

# Title VI Plan

**Calvert-St. Mary's**



**METROPOLITAN PLANNING ORGANIZATION**

**Ashley Renshaw  
Administrator  
Calvert-St. Mary's Metropolitan  
Planning Organization (C-SMMPO)  
23150 Leonard Hall Drive  
PO Box 653  
Leonardtown, MD 20650**

**(301) 475-4200 ext. \*1505  
<http://calvert-stmarysmpo.com>**

***Adopted:  
Approved:***



## Table of Contents

Resolution of Adoption .....	4
Policy Statement and Assurances.....	6
Introduction .....	8
<i>C-SMMPO Organization and Profile</i> .....	9
<i>Structure</i> .....	9
<i>Title VI Coordinator and Responsibilities</i> .....	10
Title VI Components .....	10
<i>Regional Overview</i> .....	10
<i>Environmental Justice and Demographic Profile</i> .....	12
<i>Four-Factor Analysis</i> .....	18
1. <i>Number and Proportion</i> .....	18
2. <i>Frequency</i> .....	18
3. <i>Importance</i> .....	19
4. <i>Resources</i> .....	19
<i>LEP Implementation Plan</i> .....	20
Communications and Public Involvement.....	21
<i>Public Participation Plan</i> .....	21
Monitoring Process and Complaint Procedures.....	21
Complaint Procedures.....	22
Appendix A: Authorities	
Appendix B: Memorandum of Understanding	
Appendix C: Table of Minority Representation on Boards	
Appendix D: Complaint Forms	
Appendix E: Public Notice	
Appendix F: List of Investigations	
Appendix G: Definitions and Acronyms	



## List of Figures

Figure 1: Map of the Region.....	8
Figure 2: Population Density of the Region.....	11
Figure 3: Distribution by Population Type.....	13
Figure 4: Limited English Proficiency.....	15
Figure 5: Population with a Disability.....	16
Figure 6: Population in Poverty for the Region.....	17
Figure 7: LEP Implementation Plan.....	20

## List of Tables

Table 1: LEP Population .....	14
Table 2: Persons with a Disability by County.....	14
Table 3: Persons in Poverty by County.....	14
Table 4: Speaks English Less than Very Well.....	17



**Calvert - St. Mary's**  
 METROPOLITAN PLANNING ORGANIZATION  
*Title VI Plan*



**Resolution of Adoption**

**RESOLUTION BY THE CALVERT – ST. MARY’S METROPOLITAN PLANNING  
 ORGANIZATION COUNCIL FOR THE TITLE VI PLAN  
 RESOLUTION 01-2017**

**WHEREAS**, the federal government enacted Title VI of the Civil Rights Act of 1964, as amended, to prevent discrimination on the grounds of race, color, sex, age, disability or national origin and to ensure that individuals are not excluded from participation in, denied benefits of, or otherwise subjected to discrimination under any program or activity receiving federal financial assistance on the basis of race, color, sex, age disability or national origin; and

**WHEREAS**, throughout the years, additional regulations, statutes, directives, cases, and executive orders have been passed which expand the breadth of Title VI; and

**WHEREAS**, it is a requirement of the Maryland Department of Transportation and the US Department of Transportation that MPOs receiving federal financial assistance adopt a Title VI Plan; and

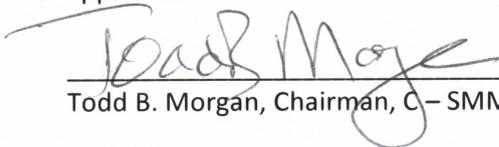
**WHEREAS**, the Calvert – St. Mary’s Metropolitan Planning Organization (C-SMMPO) was established on December 10, 2013, to conduct regional transportation planning for the C-SMMPO area in accordance with the federal requirements of the Federal-Aid Highway Act of 1962; and

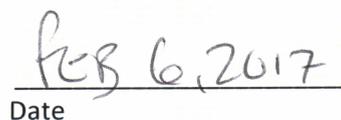
**WHEREAS**, county staff in cooperation with the Maryland Department of Transportation (MDOT) perform the necessary functions of the C-SMMPO; and

**WHEREAS**, the C-SMMPO Council is the governing body for the C-SMMPO; and

**WHEREAS**, staff reviewed multiple drafts of the Title VI Plan from county and state staff and created a Title VI Plan that reflects a compilation of those sources and compliance with federal regulations;

**NOW THEREFORE, BE IT RESOLVED** by the C-SMMPO that the Title VI Plan as amended February 6, 2016, hereby approved.

  
 \_\_\_\_\_  
 Todd B. Morgan, Chairman, C – SMMPO Council

  
 \_\_\_\_\_  
 Date



---

**Calvert - St. Mary's**  
METROPOLITAN PLANNING ORGANIZATION  
*Title VI Plan*

---





**Calvert - St. Mary's**  
 METROPOLITAN PLANNING ORGANIZATION  
*Title VI Plan*



### Policy Statement and Assurances

The Calvert-St-Mary's Metropolitan Planning Organization (C-SMMPO) assures that no person shall on the grounds of race, color, national origin, or sex, as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. C- SMMPO further assures every effort will be made to ensure non-discrimination in all of its programs and activities, whether those programs and activities are federally funded or not. The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of the terms "programs or activities" to include all programs or activities of federal aid recipients, sub-recipients, and contractors/consultants, whether such programs and activities are federally assisted or not (Public Law 100259 [S.557] March 22, 1988.) In the event the Recipient distributes federal aid funds to a sub-recipient, the Recipient will include Title VI language in all written agreements and will monitor for compliance.

C-SMMPO's Administrator is responsible for initiating and monitoring Title VI activities, preparing reports and other responsibilities as required by 23 Code of Federal Regulation (CFR) 200 and 49 Code of Federal Regulations.

Ashley Renshaw, Administrator

Date

The Calvert-St. Mary's Metropolitan Planning Organization ("Recipient"), HEREBY AGREES THAT as a condition to receiving any federal financial assistance, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d, et seq.( "Act"), and all requirements imposed by or pursuant to Title 49, Code of Federal 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, sex, 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, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances regarding its federal aid assistance programs:

1. That the Recipient agrees that each "program" and each "facility," as defined in 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 made in connection with federal aid assisted programs, and in adapted form in all proposals for negotiated agreements:



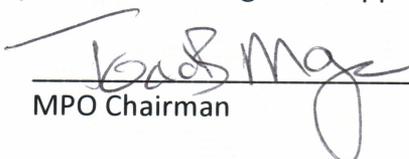
**Calvert - St. Mary's**  
 METROPOLITAN PLANNING ORGANIZATION  
*Title VI Plan*

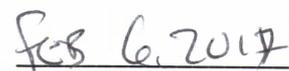


*"The Calvert-St. Mary's Metropolitan Planning Organization, in accordance with Title VI of the Civil Rights Act of 1964 and 78 Stat. 252, 42 USC 2000d, et seq., and Title 49, Code of Federal Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered pursuant to this advertisement will afford minority business enterprises full opportunity to submit bids in response to this invitation, and will not discriminate on the grounds of race, color, sex or national origin in consideration for an award."*

3. 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.
4. That where the Recipient received federal financial assistance in the form, or for the acquisition of real property, or an interest in real property, the Assurance shall extend rights to space on, over, or under such property.
5. That the Recipient shall include the appropriate clauses regarding a covenant running with the land, in any future deeds, leases, permits, licenses and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under federal aid assisted programs; and (b) for the construction or use of, or access to space on, over, or under real property acquired or improved under federal aid-assisted programs.
6. That this Assurance obligates the Recipient for the period during which federal financial assistance is extended to the program, 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.
7. The Recipient shall provide for such methods of administration for the program, as are found by the official to whom s/he delegates specific authority, to give reasonable guarantee that it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest, and other participants of federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations, and this Assurance.
8. The Recipient agrees that the United States has a right to seek judicial endorsement 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 and is binding on it, other recipients, contractors, subcontractors, transferees successors in interest, and other participants in the Federal Aid Highway Program. The person or persons whose signature appears below are authorized to sign this Assurance on behalf of the Recipient.

  
 MPO Chairman

  
 Date



# Calvert - St. Mary's METROPOLITAN PLANNING ORGANIZATION Title VI Plan

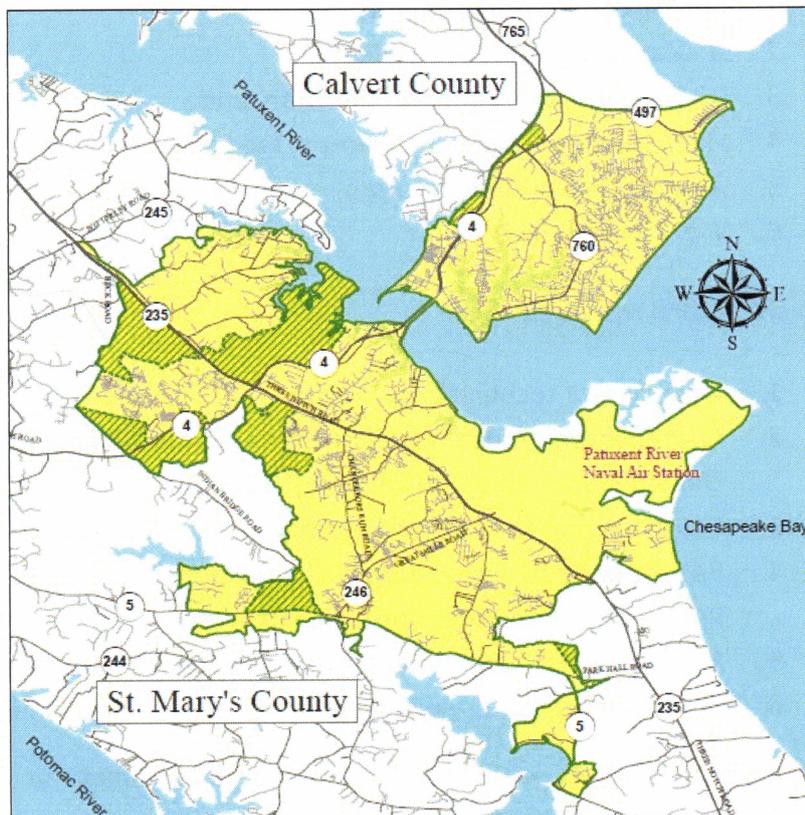


## Introduction

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 be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." Subsequent laws, regulations, directives, and executive orders broadened the criteria for which discrimination is prohibited to include disability, sex, age, income, and limited proficiency in English. A list of these related authorities is provided in **Appendix A**. Of note are two Presidential Executive Orders regarding non-discrimination requirements. Executive Order 12898 mandates that federal agencies address equity and fairness, or environmental justice (as defined on page 16 in this plan), toward low-income and minority persons and populations. Executive Order 13166 mandates that federal agencies ensure that people who have limited English proficiency (LEP) have meaningful access to federally-conducted and/or funded programs and activities.

The Calvert-St. Mary's Metropolitan Planning Organization (C-SMMPO), as a sub-recipient of federal financial assistance, is required to comply with Title VI and subsequent nondiscrimination laws, as well as provide an overview of how the C-SMMPO addresses Executive Order 12898 on environmental justice and Executive Order 13166 on LEP. This plan describes the activities the C-SMMPO undertakes on a continual basis to ensure compliance with the rules and regulations associated with Title VI and related statutes regarding nondiscrimination and environmental justice.

**Figure 1: Map of the C-SMMPO Region**



Source: C-SMMPO



**Calvert - St. Mary's**  
METROPOLITAN PLANNING ORGANIZATION  
*Title VI Plan*



### C-SMMPO Organization and Profile

The C-SMMPO is the federal and state designated regional transportation planning body for the urbanized areas of Lexington Park, California, and Chesapeake Ranch Estates in Calvert and St. Mary's Counties in Maryland.

The C-SMMPO was created in December 13, 2014; in response to Governor Martin O'Malley's designation of the metropolitan planning organization in 2013. The C-SMMPO coordinates the federally mandated transportation planning process in the MPO Urbanized Area.

C-SMMPO's mission is to provide a cooperative forum for regional collaboration, planning, and public decision-making for short and long-term solutions that support mobility needs, economic development, environmental sensitivities, and multimodal connectivity for a safe, secure, and efficient transportation system.

### Structure

The C-SMMPO is governed by a Council that is made up of a Commissioner from Calvert, a Commissioner from St. Mary's and a representative from the Maryland Department of Transportation.

A Technical Advisory Committee (TAC) was established to provide technical assistance and recommendations to the Council. The TAC is comprised of transportation professionals from:

1. Calvert County Government
2. St. Mary's County Government
3. Tri-County Council of Southern Maryland
4. Maryland Department of Transportation
5. State Highway Administration
6. NAS Patuxent River

The TAC is charged with six general responsibilities:

1. Oversight of technical work;
2. Coordination of the Long Range Transportation Plan (LRTP) and the Unified Planning Work Program (UPWP);
3. Compliance with state and federal regulations;
4. Review and recommendation of Transportation Improvement Program (TIP) projects and amendments;
5. Review and recommendation of new projects and proposals; and,
6. Review of any other applicable technical MPO documents.

A listing of the current members of the Council and TAC can be found online at <http://www.calvert-stmarysmo.com> and the current minority representation can be found at **Appendix C**.



### Title VI Coordinator and Responsibilities

The C-SMMPO Administrator is responsible for Title VI Coordination, ensuring the implementation and overall management of the C-SMMPO Title VI Plan.

<b>Title VI Coordinator Contact Information</b>	Ashley Renshaw, Administrator C-SMMPO 23150 Leonard Hall Drive PO Box 653 Leonardtown, MD 20650 (301) 475-4200 ext. *1505 ashley.renshaw@stmarysmd.com
---	--

Specific responsibilities of the Title VI Coordinator include:

- Monitor and review agency programs, policies, and activities for Title VI compliance;  
Collect and review statistical data (race, color, sex, age, disability or national origin) to prevent or eliminate potential disparate impact or disparate treatment discrimination;
- Work with staff involved in procurement or consulting contracts to insure that Title VI compliance is met; and mitigating any issue if it is not met;
- Make Language Line Services readily available;
- Periodically review and update the C-SMMPO Title VI Plan;
- Attend trainings to keep aware of nondiscrimination opportunities and procedures;  
and,
- Resolve Title VI complaints in a timely and thorough fashion.

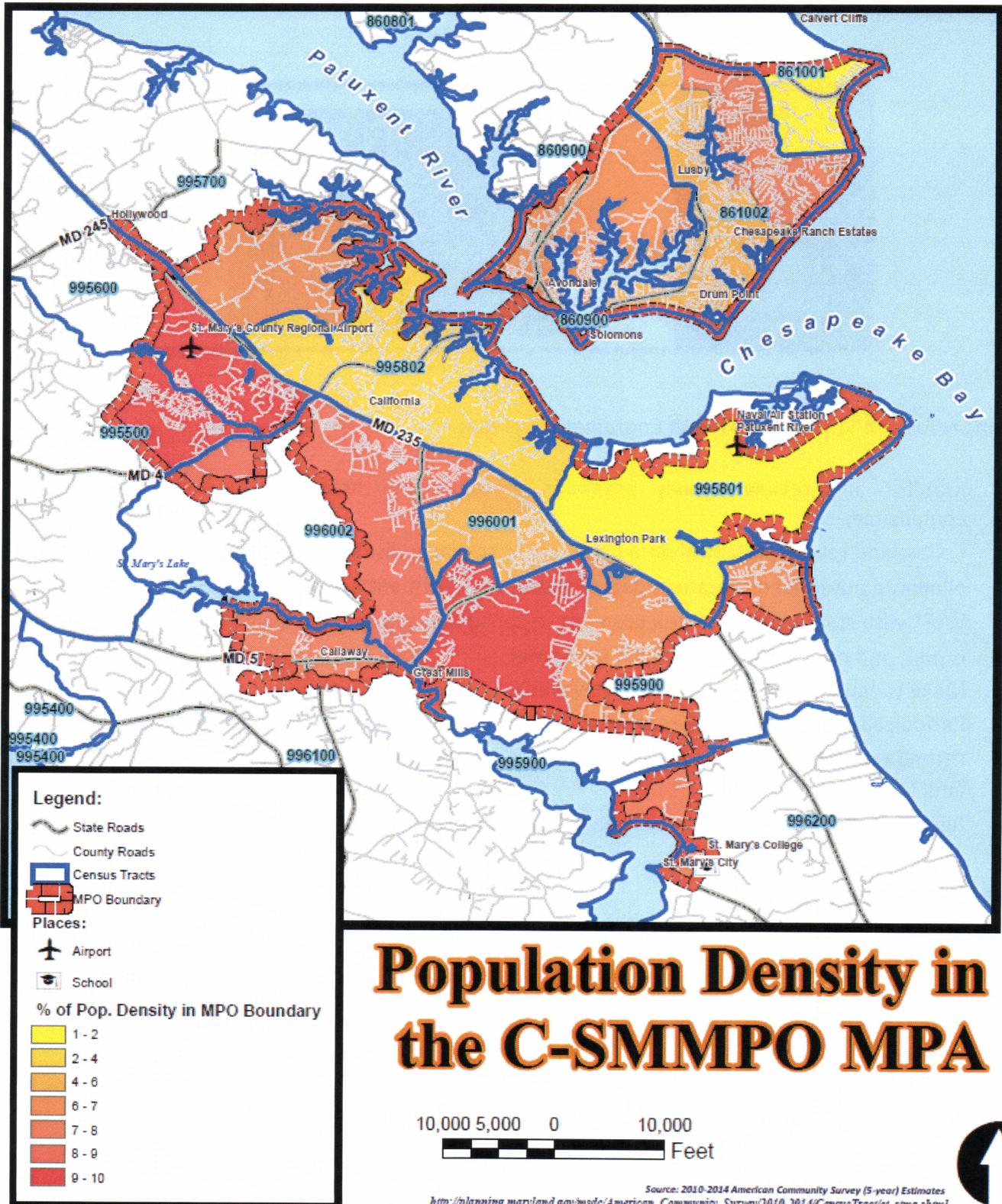
## Title VI Components

### Regional Overview

The C-SMMPO, as shown in **Figure 2**, includes Calvert and St. Mary's counties in Maryland. The total area of the C-SMMPO is approximately 59.27 square miles, with a 2010 population of approximately 58,875 persons.



Figure 2: Population in the C-SMMPO MPA





**Calvert - St. Mary's**  
METROPOLITAN PLANNING ORGANIZATION  
*Title VI Plan*



### Environmental Justice and Demographic Profile

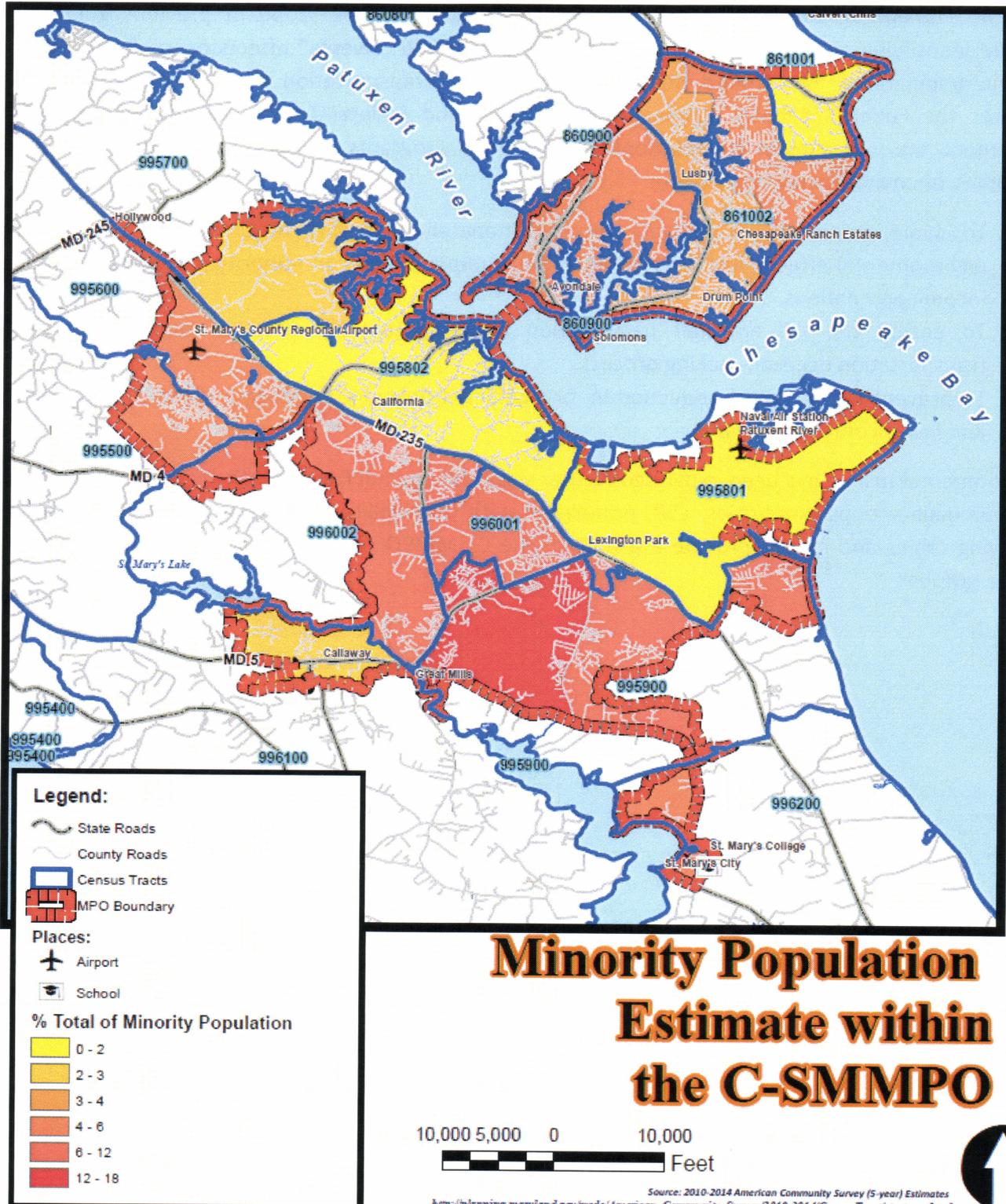
Presidential Executive Order 12898, entitled “*Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*,” expanded the scope of previous guidance to include identifying and avoiding “disproportionately high and adverse” effects on minority and low-income populations. The United States Department of Transportation (U.S. DOT) Order 6640.23 requires the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) to implement the principles of environmental justice in all programs, policies, and activities. The three principles of environmental justice are:

- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

Environmental Justice has been expanded further since the original Executive Order and is now focused on four main groups: minorities, LEP, population with a disability, and low-income population. The following tables and graphs provide a profile of the C-SMMPO region for each of the environmental justice groups.



**Figure 3: Distribution by Population Type**





**Table 1: LEP Population**

Area	Total LEP Population
C-SMMPO Urbanized Area	1,833

*Source: 2010-2014 American Community Survey (5-year) Estimates*

**Table 2: Persons with a Disability by County**

Area	Persons with a Disability	% with a Disability
Calvert County, MD	8,914	10.1
St. Mary's County, MD	11,610	11
C-SMMPO Urbanized Area	10,297	10.5

*Source: 2010-2014 American Community Survey (5-year) Estimates*

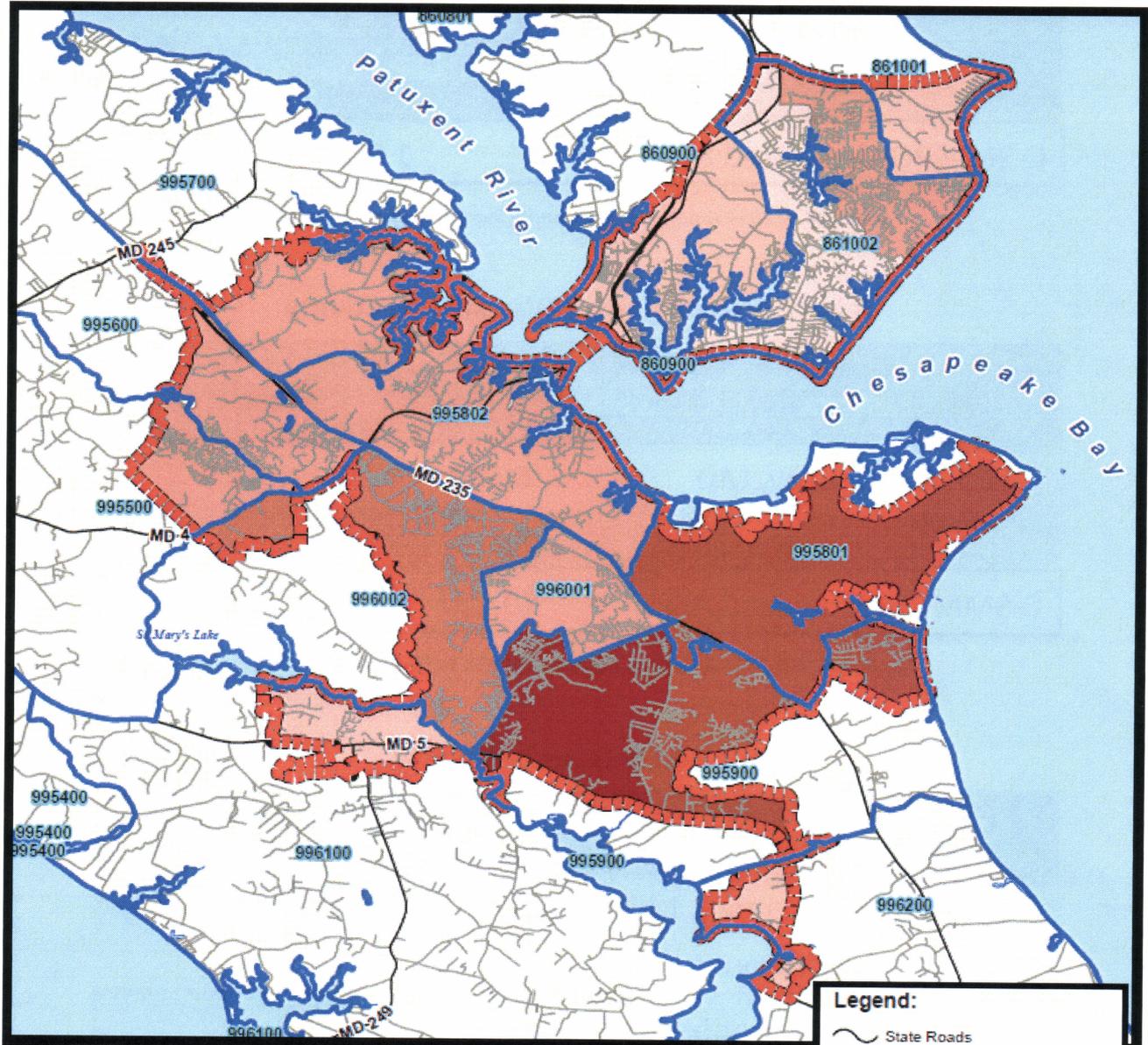
**Table 3: Persons in Poverty**

Area	% in Poverty
Calvert County, MD	4.9
St. Mary's County, MD	7.2
C-SMMPO Urbanized Area	4.3

*Source: 2009-2013 American Community Survey (5-year) Estimates*



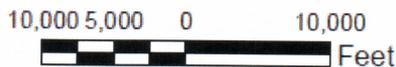
**Figure 4: Limited English Proficiency**



**Limited English Proficiency  
 in the C-SMMPO MPA**

**Legend:**

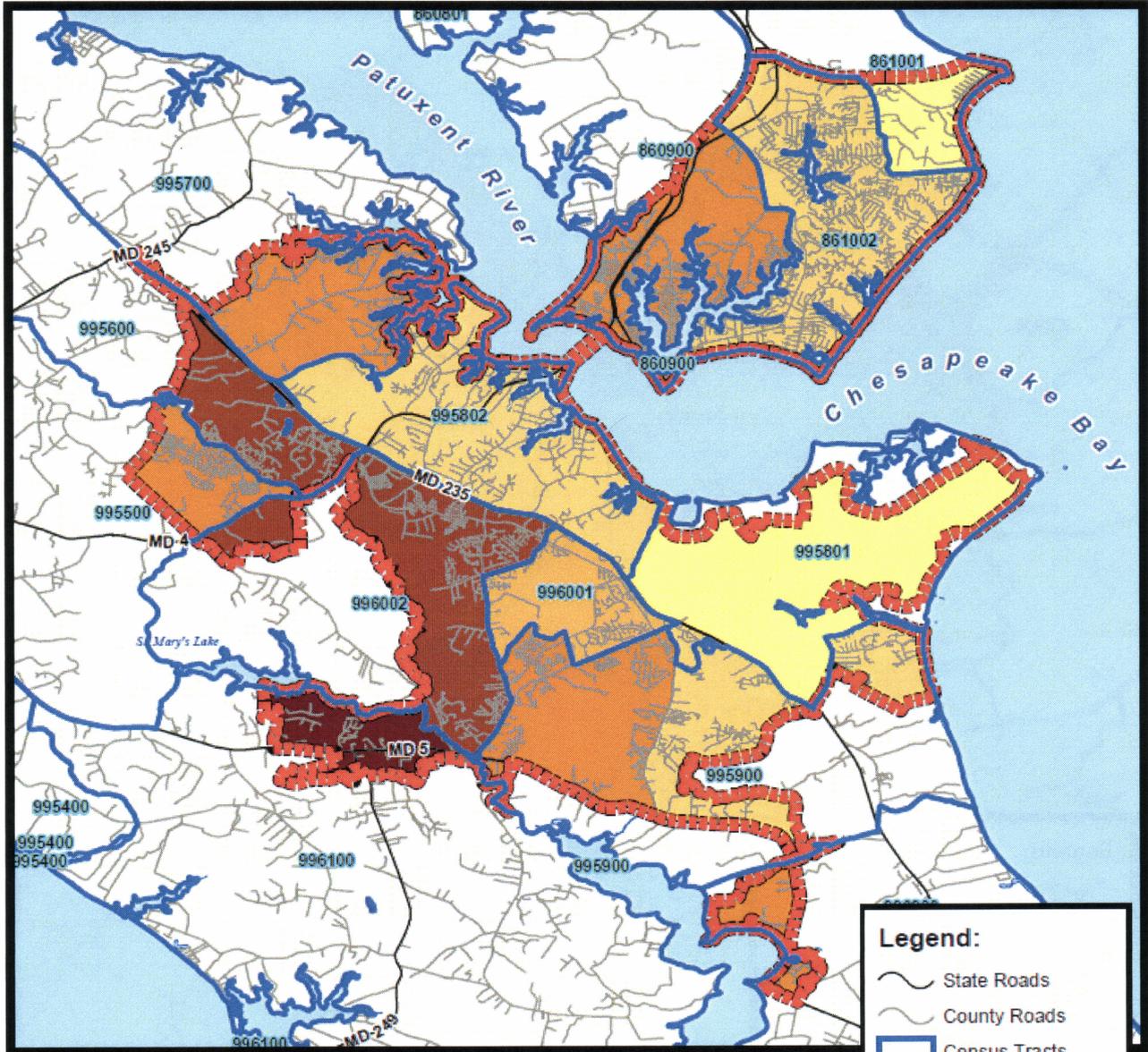
- State Roads
- County Roads
- Census Tracts
- MPO Boundary
- % of Those Who Speak English Less Than Very Well:**
- 0
- 0 - 3
- 3 - 6
- 6 - 9
- 9 - 12
- 12 - 18



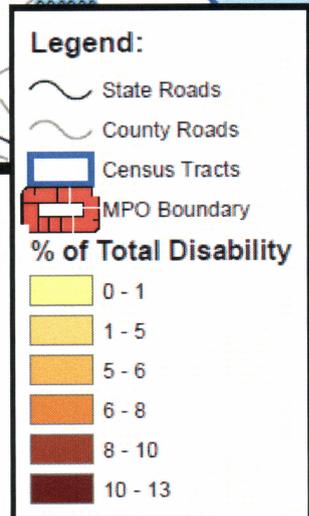
Source: 2010-2014 American Community Survey (5-year) Estimates



**Figure 5: Population with a Disability**



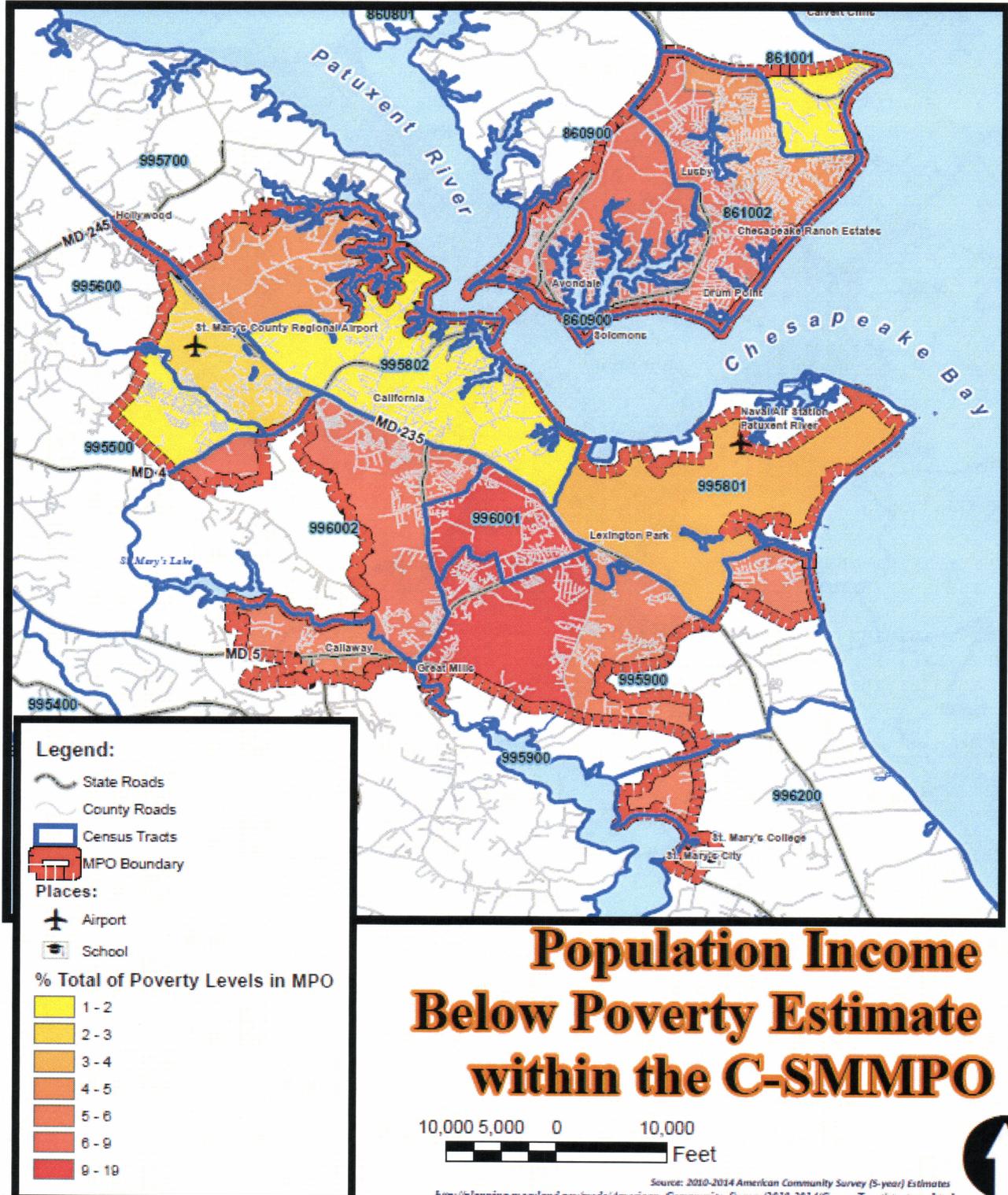
**Persons with a Disability  
 in the C-SMMPO MPA**



Source: 2010-2014 American Community Survey (5-year) Estimates



**Figure 6: Population Living Below Poverty**





**Four-Factor Analysis**

In accordance with Title VI of the Civil Rights Act and the U.S. Department of Transportation Circular FTA C 4702.1B *“Title VI Requirements and Guidelines for Federal Transit Administration Recipients,”* recipients are required to take “reasonable steps to ensure meaningful access to their programs and activities by LEP persons.” The guidance recommends that the following four-factor analysis be used to help determine how to ensure reasonable and meaningful access to C-SMMPO activities:

1. The number and proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient.
2. The frequency with which LEP persons come into contact with the program.
3. The nature and importance of the program, activity, or service provided by the program to people’s lives.
4. The resources available to the recipient for LEP outreach, as well as the costs associated with that outreach.

**1. Number and Proportion**

The 2010-2014 American Community Survey (ACS) data were used to understand the language profile of LEP individuals in the two counties. Individuals who speak English less than “very well” from the census data tables are considered to be LEP individuals. **Table 4** shows languages used at home by individuals ages 5 and over who speak English less than “very well,” and it includes the number of LEP individuals who speak each language. As shown in **Table 4**, 1,833 of the region’s population speak English less than “very well.” Of the population, Asian/Pacific Islander is the most common language, followed by Spanish, and other Indo-European.

**Table 4: Language Spoken at Home**

	C-SMMPO
Spanish	647
Other Indo-European	430
Asian and Pacific Islander	741
Other Languages	15
<b>Total " Speaks English Less Than Very Well"</b>	<b>1,833</b>

*Source: 2010-2014 American Community Survey (5-year) Estimates*

**2. Frequency**

Due to the small size of the LEP population and the nature of services provided by the C-SMMPO, LEP involvement is currently infrequent. To date, no requests have been made for



information by either individuals or groups. This is due to the size of the LEP population, the small size of the MPO, and the fact that there has not been a Title VI plan in place since the creation of this MPO in December of 2014.

### 3. Importance

The C-SMMPO approves the use of federal funds for future transportation projects as well as short-term transportation projects and services. The C-SMMPO does not own or operate roads or buses, and therefore does not provide any service or program that requires vital, immediate, or emergency assistance such as medical treatment or services for basic needs (food, housing, education, etc.). Further, involvement with the C-SMMPO or its committee is entirely voluntary.

The C-SMMPO provides opportunities for the public to comment on the use of federal funds for the key activities summarized below:

- **Unified Planning Work Program (UPWP)**
- **Transportation Improvement Program (TIP)**
- **Air Quality Determination**
- **Long Range Transportation Plan (LRTP)**
- **Public Participation Plan (PPP)**
- **Limited English Proficiency (LEP) Plan**
- **Title VI Plan**

The impacts of transportation improvements resulting from these actions affect all residents. Efforts are made to encourage an understanding of the process and to provide opportunities to comment. As a result, the C-SMMPO is concerned with input from all stakeholders and every effort is made to make the planning process as inclusive as possible.

Through the regional transportation planning process, selected projects receive approval for Federal funding and progress toward project planning and construction under the responsibility of local jurisdictions or state transportation agencies. These state and local organizations are required to have their own policies in place to ensure opportunities for LEP individuals to participate in the process that shapes where, how, and when a specific project is implemented.

### 4. Resources

Because the LEP population in the region is not of a significant proportion at this time and the cost of translating large documents is high, translation of regional transportation plans is not an efficient use of limited funds.

However, the region is dynamic and continues to attract diverse ethnic and cultural populations. Further, the C-SMMPO values the diversity within the region, as well as the importance of full and fair participation in the transportation decision-making process by those individuals and groups who have been traditionally underserved. Therefore, the C-SMMPO will continue to ensure access for all and the participation of those whose lives are affected by our plans and policies.



Through the four-factor analysis, the C-SMMPO has developed an implementation plan to address language assistance within the region. **Figure 7** summarizes key elements of the implementation plan.

### Limited English Proficiency Implementation Plan

- Free on-line translation services, powered by Google Translate, are available on the C-SMMPO's web site ([www.calvert-stmarysmpo.com](http://www.calvert-stmarysmpo.com)) by clicking the  button on the main page of the site. Google Translate enables visitors to translate any page of text into more than 60 languages. Users should be aware, however, that Google Translate has its limitations. It is useful for getting the basic understanding of the material, but it does not translate all linguistic nuances.
- The C-SMMPO has translated select materials, such as the Title VI Policy and Complaint Form, which are available in Spanish online and at the St. Mary's County Land Use and Growth Management office where the C-SMMPO conducts operations.
- Should the need for oral or written translation of any other document arise, the C-SMMPO will make a reasonable attempt to provide translation services through a state contract with Language Line Services.
- Designated staff members at the C-SMMPO office are prepared to use language identification cards. These point-to-your-language cards or posters help to identify the language the individual speaks. The concept was developed by the Census Bureau and is used by government and nongovernment agencies to identify the primary language of LEP individuals during face-to-face contact. Through the use of identification cards, the C-SMMPO staff member can call the appropriate translator through Language Line Services.

*Figure 7: C-SMMPO LEP Implementation Plan*



## Communications and Public Involvement

The C-SMMPO believes that public input into the transportation planning process is essential to good decision-making. The C-SMMPO makes special efforts, as a matter of policy and a requirement of federal law, to address the concerns of traditionally underserved communities, including low-income and minority communities and people with disabilities. The C-SMMPO uses traditional media such as local newspapers and county government news releases, to disseminate information and to give notice for public comment opportunities.

### Public Participation Plan

The Public Participation Plan document, which can be found at <http://www.calvert-stmarysmpo.com/DocumentCenter/Home/View/92>, provides an overall framework for participation in the C-SMMPO's process. On an ongoing basis, the C-SMMPO staff gathers information and evaluates the effectiveness of the public outreach methods.

Federal regulations require that MPOs define a process for providing interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process. The regulations define these constituencies as: 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. The C-SMMPO's Public Participation Plan was developed to:

- Create a process that will improve and increase participation in the transportation planning process by all stakeholders
- Provide for early involvement in the planning process by stakeholders to ensure there are ample opportunities to participate in key decisions.
- Facilitate access to the transportation planning process by populations that typically lack formal access, such as low income, elderly, minorities, and persons with disabilities.
- Encourage involvement in the planning process by non-traditional participants.
- Foster a process that will result in transportation plans and projects that reflect the values of the communities that the C-SMMPO serves.

## Monitoring Process and Complaint Procedures

Any person who believes s/he has been discriminated against on the basis of race, color, national origin or other applicable laws, by the C-SMMPO may file a Title VI complaint by completing and mailing the C-SMMPO's Title VI Complaint Form, found in **Appendix D** and online at <http://www.calvert-stmarysmpo.com/176/title-vi> to Ashley Renshaw, Title VI Coordinator at Calvert-St. Mary's MPO, PO Box 653, Leonardtown, MD 20650.

A formal complaint must be submitted in writing within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant. The C-SMMPO will process complaints that are complete.



## Complaint Procedures

1. Once the complaint is received, the C-SMMPO will acknowledge receipt of the complaint within five business days and will review it to determine if the C-SMMPO has jurisdiction. The Complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by the C-SMMPO or another applicable agency. The C-SMMPO has 30 days to investigate the complaint.
2. If more information is needed to resolve the case, the C-SMMPO may contact the Complainant. The Complainant has 30 business days from the date of the letter to send requested information to the C-SMMPO's Title VI Coordinator. If the Title VI Coordinator is not contacted by the Complainant or does not receive the additional information within 30 business days, the C-SMMPO can administratively close the case. A case can also be administratively closed if the Complainant no longer wishes to pursue their case.
3. After the Title VI Coordinator reviews the complaint, she/he will issue one of two letters to the Complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. An LOF summarizes the allegations and details plans for remedial actions to provide redress. The written response shall be issued no later than 90 calendar days after the date the complaint is received.
4. If the Complainant wishes to appeal the decision, s/he has 30 days after the date of the LOF to do so.

If the Complainant is dissatisfied with the C-SMMPO's resolution of the complaint, s/he may also submit a complaint to the Maryland Department of Transportation for investigation based on the location of the alleged discrimination. In accordance with Chapter VII, Title VI/Non-Discrimination Complaints, of Federal Transit Administration Circular 4702.1A, such a complaint must be submitted within 180 calendar days after the date of the alleged discrimination. Chapter IX of the FTA Circular 4702.1A, which outlines the complaint process to the United States Department of Transportation, may be obtained online at [www.fta.dot.gov](http://www.fta.dot.gov). Paper copies of the circular may be obtained by calling FTA's Administrative Services Help Desk, at 202-366-4865.

A person may also file a complaint directly with the Federal Transit Administration, at FTA Office of Civil Rights, 1200 New Jersey Ave., SE, Washington, DC 20590; or with the Federal Highway Administration, at FHWA Office of Civil Rights, Chief Investigations and Adjunction, 400 7th Street SW, Room 4132, Washington DC 20590.



# **Appendix A**

## **Authorities**



**Calvert - St. Mary's**  
METROPOLITAN PLANNING ORGANIZATION  
*Title VI Plan*



## Federal Statutes

**Title VI of the Civil Rights Act of 1964, Pub. L. No. 88-352, 78 Stat. 252 (1964) (42 U.S.C. §§ 2000d- 2000d-7)** – provides 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 subjected to discrimination under any program or activity receiving Federal financial assistance.

**The Age Discrimination Act of 1975 (42 U.S.C §§ 6101-6107)** – prohibits age discrimination in Federally Assisted Programs.

**The Federal-Aid Highway Act, (49 U.S.C. § 306)** – Outlines responsibilities of the U.S. DOT and the Secretary's authority to determine compliance with applicable Civil Rights statutes.

**The Federal-Aid Highway Act, Pub. L. No. 97-449, 96 Stat. 2421 (1983) (codified as amended at 49 U.S.C. § 306)** – added the requirement that there be no discrimination on the grounds of sex in DOT financial assistance programs.

**The 1973 Federal-Aid Highway Act, Pub. L. No. 93-87, 87 Stat. 250 (1973) (23 U.S.C. § 324)** – added the requirement that there be no discrimination on the grounds of sex in Title 23 programs.

**The Civil Rights Restoration Act of 1987, Pub L. No 100-259, 102 Stat. 28 (1988)** – restored the broad, institution-wide scope and coverage of the nondiscrimination statutes to include all programs and activities of Federal-aid recipients, sub-recipients and contractors, whether such programs and activities are federally assisted or not.

**The Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970, Pub. L. No. 91- 646, 84 Stat. 1894 (1971) (codified as amended at 42 U.S.C. §§ 4601-4638)** – provides for fair treatment of persons displaced by Federal and Federal-aid programs and projects.

**The Uniform Relocation Act Amendments of 1987, Pub. L. No. 101- 246** – Updated the 1970 Act and clarified the intent of Congress in programs and projects which cause displacement.

**Rehabilitation Act Amendments of 1986, Pub L. No. 99-506, 100 Stat. 1807 (1986) (42 U.S.C. § 2000d-7)** – abrogated recipient state sovereign immunity from suit under Title VI.

**The Americans with Disabilities Act, Pub. L. 101-336** – provides enforceable standards to address discrimination against individuals with disabilities.

**The American with Disabilities Act, Pub. L. No. 101-336, 104 Stat. 327 (1990) (codified as amended at 42 U.S.C. § 12101 et seq.)** – added the requirement that there be no discrimination on the grounds of disability, abrogated sovereign immunity, and provided enforceable standards to address discrimination against individuals with disabilities.

**The Civil Rights Act of 1991, Pub. L. No. 102-166, 105 Stat. 1071 (1991) (codified in part at 42 U.S.C. § 1981)** – in part, amended Section 1981 of 42 U.S.C. to provide a definition for the term “make and enforce contracts”, and to provide protection of the rights protected by this section against impairment by nongovernmental discrimination under color of State law.



**Calvert - St. Mary's**  
METROPOLITAN PLANNING ORGANIZATION  
*Title VI Plan*



**Title VIII of the 1968 Civil Rights Act, Pub. L. No. 90-284, 82 Stat. 81 (1968) (codified as amended at 42 U.S.C. § 3601 et seq)** – Requires fair housing practices in the sale or rental of housing, and zoning and planning by localities.

**The National Environmental Policy Act of 1969, Pub. L. No. 91-190, 83 Stat. 852 (1969) (42 U.S.C. § 4321)** – Requires the preparation of environmental impact statements for major federal agency actions affecting the human environment. Under NEPA, federal agencies and federal aid recipients are required to consider several alternative actions, including the “no-action” alternative, and to consider social, environmental and economic impacts, public involvement.

**Title IX of the Education Amendments of 1972, Pub. L. No. 92-318, 86 Stat. 374 (1972) (20 U.S.C.A. § 1682)** – makes financial assistance available to institutions of higher education.

**Transportation Equity Act for the 21st Century, Pub. L. No. 105–178, 112 Stat. 107 (1999) (codified in part at 23 U.S.C. § 101)** – in part, mandates expenditures in federally assisted transportation programs through Disadvantaged Business Enterprises.

### Executive Orders

**E.O. 12250, 28 C.F.R. Pt. 41, App. A (1980)** – Orders DOJ Leadership and Coordination of Nondiscrimination Laws.

**E.O. 12259, 46 Fed. Reg. 1253 (1980)** – Orders HUD Leadership and Coordination of Federal Fair Housing Programs.

**E.O. 12898, 59 Fed. Reg. 7629 (1994)** – Orders Federal actions to address Environmental Justice in minority populations and low-income populations.

**E.O. 13160, 65 Fed. Reg. 39775 (2000)** – Orders nondiscrimination on the basis of race, sex, color, national origin, disability, religion, age, sexual orientation, and status as a parent in federally conducted education and training programs.

**E.O. 13166, 65 Fed. Reg. 50121 (2000)** – Orders Federal agencies and their recipients to improve access to federally sponsored programs for persons with Limited English Proficiency (LEP).

**E.O. 13175, 65 Fed. Reg. 218 (2000)** – Orders Consultation and Coordination with Indian Tribal Governments.

### Regulations

**23 C.F.R. §200** – FHWA’s Title VI Program Implementation and Review Procedures.

**23 C.F.R. Part 420.121(h)** – part of FHWA’s planning regulations that specify the applicability of Title VI of the 1964 Civil Rights Act and Restoration Act of 1987 to FHWA funded planning and research activities.

**23 C.F.R. Part 450** – Federal Highway Administration’s Statewide and Metropolitan Planning Regulations.

**23 C.F.R. Part 450.316(b) (2) & (3)** – requires that the metropolitan planning process be consistent with Title VI of the 1964 Civil Rights Act and the recipient’s Title VI Assurances.



**Calvert - St. Mary's**  
METROPOLITAN PLANNING ORGANIZATION  
*Title VI Plan*



**23 C.F.R. Part 633, Subpart A** – specifies required contract provisions to be included in all Federal-aid construction contracts under Title VI and other federal provisions.

**23 C.F.R. Part 633, Subpart B, Appendix A** – specifies the types of contracts to which Title VI of the 1964 Civil Rights Act applies.

**23 C.F.R. Part 771.105(f)**—FHWA’s Policy on Title VI – expands on 23 C.F.R. 200.7 and names categories covered with wording similar to Title VI of the Civil Rights Act of 1964 – race, color, national origin, age, sex, handicap.

**28 C.F.R. Part 35** – DOJ regulations governing nondiscrimination on the basis of disability in State and local government services.

**28 C.F.R. Part 41** – Requires DOJ to coordinate the implementation of Section 504 of the Rehabilitation Act, and provides guidelines for determining discretionary practices.

**28 C.F.R. Part 42, Subpart C** – DOJ’s implementation of Title VI of the Civil Rights Act of 1964.

**28 C.F.R. Part 42.200, Subpart D** – “Nondiscrimination in Federally assisted Programs – Implementation of Section 815 (c) (1) of the Justice System Improvement Act of 1979” –implements E.O. 12138.

**28 C.F.R. Part 50.3** – DOJ’s guidelines for the enforcement of Title VI, Civil Rights Act of 1964.

**49 C.F.R. Part 21** – DOT’s implementation of Title VI of the Civil Rights Act of 1964.

**49 C.F.R. Part 24** – DOT’s implementation of the Uniform Relocation and Real Property Acquisition Act for Federal and federally assisted programs requiring compliance with Nondiscrimination Statutes and Executive Orders.

**49 C.F.R. Part 25** – DOT’s implementation of Title IX of the Education Amendments Act of 1972.

**49 C.F.R. Part 26** – DOT’s implementation of Participation by Disadvantaged Business Enterprises in DOT Financial Assistance Programs.

**49 C.F.R. Part 27** – DOT’s implementation of Section 504 of the Rehabilitation Act of 1973 as amended.

**49 C.F.R. Part 28** – Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities Conducted by the Department of Transportation.

**49 C.F.R. Part 37** – Transportation Services for Individuals with Disabilities, implementing the transportation and related provisions of Title II and III of the ADA proscriptions included in Form FHWA 1273.

### **Administrative Guidance**

**DOT Order 1000.12** – Implementation of the Department of Transportation Title VI Program.

**DOT Order 1050.2** – Standard Title VI Assurances.

**DOT Order 5610.2** – U.S. Department of Transportation Order to Address Environmental Justice in Minority



**Calvert - St. Mary's**  
METROPOLITAN PLANNING ORGANIZATION  
*Title VI Plan*



Populations and Low-Income Populations.

**FHWA Order 4710.1** – Right-of-Way Title VI Review Program.

**FHWA Order 4710.2** – Civil Rights Compliance Reviews of Location Procedures.

**FHWA Order 4720.6** – Civil Rights Restoration Act of 1987 in FHWA Programs.

**FHWA Order 6640.23** – Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.

**Joint FHWA/FTA Memorandum dated October 7, 1999** – Guidance on Implementing Title VI in Metropolitan and Statewide Planning.

**DOJ Policy Guidance Document dated January 11, 2002** – Memo re: E.O. 13166, Improving Access to Services for persons with Limited English Proficiency.

**DOJ Policy Guidance Document dated January 18, 2002** – Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition against National Origin Discrimination Affecting Limited English Proficient Persons.

**DOT Policy Guidance Document dated December 14, 2005** – Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) persons.

**FTA C 4702.1B (October 1, 2012)** –“Title VI Requirements and Guidelines for Federal Transit Administration Recipients.” Provides FTA financial assistance recipients with guidance on implementing Title VI regulations.



# **Appendix B**

## **Memorandum of Understanding**



**Calvert - St. Mary's**  
METROPOLITAN PLANNING ORGANIZATION  
*Title VI Plan*



**MEMORANDUM OF AGREEMENT FOR  
DESIGNATION OF A FISCAL AGENT AND PROVISION OF ADMINISTRATIVE  
SERVICES TO  
THE CALVERT-ST.MARY'S METROPOLITAN PLANNING ORGANIZATION**

This **MEMORANDUM OF AGREEMENT** ("Agreement") is made this 28 day of October, 2014 between the County Commissioners of Calvert County, Maryland ("Calvert County Government") and the Commissioners of St. Mary's County ("St. Mary's County Government"), each being bodies politic and corporate, (hereinafter, the Calvert County Government and St. Mary's County Government are collectively referred to as the "Counties") in their respective capacities as members of the Calvert-St. Mary's Metropolitan Planning Organization ("C-SMMPO").

**WHEREAS**, Martin O'Malley, Governor of the State of Maryland, County Commissioners of Calvert County, Maryland and the Commissioners of St. Mary's County have entered into an Memorandum of Understanding for cooperative transportation planning which established the C-SMMPO as the Metropolitan Planning Organization for the Lexington Park-California-Chesapeake Ranch Estates area; and

**WHEREAS**, the Counties desire to memorialize the fiscal and administrative responsibilities to be undertaken by each on behalf of the C-SMMPO and procedures for reimbursement as set forth herein.

**NOW THEREFORE**, in consideration of the mutual promises and benefits herein conferred, the Counties agree as follows:

- I. The Calvert County Government agrees to serve as the fiscal agent for the C-SMMPO by performing all necessary appropriate fiscal services, including, but not limited to:
  - A. Accept and maintain in a balance sheet account all State, federal, local, and other funds received by the C-SMMPO and maintain accounting and financial records for these funds;
  - B. Provide the financial reports requested or required of the C-SMMPO by either of the Counties, or any federal or State authority;
  - C. Collect and document the local matching funds provided by the Counties;
  - D. Prepare and submit to MDOT, on behalf of the C-SMMPO, monthly or quarterly invoices for payment, in accordance with procedures and guidelines adopted by the Maryland Department of Transportation;
  - E. Provide purchasing services for the C-SMMPO in accordance with the Calvert County Government's procurement policies; and



**Calvert - St. Mary's**  
METROPOLITAN PLANNING ORGANIZATION  
*Title VI Plan*



- F. Process invoices and make payments from funds available on behalf of the C-SMMPO.
  - G. Distribute, advertise, and process requests for proposals for projects or studies to be undertaken by the C-SMMPO;
  - H. Oversee contracts of consultants hired by the C-SMMPO for quality and progress of work being done within Calvert County and cooperate with St. Mary's on the oversight of contracts of consultants hired by the C-SMMPO for work that crosses into both counties or is involved with documents to be produced for the C-SMMPO, in which case, cooperation would also be with MDOT.
- II. The St. Mary's County Government agrees to serve as the administrative agent for the C-SMMPO by performing all necessary appropriate administrative functions, including, but not limited to:
- A. Oversee contracts of consultants hired by the C-SMMPO for quality and progress of work being done within St. Mary's County and cooperate with Calvert County on the oversight of contracts of consultants hired by the C-SMMPO for quality of work that crosses into both counties or is involved with documents to be produced for the C-SMMPO, in which case, cooperation would also be with MDOT;
  - B. Coordinate, schedule and attend C-SMMPO meetings and meetings of the committees that are established by the C-SMMPO as directed by the C-SMMPO:
    - 1. Arrange for and reserve the location for meetings of the C-SMMPO;
    - 2. Prepare, advertise in accordance with the adopted Public Participation Plan and distribute meeting agendas;
    - 3. Provide documents, agendas, reports, and minutes to the C-SMMPO and committees in advance of the meetings;
    - 4. Provide and set up: microphones; a recording device, which may include video and audio devices, as directed by the C-SMMPO; computer/projector when needed; sign-in-sheets; and other equipment, as needed;
    - 5. Take and archive minutes and keep records of the meetings as required by law;
    - 6. Prepare and submit to MDOT on behalf of the C-SMMPO quarterly progress reports that include a statement of the work done by all staff and consultants under the Unified Planning Work Plan ("UPWP");
    - 7. Maintain the official records of the C-SMMPO, including traffic studies and traffic counts that are commissioned by the C-SMMPO or submitted to the C-SMMPO by others;
    - 8. Respond to requests for C-SMMPO documents and information;
    - 9. Advertise for residents interested in serving on any Citizens Advisory Committee established by the C-SMMPO;
    - 10. Advertise for private sector professionals to serve on any Technical Advisory Committee established by the C-SMMPO.



**Calvert - St. Mary's**  
METROPOLITAN PLANNING ORGANIZATION  
*Title VI Plan*



III. Payment to the Counties.

- A. Subject to available funding, the Counties shall be reimbursed for their staff's work on behalf of the C-SMMPO upon submission and approval of a reimbursement request.
- B. The rate of reimbursement for staff time expended on behalf of the C-SMMPO shall be at the rate of the actual per hour cost plus overhead at the rate of 51% for work during regular business hours and an additional 16% for overtime hours.
- C. Subject to available funding, the Counties shall be reimbursed for all reasonable and out-of-pocket travel and other expenses incurred on behalf of the C-SMMPO in performing services under this agreement upon the submission of such accounts and records as may be reasonably required by the C-SMMPO.

IV. General Provisions.

- A. By entering into this Agreement, neither County nor their respective "employees," as defined in the Local Government Tort Claims Act, §§5-301, *et seq.* of the *Courts and Judicial Proceedings Article* of the Maryland Annotated Code, waive sovereign immunity, or waive any defenses; any limitations of liability as may be provided for by law or any provision of the Local Government Tort Claims Act.
- B. No elected official, appointed official, employee, servant, agent or law enforcement officer shall be held personally liable under this Agreement and any extension or renewals thereof provided they are acting within the course and scope of their employment or governmental duties and responsibilities.
- C. Each of the Counties' financial obligations, if any, under this Agreement are contingent upon sufficient appropriations and authorization being made for the performance of this Agreement. A County's decision as to whether sufficient appropriations are available shall be accepted by the other Party to this Agreement, and shall be final.
- D. Either Party to this Agreement may terminate this Agreement without cause by giving 45 days written notice to the other Party. The effective date of termination pursuant to this clause shall be the 46th day following the date of the written termination notice. In the event of such termination, all contract fees and charges incurred through the effective date of the termination shall be payable in accordance with the terms of this Agreement. In the event of such termination, neither County shall be liable for any damages, penalties, and demobilization or contract termination expenses of any nature. In the event of a conflict between this clause and any other clause of this Agreement, this clause shall control.
- E. In the event any portion of this Agreement is found to be unconstitutional, illegal, null or void, by a court of competent jurisdiction, it is the intent of the Counties to sever only the invalid portion or provision, and that the remainder of the agreement shall be enforceable and valid, unless deletion of the invalid portion would defeat the clear purpose of the agreement, or unless deletion of the invalid portion would produce a result inconsistent with the purpose and intent of the parties in entering into this Agreement.
- F. The Counties agree that the above writing constitutes the entire agreement between them concerning this matter and that there are no understanding, promises or arrangements



**Calvert - St. Mary's**  
**METROPOLITAN PLANNING ORGANIZATION**  
*Title VI Plan*



binding either party hereto that have not been written herein. The Counties further agree that this Agreement can be amended only by written agreement signed by the Counties.

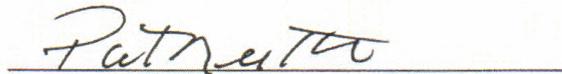
- G. This Agreement shall be governed by the internal laws of Maryland, without giving effect to its choice of law provisions.

**IN WITNESS WHEREOF**, the Counties have caused this Agreement to be executed by a duly authorized representative as of the day and year first above written.

**ATTEST:**

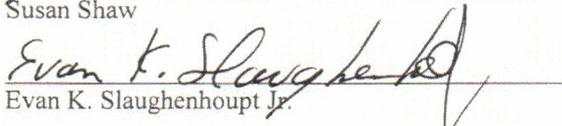
**BOARD OF COUNTY COMMISSIONERS OF  
 CALVERT COUNTY, MARYLAND**

  
 Maureen L. Frederick, Clerk

  
 Pat Nutter, President

  
 Steven R. Weems, Vice-President

Gerald W. Clark  
  
 Susan Shaw

  
 Evan K. Slaughenhoupt Jr.

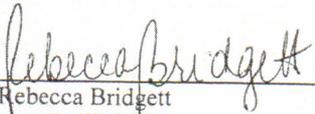


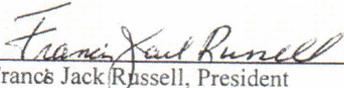
**Calvert - St. Mary's**  
**METROPOLITAN PLANNING ORGANIZATION**  
*Title VI Plan*

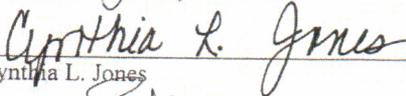


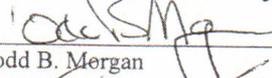
**ATTEST:**

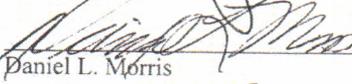
**COMMISSIONERS OF ST. MARY'S COUNTY,  
 MARYLAND**

  
 Dr. Rebecca Bridgett  
 County Administrator

  
 Francis Jack Russell, President

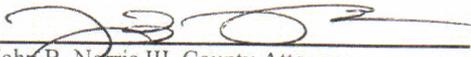
  
 Cynthia L. Jones

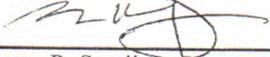
  
 Todd B. Morgan

  
 Daniel L. Morris

  
 Lawrence D. Jarboe

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

  
 John B. Norris III, County Attorney  
 Calvert County, Maryland

  
 George R. Sparling, County Attorney  
 St. Mary's County, Maryland



# Appendix C

## Table of Minority Representation on Boards



**Calvert - St. Mary's**  
METROPOLITAN PLANNING ORGANIZATION  
*Title VI Plan*



### Minority Representation on C-SMMPO Boards

Body	Total	Black/African American	Hispanic	Asian
Technical Advisory	0	0	0	0

*Please note: The TAC membership is created by pulling specific positions, instead of specific people. We need the expertise the person in that position has. The make-up of the TAC changes as staff changes at those entities.*



# **Appendix D**

## **Complaint Forms**



**CALVERT-ST. MARY'S  
METROPOLITAN PLANNING ORGANIZATION**



**Complaint Form**

**Section I:**

Name:

Address:

Telephone (Home):

Telephone (Work):

Electronic Mail Address:

Accessible Format

Large Print

Audio Tape

Requirements?

TDD

Other

**Section II:**

Are you filing this complaint on your own behalf?

Yes\*

No

\*If you answered "yes" to this question, go to Section III.

If not, please supply the name and relationship of the person for whom you are complaining:

Please explain why you have filed for a third party:

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.

Yes

No

**Section III:**

I believe the discrimination I experienced was based on (check all that apply):

Race

Color

National Origin

Other Protected Class \_

Date of Alleged Discrimination (Month, Day, Year): \_

Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses.





**CALVERT-ST. MARY'S  
METROPOLITAN PLANNING ORGANIZATION**



**Formulario de Quejas**

**Sección I:**

Nombre:

Dirección:

Teléfono (Hogar):

Teléfono (Trabajo):

Correo Electrónico:

Requisitos de  
formato accesible

Tipografía

TDD

Cinta de

Otro

**Sección II:**

¿Está presentando esta queja en su propio

Sí\*

No

\* Si su respuesta es "sí" a esta pregunta, vaya a la Sección III.

Si su respuesta es "no", por favor  
proporcione el nombre y la relación de la  
persona por la que usted está

Por favor explique por qué usted ha sometido una querrela por otra persona:

Por favor confirme que ha obtenido  
permiso de la parte perjudicada si usted  
está sometiendo la queja a nombre de otra  
persona.

Sí

No

**Sección III:**

Creo que la discriminación que experimenté estuvo basada en (marque todas las respuestas correspondientes):

Raza

Color

Origen Nacional

Otra Clase Protegida \_\_\_\_\_

Fecha de la discriminación alegada (día, mes, año): \_\_\_\_\_

Explique lo más claramente posible lo que sucedió y por qué cree que experimentó discriminación. Describa a todas las personas que estuvieron involucradas. Incluya el nombre y la información de contacto de la(s) persona(s) que discriminó o discriminaron contra usted (si se conoce), así como los nombres y la información de contacto de cualquier testigo(s).

<b>Sección IV:</b>		
¿Ha presentado una queja del Título VI con esta agencia previamente?	Sí	No
<b>Sección V:</b>		
¿Ha presentado esta queja previamente con cualquier otra agencia federal, estatal o local, o con cualquier corte federal o estatal?		
<input type="checkbox"/> Sí <input type="checkbox"/> No		
Si su respuesta es "sí", marque todas las entidades correspondientes:		
<input type="checkbox"/> Agencia Federal _____		
<input type="checkbox"/> Corte Federal _____ <input type="checkbox"/> Agencia Estatal _____		
<input type="checkbox"/> Corte Estatal _____ <input type="checkbox"/> Agencia Local _____		
Por favor provea información sobre una persona de contacto en la agencia / tribunal donde se presentó la queja.		
Nombre:		
Título:		
Agencia:		
Dirección:		
Teléfono:		
<b>Sección VI:</b>		
Nombre de la agencia en contra de quien es la queja:		
Punto de contacto:		
Título:		
Teléfono:		

Usted puede adjuntar cualquier material escrito u otra información que crea que es relevante a su queja.

Su firma y la fecha se requieren a continuación

\_\_\_\_\_

Firma

\_\_\_\_\_

Fecha

Por favor envíe este formulario al Coordinador de Título VI de Calvert-St. Mary's MPO a:

Correo postal:                      Calvert-St. Mary's MPO  
23150 Leonard Hall Drive  
PO Box 653  
Leonardtown, MD 20650

Correo electrónico:              [ashley.renshaw@stmarysmd.com](mailto:ashley.renshaw@stmarysmd.com)  
Fax:                                      301-475-4635



# **Appendix E**

## **Public Notice**



**Calvert - St. Mary's**  
METROPOLITAN PLANNING ORGANIZATION  
*Title VI Plan*



## Title VI Notice to the Public

### **NOTICE TO THE PUBLIC UNDER TITLE VI**

#### **CALVERT - ST. MARY'S METROPOLITAN PLANNING ORGANIZATION (C-SMMPO)**

The C-SMMPO operates its programs and services without regard to race, color and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes s/he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the C-SMMPO.

For more information on the C-SMMPO's civil rights program, and the procedures to file a complaint, contact Ashley Renshaw, Administrator at 301-475-4200 ext. \*1505 or [ashley.renshaw@stmarysmd.com](mailto:ashley.renshaw@stmarysmd.com). You can also visit the St. Mary's County Land Use and Growth Management Office at 23150 Leonard Hall Drive, Leonardtown, MD 20650. For more information, visit <http://md-calvertcountympo.civicplus.com/176/Title-VI>

Complaints alleging violation of Title VI may also be filed directly with the following agencies: U.S. Department of Transportation, Federal Highway Administration, City Crescent Building, Attention: Civil Rights Specialist, 10 South Howard Street, Suite 2450, Baltimore, MD 21201; and the U.S. Department of Justice, Federal Coordination and Compliance Section -NWB , Civil Rights Division, 950 Pennsylvania Ave., NW, Washington, DC 20530.

A copy of this Notice to the Public has been posted at the reception desk of the St. Mary's County Land Use and Growth Management Office, 23150 Leonard Hall Drive, Leonardtown, MD 20650 and on the C-SMMPO Website, <http://md-calvertcountympo.civicplus.com/DocumentCenter/Home/View/227>.

If information is needed in another language, that can be provided via Language Line Solutions.



# **Appendix F**

## **List of Investigations**



**LIST OF TRANSIT-RELATED TITLE VI INVESTIGATIONS, COMPLAINTS,  
 AND LAWSUITS (GENERAL REQUIREMENT)**

**Background**

All recipients shall prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, national origin, or other protected class:

- Active investigations conducted by FTA and entities other than FTA;
- Lawsuits; and
- Complaints naming the recipient.

This list shall include the date that the transit-related Title VI investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient in response, or final findings related to the investigation, lawsuit, or complaint. This list shall be included in the Title VI Program submitted to FTA every three years.

**List of Investigations, Lawsuits and Complaints**

	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, national origin, or other protected class)	Status	Action(s) Taken
<b>Complaints</b>				
1. None	-	-	-	-
<b>Investigations</b>				
1. None	-	-	-	-
<b>Lawsuits</b>				
1. None	-	-	-	-



# **Appendix G**

## **Definitions and Acronyms**



## Definitions

**Beneficiary** – any person or group of persons (other than states) entitled to receive benefits, directly or indirectly, from any federally assisted program, i.e., relocates, impacted citizens, communities, etc.

**Citizen Participation** – an open process in which the rights of the community to be informed, to provide comments to the Government, and to receive a response from the government are met through a full opportunity to be involved in the process and express the community's needs and goals.

**Compliance** – condition that exists when a Recipient has effectively implemented all Title VI requirements and can demonstrate that there is no evidence of discrimination.

**Deficiency Status** – the interim period during which the Recipient has been notified of deficiencies, but has not voluntarily complied with Title VI.

**Discrimination** – the act or action, whether intentional or unintentional, through which a person in the United States, solely because of race, color, religion, sex, national origin, has been otherwise subjected to unequal treatment under any program or activity receiving financial assistance from the Federal Highway Administration under Title 23 U.S.C.

**Disparate Impact** - results when rules and laws have a different and more inhibiting effect on women and minority groups than on the majority because of race, color, national origin, gender, disability or age. This type of discrimination occurs when a neutral procedure or practice results in fewer services or benefits, or inferior services or benefits, to members of a protected group such as minorities or low income populations. With disparate impact, the focus is on the consequences of a decision, policy or practice rather than on the intent.

**Environmental Justice** – to avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects on minority and low-income populations. To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process, and to prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low income populations.

**Facility** – includes all, or any part of, structures, equipment or other real or personal property, or interests therein, and the provision of facilities, including the construction, expansion, renovation, remodeling, alteration or acquisition of facilities.

**Federal Assistance** – includes:

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. Federal agreement, arrangement, or other contract which has, as one of its purposes, the provision of assistance.

**Limited English Proficient** – an individual who does not speak English as a primary language and has limited ability to read, speak, write or understand English.

**Minority** - Blacks, not of Hispanic origin; Hispanics; Asians or Pacific Islanders; American Indians or Alaskan Natives.

**Non-compliance** – the condition that exists when a Recipient has failed to meet prescribed requirements and has shown an apparent lack of “Good Faith Effort” in implementing all or some of the Title VI requirements.

**Persons** – where designation of persons by race, color, or national origin is required, the following designations ordinarily may be used: “White not of Hispanic origin,” “Black not of Hispanic origin,” “Hispanic,” “Asian or Pacific Islander,” and/or “American Indian or Alaskan Native.” Additional subcategories based on national origin or primary language spoken may be used, where appropriate, on either a national or regional basis.

**Person with a Disability** -any person who: (a) has a physical or mental impairment which substantially limits one or more activities of daily living; (b) has a record of such an impairment; or (c) is regarded as having such an impairment.

**Program** – includes any project or activity for the provision of services, financial aid, or other benefits to individuals. This includes education or training, work opportunities, health, welfare, rehabilitation, housing, or other services, whether provided directly by the Recipient of federal financial assistance or provided by others through contracts or other arrangements with the Recipient.

**Protected Category** – includes all categories of persons protected from discrimination under Title VI, including race, color, national origin, sex, age, disability, and income status.

**Racial/Ethnic Identification** – a person may be included in the group to which he or she appears to belong, identifies with, or is regarded in the community as belonging. However, no person should be counted in more than one racial/ethnic category. The following group categories will be used:

1. The category white, (not of Hispanic origin): All persons having origins in any of the original peoples of Europe, North Africa, the Middle East, or the Indian Subcontinent.
2. The category black (not of Hispanic origin): All persons having origins in any of the Black racial groups.
3. The category Hispanic: All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.
4. The category Asian or Pacific Islanders: All persons having origins in any of the original peoples of the Far East, Southeast Asia, or the Pacific Islands. This area includes, for example, China, Japan, Korea, the Philippine Islands, and Samoa.



5. The category American Indian or Alaskan Native: All persons having origins in any of the original peoples of North America.

**Recipient** – any State, territory, possession, the District of Columbia, Puerto Rico, or any political subdivision, or instrumentally thereof, or any public or private agency, institution, or organization, or other entity, or any individual, in any State, territory, possession, the District of Columbia, or Puerto Rico, to whom Federal assistance is extended, either directly or through another Recipient, for any program. Recipient includes any successor, assignee, or transferee thereof. The term Recipient does not include any ultimate beneficiary under any such program.

**Secretary** – the Secretary of Transportation as set forth in 49 CFR 21.17(g) (3) or the Federal Highway Administrator to whom the Secretary has delegated his/her authority in specific cases.

**State Highway Agency** – the department, commission, board, or official of any state charged by its laws with the responsibility for highway construction. The term state would be considered equivalent to State Highway Agency if the context so implies.

**Timetable** – a measure relating to calendar days.

**Title VI Compliance Review** - an evaluation and determination of a nonexempt direct federal or Federal-Aid Recipient's compliance with the equal opportunity requirements established in the Authorities listed in Section II of this document.

**Title VI Program** – the system of requirements developed to implement Title VI of the Civil Rights Act of 1964. References in this part to Title VI requirements and regulations shall not be limited to only Title VI of the Civil Rights Act of 1964. Where appropriate, this term also refers to the civil rights provisions of the other Federal related statutes to the extent they prohibit discrimination on the grounds of race, color, national origin, sex, disability, and age in programs receiving Federal financial assistance.

**Title VI Coordinator** – the C-SMMPO employee whose principal function is to direct the management of the Title VI Program to include developing policies, practices, procedures, and equal opportunity initiatives.



## Acronyms

<b>CFR</b>	Code of Federal Regulations
<b>CLRP</b>	Constrained Long Range Plan
<b>EIS</b>	Environmental Impact Statement
<b>EJ</b>	Environmental Justice
<b>EO</b>	Equal Opportunity
<b>E.O.</b>	Executive Order
<b>FHWA</b>	Federal Highway Administration
<b>FTA</b>	Federal Transit Administration
<b>ISTEA</b>	Intermodal Surface Transportation Efficiency Act of 1991
<b>LEP</b>	Limited English Proficiency
<b>MDOT</b>	Maryland Department of Transportation
<b>MPO</b>	Metropolitan Planning Organization
<b>MTA</b>	Maryland Transit Administration
<b>NEPA</b>	National Environmental Policy Act
<b>NTP</b>	Notice to Proceed
<b>SAFETEA-LU</b>	Safe, Accountable, Flexible, Efficient Transportation Equity Act; A Legacy for Users
<b>SIP</b>	State Implementation Plan (air quality)
<b>TAC</b>	Technical Advisory Committee
<b>TEA-21</b>	Transportation Equity Act for the 21 <sup>st</sup> Century
<b>TERMs</b>	Transportation Emissions Reductions Measures
<b>TIP</b>	Transportation Improvement Program
<b>USC</b>	United States Code
<b>USDOJ</b>	United States Department of Justice
<b>USDOL</b>	United States Department of Labor
<b>USDOT</b>	United States Department of Transportation