what happened, whom you believe was responsible, and other specific relevant information. Please use the next page of this form if additional space is required.

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

(Complete next page of form)
Please describe the alleged discrimination incident (continued)

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Have you filed a complaint with any other federal, state, or local agencies? (Check one)
☐ YES  ☐ NO

If so, list agency / agencies and contact information below:

Agency: ______________________________ Contact Name: ______________________________
Street Address, City, State & Zip Code: ______________________________ Phone: ______________________________

________________________________________________________________________

Agency: ______________________________ Contact Name: ______________________________
Street Address, City, State & Zip Code: ______________________________ Phone: ______________________________

________________________________________________________________________

I affirm that I have read the above charge and it is true to the best of my knowledge.

______________________________ ___________________________
Complainant’s Signature: Date:

______________________________
Print or Type Name of Complainant

Date Received: ______________________________
Received By: ______________________________
Formulario de Quejas Title VI
Stanislaus Council of Governments (StanCOG)
Oficina de Cumplimiento

StanCOG centra sus esfuerzos en garantizar que nadie sea excluido de la participación en sus servicios ni que nieguen los beneficios de éstos, con base en raza, color, origen nacional, edad, sexo, y discapacidad, en conformidad con las disposiciones del Title VI de la Ley de Derechos Civiles de 1964. Las quejas bajo el Title VI deben presentarse en el transcurso de 180 días a partir de que ocurre la discriminación supuesta.

La información siguiente es necesaria para ayudarnos en el procesamiento de su queja. Si requiere ayuda para llenar este formulario, le agradeceremos que se dirija al StanCOG al teléfono (209) 525-4600. El formulario completo debe devolverse al StanCOG, Coordinadora del Title VI, 1111 “I” Street, Suite #308, Modesto, CA 95354.

<table>
<thead>
<tr>
<th>Su nombre:</th>
<th>Teléfono:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dirección:</td>
<td>Segundo Teléfono:</td>
</tr>
<tr>
<td></td>
<td>Ciudad, estado, y Código Postal:</td>
</tr>
</tbody>
</table>

Persona(s) que sufrieron discriminación (si es otra que el firmante): Nombre(s):

| Dirección, Ciudad, estado, y Código Postal: |

¿Cuál de los siguientes describe mejor la razón por la supuesta discriminación? (Marque uno)

- [ ] RAZA
- [ ] COLOR
- [ ] ORIGEN NACIONAL
- [ ] EDAD
- [ ] SEXO
- [ ] DISCAPACIDAD

Fecha del incidente: __________________________
Hora del incidente: __________________________

Por favor, describa el supuesto incidente de discriminación. Proporcione los nombres y títulos de todos los empleados de StanCOG involucrados, si cuenta con la información. Explique lo sucedido: quien considera que fue responsable; y otra información específica pertinente. Por favor, use el reverso de este formulario si requiere espacio adicional.

(Llene el reverso de este formulario)
Pro favor, describa el supuesto incidente de discriminación (continuación).


¿Ha presentado alguna queja ante otra agencia federal, estatal, o local con respecto este incidente? (Marque Uno)

☐ Si ☐ No

Si la respuesta es afirmativa, por favor, a continuación enumere la agencia o agencias y la información de contacto:

Agencia: __________________________ Nombre de contacto: __________________________
Dirección, Ciudad, estado, y Código Postal: __________________________
Teléfono: __________________________

Agencia: __________________________ Nombre de contacto: __________________________
Dirección, Ciudad, estado, y Código Postal: __________________________
Teléfono: __________________________

Confirmo que he leído el cargo que se indica arriba y que es verdadero hasta donde tengo conocimiento.

_________________________________________  __________________________
Firma del declarante: Fecha:
_________________________________________
Escriba o escriba en letra de imprenta el nombre de declarante

Fecha de recepción: __________________________
Recibido por: __________________________
APPENDIX E: TITLE VI CHECKLIST
APPENDIX A

TITLE VI PROGRAM CHECKLIST

Every three years, on a date determined by FTA, each recipient is required to submit the following information to the Federal Transit Administration (FTA) as part of their Title VI Program. Subrecipients shall submit the information below to their primary recipient (the entity from whom the subrecipient receives funds directly), on a schedule to be determined by the primary recipient.

**General Requirements (Chapter III)**

*All recipients must submit:*

- Title VI Notice to the Public, including a list of locations where the notice is posted
- Title VI Complaint Procedures (i.e., instructions to the public regarding how to file a Title VI discrimination complaint)
- Title VI Complaint Form
- List of transit-related Title VI investigations, complaints, and lawsuits
- Public Participation Plan, including information about outreach methods to engage minority and limited English proficient populations (LEP), as well as a summary of outreach efforts made since the last Title VI Program submission
- Language Assistance Plan for providing language assistance to persons with limited English proficiency (LEP), based on the DOT LEP Guidance
- A table depicting the membership of non-elected committees and councils, the membership of which is selected by the recipient, broken down by race, and a description of the process the agency uses to encourage the participation of minorities on such committees
- Primary recipients shall include a description of how the agency monitors its subrecipients for compliance with Title VI, and a schedule of subrecipient Title VI Program submissions
- A Title VI equity analysis if the recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc.
- A copy of board meeting minutes, resolution, or other appropriate documentation showing the board of directors or appropriate governing entity or official(s) responsible for policy decisions reviewed and approved the Title VI Program. For State DOT’s, the appropriate governing entity is the State’s Secretary of Transportation or equivalent. The approval must occur prior to submission to FTA.
- Additional information as specified in chapters IV, V, and VI, depending on whether the recipient is a transit provider, a State, or a planning entity (see below)

**Requirements of Transit Providers (Chapter IV)**

*All Fixed Route Transit Providers must submit:*

- All requirements set out in Chapter III (General Requirements)
- Service standards
Vehicle load for each mode
- Vehicle headway for each mode
- On time performance for each mode
- Service availability for each mode

- Service policies
  - Transit Amenities for each mode
  - Vehicle Assignment for each mode

*Transit Providers that operate 50 or more fixed route vehicles in peak service and are located in an Urbanized Area (UZA) of 200,000 or more people must submit:*

- Demographic and service profile maps and charts
- Demographic ridership and travel patterns, collected by surveys
- Results of their monitoring program and report, including evidence that the board or other governing entity or official(s) considered, was aware of the results, and approved the analysis
- A description of the public engagement process for setting the “major service change policy,” disparate impact policy, and disproportionate burden policy
- Results of service and/or fare equity analyses conducted since the last Title VI Program submission, including evidence that the board or other governing entity or official(s) considered, was aware of, and approved the results of the analysis

**Requirements of States (Chapter V)**

*States must submit:*

- All requirements set out in Chapter III (General Requirements)
- The requirements set out in Chapter IV (Transit Provider) if the State is a provider of fixed route public transportation
- Demographic profile of the State
- Demographic maps that show the impacts of the distribution of State and Federal funds in the aggregate for public transportation projects
- Analysis of the State’s transportation system investments that identifies and addresses any disparate impacts
- A description of the Statewide planning process that identifies the transportation needs of minority populations
- Description of the procedures the agency uses to ensure nondiscriminatory pass-through of FTA financial assistance
- Description of the procedures the agency uses to provide assistance to potential subrecipients, including efforts to assist applicants that would serve predominantly minority populations

**Requirements of MPOs (Chapter VI)**

*Metropolitan Planning Organizations and other planning entities must submit:*

- All requirements set out in Chapter III (General Requirements)
The requirements set out in Chapter IV (Transit Provider) if the MPO is a provider of fixed route public transportation

Demographic profile of the metropolitan area

A description of the procedures by which the mobility needs of minority populations are identified and considered within the planning process

Demographic maps that show the impacts of the distribution of State and Federal funds in the aggregate for public transportation projects

Analysis of the MPO’s transportation system investments that identifies and addresses any disparate impacts

Description of the procedures the agency uses to ensure nondiscriminatory pass-through of FTA financial assistance (if requested)

Description of the procedures the agency uses to provide assistance to potential subrecipients in a nondiscriminatory manner (if requested)
TITLE VI PROGRAM CHECKLIST
(Chapter III)

Agency Name: __________________________

☐ 1. Notice to the public
   a. Race, color and national origin (Sample notice in Appendix B)
   b. Translated into non-English languages and consistent with the agency’s Limited English Proficiency (LEP) Plan (Chapter III-4)

☐ 2. List of locations where notice is posted, at a minimum (Chapter III-4)
   a. Agency’s website
   b. Public areas of the agency’s office(s), including reception desk and meeting rooms
   c. Stations or stops
   d. Transit vehicles

☐ 3. How to file a title VI discrimination complaint and complaint form must be on agency’s website (Chapter III-5 and Appendix C and D)

☐ 4. List of any public transportation Title VI investigations, complaints or lawsuits filed since last submission (see Appendix E)

☐ 5. Public Participation Plan - Promoting Inclusive Public Participation (Chapter III-5)
   a. Summary of outreach efforts made
   b. Outreach plan to engage minority and limited English proficient populations (can be a component of a larger outreach for those that are traditionally underserved)

   a. Four Factor Analysis (Chapter III-7)
      i. The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient.
      ii. The frequency with which LEP persons come into contact with the program.
      iii. The nature and importance of the program, activity, or service provided by the program to people’s lives.
      iv. The resources available to the recipient for LEP outreach, as well as the costs associated with that outreach.
   b. Safe Harbor Provision – applies to the translation of written documents only (Chapter III-9)
   c. Describe how the agency provides language assistance services by language (Chapter III-8)
   d. Describe how the agency provides notice to LEP persons about the availability of language assistance
   e. Describe how the agency monitors, evaluates and updates the language access plan
   f. Describe how the agency trains employees to provide timely and reasonable language assistance to LEP populations

☐ 7. Table depicting racial breakdown of transit-related, non-elected planning boards, advisory councils or committees. Also a description of efforts made to encourage minority participation (Chapter III-9 and Appendix F)
8. If a facility has been constructed, a Title VI equity analysis must have been conducted during the planning stage regarding the location. A copy of the analysis must be provided. (Chapter III-11)

9. Board Resolution or similar approving the Title VI Plan (Chapter III-1)

FIXED ROUTE TRANSIT PROVIDERS – TITLE VI PROGRAM REQUIREMENTS (Chapter IV)

1. Requirements are tiered – All fixed route transit providers must complete 2 and 3. Threshold: If an agency operates more than 50 fixed route vehicles in peak service and is located in an UZA of 200,000 or more, then all requirements of Chapter IV apply.

2. Requirement to set system-wide service standards (Chapter IV-4 and Appendix G)
   a. Vehicle load for each mode
   b. Vehicle headway for each mode
   c. On-time performance for each mode
   d. Service availability for each mode

3. Requirement to set service policies (Chapter IV-6 and Appendix H)
   a. Distribution of transit amenities for each mode
      i. Seating (i.e., benches, seats at stops/stations)
      ii. Bus and rail shelters
      iii. Rail platform canopies
      iv. Passenger information
         1. Printed signs, system maps, route maps and schedules
         2. Digital equipment such as next vehicle arrival time signs along bus routes and at fixed guideway stations
      v. Escalators
      vi. Elevators
      vii. Waste receptacles (including trash and recycling)
   b. Vehicle assignment for each mode

Reviewer's Signature                                                                                                                                    Date

Compliance Branch Chief Signature                                                                                                         Date
APPENDIX F: I SPEAK LANGUAGE IDENTIFICATION CARD
**LANGUAGE IDENTIFICATION FLASHCARD**

<table>
<thead>
<tr>
<th>Language Code</th>
<th>Language</th>
</tr>
</thead>
<tbody>
<tr>
<td>01</td>
<td>English</td>
</tr>
<tr>
<td>02</td>
<td>Español/Spanish</td>
</tr>
<tr>
<td>03</td>
<td>Shqip/Albanian</td>
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<tr>
<td>04</td>
<td>Amharic</td>
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<td>05</td>
<td>Arabic</td>
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<td>06</td>
<td>Armenian</td>
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<tr>
<td>07</td>
<td>Bengali</td>
</tr>
<tr>
<td>08</td>
<td>български/Bulgarian</td>
</tr>
</tbody>
</table>

Hello, I'm from the U.S. Census Bureau. Is someone here now who speaks English and can help us? If not, please write your phone number and someone will contact you in English.

Buenos días (Buenas tardes), soy de la Oficina del Censo de los Estados Unidos. ¿Se encuentra alguien que hable inglés y pueda ayudarnos? Si no, por favor, anote su número de teléfono y alguien se comunicará con usted en español.


مرحبا، أنا من مكتب الإحصاء الأمريكي. هل يوجد هنا الآن شخص يتحدث الإنجليزية ويمكنه مساعدتنا؟ إذا آن لا يوجد، فلازجاء أتآبإ رقم ماتفكم وسيتصل بكم أحد الأشخاص باللغة العربية.

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Hello, I’m from the U.S. Census Bureau. Is someone here now who speaks English and can help us? If not, please write your phone number and someone will contact you in English.

您好。我是为美国人口普查局工作的。您这里有没有会说英语的人可以帮助我们？如果没有，请写下您的电话号码，然后将有人用中文与您联系。

Hello, I’m from the U.S. Census Bureau. Is someone here now who speaks English and can help us? If not, please write your phone number and someone will contact you in English.

您好。我是为美國人口普查局工作的。請問您這里有沒有會說英语的人可以幫助我們？如果沒有，請寫下您的電話號碼，之後將有人使用中文與您聯絡。

Dobar dan, ja sam iz Američkog biroa za cenzus. Ima li ovdje nekoga tko govori engleski i može nam pomoći? Ako nema, molim Vas da napišete svoj broj telefona, pa ćemo stupiti s Vama u kontakt na hrvatskom jeziku.

Dobrý den, jsem z Amerického úřadu pro sčítání lidu (U.S. Census Bureau). Je zde někdo, kdo hovoří anglicky a může nám pomoci? Pokud ne, napište prosím své telefonní číslo a někdo Vás bude kontaktovat v češtině.

سلام، من در دفتر نفوس شماری، در ایالات متحده آمریکا ایفای وظیفه می‌نمایم. آیا همراه شما، ممنون لحظه کسی است که با لسان انگلیسی آشناش بهاشته باشد و را کمک کرده بتواند؟ اگر نیست، پس لطفاً نمبرت‌هایفوراً بدمیثا با لسان مندی پیش کنید.

Kudual, γεν ye raan de maktam de kuën de koc de Amerika. Noŋ raan ye jam ë thoŋ de Lingliňh lëu bè wok kony ë ké looku? Na liu, ke yi göör telepundu ku anŋoŋ raan bè yiŋ col è thuŋjñ.}

Hallo, ik ben van het Amerikaanse Census Bureau. Is er iemand hier die Engels spreekt en ons kan helpen? Als dat niet zo is, wilt u dan uw telefoonnummer opschrijven? Dan zal iemand telefonisch contact met u opnemen in het Nederlands.
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<tr>
<th>Language</th>
<th>Text</th>
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<tr>
<td>Greek</td>
<td>Είμαστε από την Υπηρεσία Απογραφής των ΗΠΑ. Είναι κανείς εδώ αυτή τη στιγμή που μιλάει Αγγλικά να μας εξυπηρετήσει; Αν όχι, παρακαλώ σημειώστε το τηλέφωνο σας και θα επικοινωνήσει κάποιος μαζί σας στα ΕΛΛΗΝΙΚΑ.</td>
</tr>
<tr>
<td>Haitian Creole</td>
<td>Bonjou, mwen se anpwlaye biwo resansman ameriken. Èske m ka pale ak yon moun nan kay la ki konn pale anglè ? Si pa gen moun nan kay la ki pale anglè, tanpri ekri nimewo telefòn ou pou yon moun kki pale kreyòl ayisyen rele w.</td>
</tr>
<tr>
<td>Hebrew</td>
<td>לנהור לה? במודיע הל&quot;א, אני חרבו את מمرافق הלופט שלכם וימניעו ייזר קושר אתמכ שしばらく העברית.</td>
</tr>
<tr>
<td>Hindi</td>
<td>हैलो, मैं यूएस। जनगणना खुदे से हू। क्या अभी यहां ऐसा कोई यथित है जो अंग्रेजी बोलता हो और हमारी मदद कर सकता हो? यदि नहीं, तो कृपया अपना फोन नंबर लिखें और कोई यथित आपसे हिंदी में संपर्क करें।</td>
</tr>
<tr>
<td>Hungarian</td>
<td>Jó napot kívánok, az Egyesült Államok Népszámlálási Hivatalától vagyok. Van a közelben valaki, aki beszél angolul, és segíteni tud nekünk? Ha nem, kérem, írja le a telefonszámát, és kapcsolatba fogunk lépni Önnel magyarul.</td>
</tr>
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</table>
27. Ilocano/
   Ilocano

Hello, taga Census Bureau ako ng U.S. Adda kadi kadakayo nga makapagsarita ti English ken mabalin nga tumulong kaniam? Nu awan paki surat yo iti numero iti telepono yo ta adda iti tumawag kaniayo nga ag Ilocano.

28. Italiano/
   Italian

Salve, chiamo da parte del Census Bureau degli Stati Uniti. C’è qualcuno che parla inglese ed è in grado di aiutarci? In caso negativo, scriva il numero di telefono e sarà contattato da qualcuno che parla Italiano.

29. 日本語/
   Japanese

こんにちは。私は米国国勢調査局の係員です。こちらには英語を理解できこの調査にご協力いただける方がいらっしゃいますか？もししない場合は、あなたの電話番号をお書きいただければ、日本語を話す係員が連絡をいたします。

30. 한국어/
   Korean

안녕하세요. 저는 미국 인구조사국에서 일하고 있습니다. 영어를 사용하시는 분 중에 저희를 도와 주실 수 있는 분이 여기 계실까요? 없으신 경우, 전화번호를 적어주시면 한국어를 할 수 있는 직원이 연락을 드릴 것입니다.

31. ສະບາຍດີ/
   Laotian

ສະບາຍດີ, ຂ້າພະເຈົ້າ ມາຈາກສຳນັກງານສຳຫຼວດພົນລະເມືອງ ແຫ່ງສະຫະລັດອາເມລິກາ. ມີໃຜຢູ່ທີ່ນີ້ສາມາດເວົ້າພາສາອັງກິດ ແລະ ຊ່ວຍເຫຼືອພວກເຮົາໄດ້ບໍ? ຖ້າບໍ່ມີ, ກະລຸນາຂຽນເລກໂທລະສັບຂອງທ່ານແລະ ພວກເຮົາ ���ລກ ມິດ ການຈະຕິດຕໍ່ຫາທ່ານ.

32. Lietuvių/
   Lithuanian

Sveiki, aš esu iš JAV Gyventojų surašymo biuro. Ar čia dabar yra kas nors, kas kalba angliškai ir galėtų mums padėti? Jei ne, prašome užrašyti savo telefono numerį ir su jumis susisiekis lietuvių kalba.

33. മലയാളം/
   Malayalam


34. Diné Bizaad/
   Navajo

नमस्ते, म अमेरिकाको जनगणना ओफिसबाट आएको। यहाँ हंगेरी बोल्न जाने अन्न हामीलाई मदद गर्नेछमा कोहि माछ्ने छल? नभा, तपाईको फोन नम्बर लेखिन्छु अनि कसैले तपाईले नेपाली भाषामा कुृत गर्नेछल।

35. नेपाली/
   Nepali

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<td>ਐਸੇ, ਮੇ ਅੱਠ ਸੋਮ. ਵਕਾਲਤਾ ਵਿਚ ਇਸ ਅਧਿਕਾਰ ਅਧਿਕਾਰ ਦੀ। ਦੀ ਦੀ ਹੈ ਧਾਰਾ ਅਦਾਤਾ ਵਧਾ ਹੈ ਅਨੇ ਧਾਰਾ ਅਦਾਤਾ ਵਧਾ ਹੈ। ਅਨੇ ਧਾਰਾ ਅਦਾਤਾ ਵਧਾ ਹੈ। ਦੀ ਦੀ ਹੈ ਧਾਰਾ ਅਦਾਤਾ ਵਧਾ ਹੈ।</td>
</tr>
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| 37. Polski/ Polish |

| 38. Português/ Portuguese |

| 39. Română/ Romanian |
| Bună ziua, sunt de la Biroul de Recensământ al S.U.A. Este cineva aici, în acest moment, care vorbește engleză și ne poate ajuta? Dacă nu, vă rog scrieți-vă numărul de telefon și cineva vă va contacta telefonic în română. |

| 40. русский/ Russian |
| Здравствуйте! Я представляю Бюро переписи населения Соединенных Штатов. Присутствует здесь кто-нибудь, кто говорит по-английски и мог бы помочь нам? Если нет, то, пожалуйста, напишите свой телефонный номер, чтобы наши сотрудники могли побеседовать с вами по-русски. |

| 41. српски/ Serbian |
| Добар дан, ја сам из Америчког бироа за попис становништва. Да ли овде има некога ко говори енглески и може да нам помогне? Ако нема, молим Вас да напишете свој број телефона, па ћемо контактирати с Вама на српском језику. |

| 42. Soomaali/ Somali |
| Hallo, Waxaan anigu ka tirsanahay Xafiiska Tirakoobka Mareykanka. Halkan ciddi ma Joogta hadda oo ku hadasha Ingiriisiga oo na caawin karta? Haddi kalese, fadlan qor lAmbarka talafoonkaaga markaasna qof ayaa kugulasoo xidhiidhi doona adiga Soomaalliga. |

| 43. Kiswahili/ Swahili |
| Halo, nimetoka Shirika la Senسا la Merika Je, kuna mtu hapa sasa anayezungumza Kiingereza na anaweza kutusaidia? Ikiwa hakuna, tafadhali andika nambari yako ya simu na mtu atawasiliana na wewe kwa Kiswahili. |

| 44. Tagalog/ Tagalog |
| Hello, Ako’y galing sa U.S. Census Bureau. Mayroon ba ditong marunong magsalita ng Ingles at makakatulong sa amin ngayon? Kung wala, pakisulat ang telepono ninyo at may tatawag sa inyo sa Tagalog. |
สวัสดีครับ/ค่ะ ผม/ดิฉันเป็นเจ้าหน้าที่จากสำนักงานสัมมะโนประชากรสหรัฐ มีใครพอจะพูดภาษาอังกฤษเพื่อช่วยแปลได้บางหรือเปล่า ครับ/คะ ถ้าไม่มีใครจะแจ้งเบอร์โทรศัพท์เพื่อที่เราจะสามารถติดต่อกลับมาได้เป็นภาษาไทย
APPENDIX G: LIMITED ENGLISH PROFICENCY HANDBOOK


This document provides technical assistance to help public transportation providers receiving Federal Transit Administration (FTA) funding implement the U.S. Department of Transportation’s Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons.

A sample of the document has been provided in this appendix. A link the full document can be accessed through the following link:

Implementing the Department of Transportation’s Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons

A Handbook for Public Transportation Providers

Prepared by:
The Federal Transit Administration Office of Civil Rights

April 13, 2007
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SECTION I
INTRODUCTION
Overview

This document provides technical assistance to help public transportation providers receiving Federal Transit Administration (FTA) funding implement the U.S. Department of Transportation’s Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons (DOT LEP Guidance, Federal Register, vol. 70, no. 239, pp. 74087–74100, December 14, 2005).

By following the recommendations and using the resources in this handbook, transit agencies will be better able to apply the DOT LEP guidance’s four-factor framework for determining an appropriate mix of language assistance and prepare language assistance implementation plans that are consistent with the DOT LEP Guidance. The information in this handbook is advisory and does not establish new requirements for FTA recipients or subrecipients.

Who should use this handbook

This document was written for transit agency staff responsible for ensuring that their agency provides language assistance to LEP persons. These individuals will likely need to share this manual’s suggestions and coordinate with their colleagues throughout their agency. FTA encourages its grantees to designate an individual or team of people to coordinate language services for their agency.

How to use this handbook

Users should review Section II of this document, which discusses how to apply the four-factor framework consistent with the DOT LEP Guidance and Section III, which discusses how to develop a language implementation plan. These sections provide step-by-step suggestions on how to put the DOT LEP Guidance into practice. Each section includes relevant passages from the DOT LEP Guidance as well as recommendations on how to interpret and implement these passages.

Users should also take note of Section IV, which provides checklists for conducting the four-factor analysis and developing a language implementation plan. Section V provides further resources for serving people with limited English proficiency.

Background Information

Individuals who have a limited ability to read, write, speak, or understand English are limited English proficient, or “LEP.” According to the 2000 U.S. Census, more than 10 million people reported that they do not speak English at all, or do not speak English well. The number of persons reporting that they do not speak English at all or do not speak English well grew by 65 percent from 1990 to 2000. Among limited English speakers, Spanish is the language most frequently spoken, followed by Chinese (Cantonese or Mandarin), Vietnamese, and Korean.
Public transit is a key means of achieving mobility for many LEP persons. According to the 2000 Census, more than 11 percent of LEP persons aged 16 years and over reported use of public transit as their primary means of transportation to work, compared with about 4 percent of English speakers. Recent immigrants to the United States (including those persons who may not be limited English proficient) use public transportation at higher rates than native-born adults, however, transit use among recent arrivals decreases with length of residence in the United States. Many immigrants desire to switch from transit to automobile use because personal vehicles are a symbol of assimilation and cars can provide greater mobility or access to economic and social opportunities that are beyond a transit system’s service area. Recent immigrants might elect to continue using transit for at least a portion of their trips if their experience with public transportation is positive. For transit agencies seeking to increase their “choice riders,” it may be easier to retain riders who have past, positive impressions of the system than to attract those persons who have never or rarely used transit.

Agencies that provide language assistance to persons with limited English proficiency in a competent and effective manner will help ensure that their services are safe, reliable, convenient, and accessible to those persons. These efforts may attract riders who would otherwise be excluded from participating in the service because of language barriers and, ideally, will engender riders to continue using the system after they are proficient in English and/or have more transportation options. Catering to LEP persons may also help increase and retain ridership among the agency’s broader immigrant communities in two important ways: 1) agencies that reach out to recent immigrant populations in order to conduct a needs assessment and prepare a language implementation plan (pursuant to the DOT LEP Guidance) will send a positive message to these persons that their business is valued; and 2) community outreach designed to identify appropriate language assistance measures can also assist the agency in identifying the transportation needs of immigrant populations and ensuring that an agency’s transit routes, hours and days of service, and other service parameters are responsive to the needs of these populations.

**Legal basis for language assistance requirements**

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., and its implementing regulations provide that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that receives Federal financial assistance. The Supreme Court, in *Lau v. Nichols*, 414 U.S. 563 (1974), interpreted Title VI regulations promulgated by the former Department of Health, Education, and Welfare to hold that Title VI prohibits conduct that has a disproportionate effect on LEP persons because such conduct constitutes national origin discrimination.

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 to examine the services it provides and develop and implement a system by which LEP persons can meaningfully access those services. Federal agencies were instructed to publish guidance for their respective recipients in order to assist them with their
obligations to LEP persons under Title VI. The Executive Order states that recipients must take reasonable steps to ensure meaningful access to their programs and activities by LEP persons.

President Bush affirmed his commitment to Executive Order 13166 through a memorandum issued on October 25, 2001 by Assistant Attorney General for Civil Rights, Ralph F. Boyd, Jr. Federal agencies were directed to provide guidance and technical assistance to recipients of Federal funds as to how they can provide meaningful access to limited English proficient users of Federal programs.

The U.S. DOT published revised guidance for its recipients on December 14, 2005. This document states that Title VI and its implementing regulations require that DOT recipients take responsible steps to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are Limited English Proficient (LEP) and that recipients should use the DOT LEP Guidance to determine how best to comply with statutory and regulatory obligations to provide meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are LEP.

The FTA references the DOT LEP guidance in its Circular 4702.1A, “Title VI and Title VI-Dependent Guidelines for FTA Recipients,” which was published on April 13, 2007. Chapter IV part 4 of this Circular reiterates the requirement to take responsible steps to ensure meaningful access to benefits, services, and information for LEP persons and suggests that FTA recipients and subrecipients develop a language implementation plan consistent with the provisions of Section VII of the DOT LEP guidance.

The DOT LEP Guidance, as well as FTA Circular 4702.1A, state that certain FTA recipients or subrecipients, such as those serving very few LEP persons or those with very limited resources may choose not to develop a written LEP plan. However, the absence of a written LEP plan does not obviate the underlying obligation to ensure meaningful access by LEP persons to a recipient’s program or activities. Recipients or subrecipients electing not to prepare a written language implementation plan should consider other ways to reasonably provide meaningful access.

While the DOT LEP guidance discusses specific language assistance techniques and lists promising practices implemented by DOT recipients, it does not provide detailed instructions on how transit agencies, in particular, can put the Guidelines into practice. Likewise, Circular 4702.1A references provisions of the DOT LEP Guidance but does not establish specific procedures on how to carry out this Guidance.

Congressional oversight of language assistance in transportation

On November 2, 2005, the Government Accountability Office (GAO) issued its report, “Transportation Services: Better Dissemination and Oversight of DOT’s Guidance Could Lead to Improved Access for Limited English-Proficient Populations” (GAO-06-52). This report, which was informed by interviews in selected metropolitan areas with transit
providers, metropolitan planning organizations, and nonprofit organizations serving LEP persons, found that few agencies had assessed the language needs in their service area or evaluated their language access efforts and, as a result, it is unclear whether agencies’ efforts are comprehensive enough to meet the needs of LEP persons. Several agencies interviewed by GAO stated that technical assistance and information would be helpful in implementing the DOT LEP Guidance.

The GAO recommended that DOT provide technical assistance (such as templates and examples) to aid transit agencies and MPOs in assessing the size, location, and needs of the LEP population; implementing language access services; and evaluating the effectiveness of these services. DOT concurred with this recommendation in its response to the GAO report and this document is part of FTA’s strategy to implement the report’s recommendations.

**For More Information Contact:**

Title VI Coordinator  
The Federal Transit Administration’s Office of Civil Rights  
(202) 366-4018
APPENDIX H: StanCOG's Title VI Compliance Policy
Title VI Policy Statement

The Stanislaus Council of Governments (StanCOG) is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis of race, color, national origin, age, gender, or disability, pursuant to Title VI of the Civil Rights Act of 1964, as amended.

Towards this end, it is StanCOG's objective to:

- Ensure that the level and quality of transportation service is provided without regard to race, color, national origin, age, gender, or disability;

- Identify and address, as appropriate, disproportionately high and adverse human health and environmental effects, including social and economic effects of programs and activities on minority populations and low-income populations;

- Promote the full and fair participation of all affected populations in transportation decision making;

- Prevent the denial, reduction, or delay in benefits related to programs and activities that benefit minority populations or low-income populations; and

- Ensure meaningful access to programs and activities by persons with limited English proficiency (LEP).

The Executive Director, management, and all employees share the responsibility for carrying out StanCOG's commitment to Title VI compliance. The Title VI staff is responsible for the day-to-day operation of the program and receives and investigates Title VI complaints that come through the complaint procedures process.

Signed: Rosa De León Park, Executive Director

Date: 5/1/2018
Declaración de Políticas del Título IV

El Consejo de Gobiernos de Stanislaus (StanCOG por sus siglas en inglés), en cumplimiento con el Título VI del Acta de Derechos Civiles de 1964, corregida, se ha comprometido a garantizar que a ninguna persona se le niegue servicio o participación basado en su raza, color, país de origen, sexo o incapacidad.

Con este fin, el objetivo del StanCOG es:

- Garantizar que se ofrezca el mismo nivel y calidad de transporte, irrelevante de la raza, color, país de origen, sexo o incapacidad del usuario;

- Determinar si los programas y actividades causan efectos exagerados o adversos a la salud humana y al medioambiente, incluyendo efectos en grupos minoritarios o de bajos ingresos, tomando las medidas apropiadas;

- Motivar la apropiada y total participación de todos los grupos afectados en la toma de decisiones de transporte;

- Evitar la eliminación, reducción o demora en componentes relacionados a programas y actividades que benefician a minorías o gente de bajos ingresos; y

- Garantizar acceso real a personas con limitado dominio del inglés (LEP, por sus siglas en inglés) a los programas y actividades.

El Director Ejecutivo, la administración, y todos los empleados comparten la responsabilidad de lograr que el StanCOG cumpla con el Título VI. La aplicación diaria del programa —como también la recepción e investigación de quejas llegadas a través del procedimiento de reclamos— recae en el personal del Título VI.

Firmado: Rosa De León Park, Director Ejecutivo

Fecha: 5/1/2018
APPENDIX I: StanCOG's Statement of non-discrimination policy
APPENDIX A

FEDERAL TRANSIT ADMINISTRATION CIVIL RIGHTS ASSURANCE

The Stanislaus Council of Governments ("STANCOG") HEREBY CERTIFIES THAT, as a condition of receiving Federal financial assistance under the Urban Mass Transportation 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. STANCOG 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. STANCOG 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.

Rosa De León Park, Executive Director
(NAME AND TITLE OF AUTHORIZED OFFICER)

DATE: 5/1/2018

(SIGNATURE OF AUTHORIZED OFFICER)
APPENDIX B

DEPARTMENT OF TRANSPORTATION TITLE VI ASSURANCE

The STANCOG hereinafter referred to as the "Recipient") HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the Department of Transportation it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the Act), 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 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, 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 the Department of Transportation, including STANCOG, 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) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to its ________________________:

1. That the Recipient agrees that each "program" and each "facility" as defined in subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.

2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all __________ and, in adapted form in all proposals for negotiated agreements:

STANCOG, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively assure that in any contract entered into pursuant to this advertisement, minority 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.

2
3. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to this Act and the Regulations.

4. That the Recipient shall insert the clauses of Appendix B of this assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.

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

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

7. That the Recipient shall include the appropriate clauses set forth in Appendix C of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements enter into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under STANCOG; and (b) for the construction or use of or access to space on, over, or under real property acquired, or improved under STANCOG.

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 shall 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, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, 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 Act, the Regulations and this assurance.
THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under the STANCOG and is binding on it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest and other participants in the STANCOG. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.

DATED: 5/1/2018

by

Stanislaus Council of Governments (STANCOG)
(Name of Recipient)

Rosa De León Park, Executive Director
(Name and Title of Authorized Officer)

(Signature of Authorized Officer)

Attachments:

Appendices A, B, C, and D
(APPENDIX A TO TITLE VI ASSURANCE)

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 shall comply with the Regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

2. Nondiscrimination: The contractor, with regard to the work performed by it during the contract, shall 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 shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

3. Solicitations for Subcontracts, 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 shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.

4. Information and Reports: The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by STANCOG to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to STANCOG, and shall set forth what efforts it has made to obtain the information.

5. Sanctions for Noncompliance: In the event of the contractor's noncompliance with nondiscrimination provisions of this contract, STANCOG shall impose contract sanctions as it or STANCOG 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 shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as STANCOG may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request STANCOG to enter into such litigation to protect the interests of STANCOG, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.
(APPENDIX B TO TITLE VI ASSURANCE)

The following clauses shall be included in any and all deeds affecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

(GRANTING CLAUSE)

NOW, THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that STANCOG will accept title to the lands and maintain the project constructed thereon, in accordance with STANCOG, the Regulations for the Administration of STANCOG and the policies and procedures prescribed by STANCOG of the Department of Transportation and, also in accordance with and 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 Department of Transportation (hereinafter referred to as the Regulations) 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 STANCOG all the right, title and interest of the 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 STANCOG 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 shall be binding on STANCOG, its successors and assigns.

STANCOG, in consideration of 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 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 with regard to any facility located wholly or in part on, over or under such lands hereby conveyed (,) (and)* (2) that STANCOG shall use the lands and interests in 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
Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended, and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to re-enter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the 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 effectuate the purposes of Title VI of the Civil Rights Act of 1964.
(APPENDIX C TO TITLE VI ASSURANCE)

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by STANCOG pursuant to the provisions of Assurance 7(a).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for herself/himself, 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 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 Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee lessee, permittee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination of Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

(Include in licenses, leases, permits, etc.)*

That in the event of breach of any of the above nondiscrimination covenants, STANCOG shall have the right to terminate the (license, lease, permit, etc.) and to 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.

(Include in deeds)*

That in the event of breach of any of the above nondiscrimination covenants, STANCOG shall have the right to re-enter said lands and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of STANCOG and its assigns.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by STANCOG pursuant to the provisions of Assurance 7(b).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for herself/himself, his/her personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in 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 shall be excluded from participation in, be 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 services thereon, no person on the grounds of race,
color, or national origin shall be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination, and (3) that the (grantee, licensee, lessee, permittee, etc.) shall use the premises in compliance with all other 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 Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

(Include in licenses, leases, permits, etc.)*

That in the event of breach of any of the above nondiscrimination covenants, STANCOG shall have the right to terminate the (license, lease, permit, etc.) and to re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, lease, permit, etc.) had never been made or issued.

(Include in deeds)*

That in the event of breach of any of the above nondiscrimination covenants, STANCOG shall have the right to re-enter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of STANCOG 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 purpose of Title VI of the Civil Rights Act of 1964.
APPENDIX C

DIRECTORY

DEPARTMENT OF TRANSPORTATION AND
FEDERAL TRANSIT ADMINISTRATION OFFICES

Headquarters

Departmental Director of Civil Rights
Office of the Secretary
1200 New Jersey Avenue
Washington, D.C. 20590

Director, Office of Civil Rights
Federal Transit Administration
1200 New Jersey Avenue, SE
Washington, D.C. 20590

AREA CIVIL RIGHTS

OFFICES EASTERN AREA
(Regions 1 and 2)

FTA Region 1 Office
Kendall Square
55 Broadway, Suite 920
Cambridge, MA 02142-1093

FTA Region 2 Office
One Bowling Greer, Room 429
New York, NY 10004-1415

SOUTHEASTERN AREA
(Regions 3 and 4)

FTA Region 3 Office
1760 Market Street, Suite 500
Philadelphia, PA 19103-4124

FTA Region 4 Office
230 Peachtree NW, Suite 800
Atlanta, GA 30303

CENTRAL/MID-WESTERN AREA
(Regions 5, 6, and 7)

FTA Region 5 Office
200 W. Adams St, Suite 320
Chicago, IL 60606

FTA Region 6 Office
819 Taylor Street, Room 14A02
Fort Worth, TX 76102

FTA Region 7 Office
901 Locust Street, Room 404
Kansas City, MO 64106

WESTERN AREA
(Regions 8, 9, and 10)

FTA Region 8 Office
Byron Rogers Federal Building
1961 Stout Street, Suite 13-301
Denver, CO 80202

FTA Region 9 Office
San Francisco Federal Building
90, 7th Street, Suite 15-300
San Francisco, CA 94103

FTA Region 10 Office
915 Second Ave, Suite 3412
Seattle, WA 98174-1002
APPENDIX D

APPLICATION OF TITLE VI REQUIREMENTS TO FEDERAL FINANCIAL ASSISTANCE OF THE FEDERAL TRANSIT ADMINISTRATION

Examples: Nondiscrimination on FTA Projects

The following examples, without being exhaustive, illustrate the application of the nondiscrimination provisions of this part to projects receiving Federal financial assistance under the programs of certain Department of Transportation operating administrations.

1. Any person who is, or seeks to be, a patron of any public vehicle which is operated as a part of, or in conjunction with, a project shall be given the same access, seating, and other treatment with regard to the use of such vehicle as other persons without regard to their race, color, or national origin.

2. No person who is, or seeks, to be an employee of the project sponsor or lessees, concessionaires, contractors, licensees, or any organization furnishing public transportation service as a part of, or in conjunction with, the project shall be treated less favorably than any other employee or applicant with regard to hiring, dismissal, advancement, wages, or any other conditions and benefits of employment, on the basis of race, color, or national origin.

3. No person or group of persons shall be discriminated against with regard to the routing, scheduling, or quality of transportation service furnished as a part of the project on the basis of race, color, or national origin. Frequency of service, age and quality of vehicles assigned to routes, quality of stations serving different routes, and location of routes may not be determined on the basis of race, color, or national origin.

4. The location of projects requiring land acquisition and the displacement of persons from their residences and businesses may not be determined on the basis of race, color, or national origin.
STANISLAUS COUNCIL OF GOVERNMENTS
RESOLUTION 17-32
APPROVING THE 2018 STANCOG TITLE VI COMPLIANCE REPORT AND THE 2018 STANCOG LIMITED ENGLISH PROFICIENCY PLAN

WHEREAS, the Stanislaus Council of Governments (StanCOG) is a Regional Transportation Planning Agency and a Metropolitan Planning Organization (MPO), pursuant to State and Federal designation; and

WHEREAS, Title VI of the Civil Rights Act of 1964 states, no person in the United States shall, on the ground of race, color, or national origin, shall 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, Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency,” directs Federal agencies to examine the services they provide to ultimately develop and implement a system by which LEP individuals can meaningfully access those services; and

WHEREAS, as a recipient of Federal Transportation Administration and Federal Highway Administration funds, StanCOG is required to adhere to all provisions established in Title VI of the 1964 Civil Rights Act and Executive Order 13166; and

WHEREAS, StanCOG is committed to a policy of nondiscrimination in the conduct of its business, including its Title VI and LEP responsibilities, and to the delivery of equitable and accessible transportation services; and

WHEREAS, any person who believes that he or she has been subjected to discrimination under Title VI on the basis of race, color, national origin, age, gender, or disability may file a Title VI complaint with StanCOG within 180 days from the date of the alleged discrimination.

NOW, THEREFORE BE IT RESOLVED that the StanCOG Policy Board approves the 2018 StanCOG Title VI Compliance Report and 2018 StanCOG Limited English Proficiency Plan.

BE IT FURTHER RESOLVED that the Executive Director is authorized to make administrative changes to the Title VI Compliance Report and Limited English Proficiency Plan, as needed, to ensure that the programs contained therein are implemented in the most efficient and cost effective manner possible.

The foregoing Resolution was introduced at a regular meeting of the Stanislaus Council of Governments, on the 18th day of April, 2018. A motion was made and seconded to adopt the foregoing Resolution. Motion carried and the Resolution was adopted.
MEETING DATE: April 18, 2018

ATTEST:

Bill Zoslocki, Chair

Rosa de León Park, Executive Director