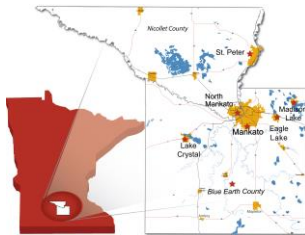


Mankato/North Mankato Area Planning Organization

Title VI Plan

In Compliance with FTA Circular 4702.1B

September 5, 2024



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

To request this document in other languages, please call (507) 387-8389

Para solicitar este documento en otros idiomas, llame al (507) 387-8389

Si aad u codsato dukumintigan luqadaha kale, fadlan wac (507) 387-8389

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Definitions

1. **Discrimination** refers to any action or inaction, whether intentional or unintentional, in any program or activity of a Federal aid recipient, subrecipient, or contractor that results in disparate treatment, disparate impact, or perpetuating the effects of prior discrimination based on race, color, or national origin.
2. **Disparate impact** refers to a facially neutral policy or practice that disproportionately affects members of a group identified by race, color, or national origin, where the recipient's policy or practice lacks a substantial legitimate justification and where there exists one or more alternatives that would serve the same legitimate objectives but with less disproportionate effect on the basis of race, color, or national origin.
3. **Disproportionate burden** refers to a neutral policy or practice that disproportionately affects low-income populations more than non-low-income populations. A finding of disproportionate burden requires the recipient to evaluate alternatives and mitigate burdens where practicable.
4. **Disparate treatment** refers to actions that result in circumstances where similarly situated persons are intentionally treated differently (i.e., less favorably) than others because of their race, color, or national origin.
5. **Limited English Proficiency (LEP)** persons refers to persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. It includes people who reported to the U.S. Census that they speak English less than very well, not well, or not at all.
6. **Low-income person** means a person whose median income is at or below the Federal Poverty Line. This definition is due to the capacity of the MPO to utilize data for spatial analysis. MAPO applies the Federal Poverty Line to local geographies with information drawn from American Community Survey (ACS) to perform spatial analysis.
7. **Minority person** includes the following racial/ethnic categories:
 - a. American Indian and Alaska Native, which refers to people having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.
 - b. Asian, which refers to people having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
 - c. Black or African American, which refers to people having origins in any of the Black racial groups of Africa.

- d. Hispanic or Latino, which includes persons of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.
 - e. Native Hawaiian or Other Pacific Islander, which refers to people having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
 - f. Persons identifying as having two or more races are designated assigned to the minority category for the purposes of Title VI.
8. **National origin** means the particular nation in which a person was born, or where the person's parents or ancestors were born.
9. **Noncompliance** refers to an FHWA determination that the recipient is not in compliance with the DOT Title VI regulations, and has engaged in activities that have had the purpose or effect of denying persons the benefits of, excluding from participation in, or subjecting persons to discrimination in the recipient's program or activity on the basis of race, color, or national origin.
10. **Title VI Program** refers to a document developed by an FHWA recipient to demonstrate how the recipient is complying with Title VI requirements. Direct and primary recipients must submit their Title VI Programs to MnDOT every three years. The Title VI Program must be approved by the recipient's board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to MnDOT.
11. **MAPO** refers to the Mankato/North Mankato Area Planning Organization.

Introduction

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

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

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

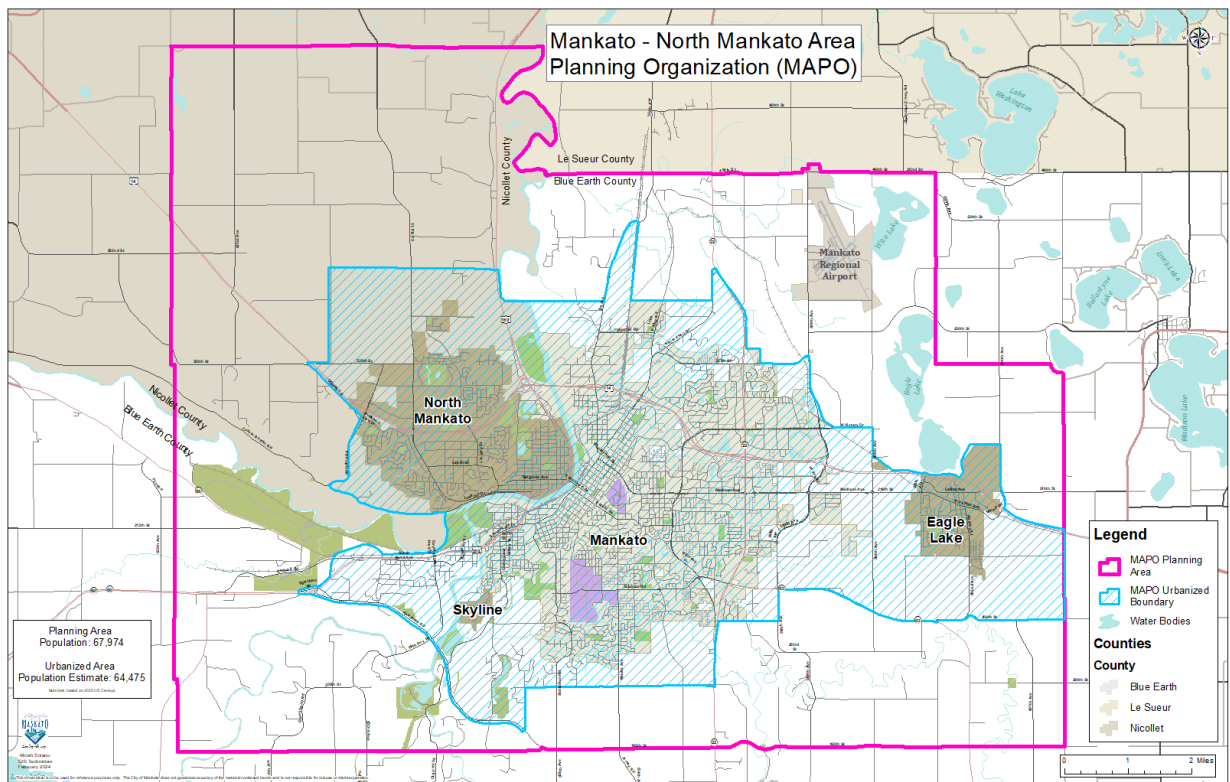
About the Mankato/North Mankato Area Planning Organization

MAPO is a Metropolitan Planning Organization (MPO) designated because the Mankato/North Mankato urbanized area has a population greater than 50,000. It is charged with carrying out the 3-C metropolitan transportation planning process (continuing, cooperative, and comprehensive) as required by federal legislation. MAPO is comprised of Blue Earth and Nicollet counties; the cities of Mankato, North Mankato, Eagle Lake, and Skyline; and the townships of Belgrade, Lime, South Bend, LeRay and Mankato (see Figure 1). MAPO is guided by two key standing committees: MAPO staff is provided from the City of Mankato through the Host Agency Agreement. MAPO has one full time Transportation Planner whose hours are all dedicated to MAPO activities. The MAPO Executive Director, the Associate Director of Transportation Planning Services, and the GIS Technician are all Mankato employees who code time to MAPO per the host agency agreement.

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

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

Figure 1. MAPO Planning Area



Title VI Requirements

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs receiving federal financial assistance. Title VI states that “no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

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

In 2000, President Clinton issued Executive Order 13166, which is intended to “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).” To assist federal fund recipients and subrecipients, the U.S. Department of Transportation (DOT) issued “Policy Guidance Concerning Recipient's Responsibilities to Limited English Proficient (LEP) Persons” in 2005.

The Federal Transit Administration (FTA) issued Circular 4702.1B in 2012. This document outlines Title VI and Environmental Justice compliance procedures for recipients of FTA-administered transit program funds. As explained above, MAPO will continue to comply with FTA requirements even though it receives funding from the FHWA.

The FTA requires MAPO’s Title VI Program to be approved by MAPO’s board of directors or appropriate governing entity or official(s) responsible for policy decisions. The MAPO Title VI Program was adopted by the MAPO Policy Board on September 7, 2017. The board resolution is attached as Appendix A.

Title VI Assurances

The U.S. DOT requires that federal financial assistance be provided on the condition that the recipient provides an assurance that its programs and activities will be conducted in compliance with Title VI of the Civil Rights Act of 1964. The requirement is located at 49 CFR 21.7(a). To support the implementation of this requirement, the U.S. DOT provided an assurances agreement in U.S. DOT Order 1050.2A that federal fund recipients and subrecipients must sign as a condition of receiving federal financial assistance.

The assurances agreement provides contract language MAPO is required to include in bid solicitations or requests for proposal, contracts, and real estate agreements. MAPO is committed to ensuring the necessary language is used as prescribed in the assurances agreement.

In accordance with this requirement, MAPO has signed the U.S. DOT Standard Title VI/Non-Discrimination Assurances. The document is attached as Appendix E.

TITLE VI Coordinator Responsibilities

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

- Process the disposition of Title VI complaints received by MAPO.
- Collect Statistical data (race, color, or national origin) of participants in and beneficiaries of highway and transit programs, e.g. affected citizens and impacted communities.
- Conduct annual Title VI reviews to determine the effectiveness of program activities at all levels.
- Conduct Title VI reviews of consultant contractors and other recipients of Federal-Aid Highway and transit fund contracts administered through the MAPO.
- Review the MAPO program directives. Where applicable, include Title VI language and related requirements.
- Conduct training programs on Title VI and other related statutes for the MAPO employees and recipients of Federal Aid Highway or transit funds.
- Instruct all new employees about the Title VI plan during orientation.
- Distribute Title VI information to the general public and in languages other than English, where appropriate.
- Establish procedures to promptly resolve identified Title VI deficiencies. Document remedial actions agreed to be necessary. Provide remedial actions within 90 days of identification of a deficiency.

Title VI Staff Training

To ensure effective implementation of this plan, MAPO will schedule an annual training with the Minnesota Department of Transportation Title VI Coordinator.

General Requirements

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

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

Title VI Notice and Complaint Procedures

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

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

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

Mark Konz
Executive Director
10 Civic Center Plaza
Mankato, MN 56002-3368

Phone: 507-387-8613

A Title VI complaint may be made by calling 651-366-3073 or submitting an online complaint form to MnDOT at: <https://www.dot.state.mn.us/civilrights/nondiscrimination-complaint-form.html>. A copy of the Minnesota Department of Transportation (MnDOT) complaint form and additional information can be found at www.mnmapo.org

A copy of this notice is included in Appendix D, and posted on MAPO's website, at the reception desk of MAPO's offices, and in MAPO's primary meeting room. Based on the results of the four-factor analysis conducted as part of the LEP Language Access Plan and the Safe Harbor Provision, there is no strong evidence that MAPO translate vital documents; rather, it will do so upon request.

Title VI Complaint Procedure

Scope of Title VI Complaints

No person or groups of persons shall, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by MAPO and its contractors on the grounds of **race, color, national origin, sex, age, disability, or income status**.

The scope of Title VI covers all internal and external activities of MAPO

The following types of actions are prohibited under Title VI protections (See [49 C.F.R. 21.5](#)):

- Excluding individuals or groups from participation in programs or activities
- Denying program services or benefits to individuals or groups
- Providing a different service or benefit or providing them in a manner different from what is provided to others
- Denying an opportunity to participate as a member of a planning, advisory or similar body that is an integral part of the program

How to File a Formal Title VI Complaint

Any person(s) or organization(s) believing they have been discriminated against on the basis of the protected classes stated above by MAPO or its contractors may file a Title VI complaint.

Discrimination complaints **must be received no more than 180 days after the alleged incident** unless the time for filing is extended by the processing agency.

Complaints should be in writing and signed and may be filed by mail, fax, in person, or e-mail. A complaint should contain the following information:

- A written explanation of the alleged discriminatory actions;
- The complainant's contact information, including, if available: full name, postal address, phone number, and email address;
- The basis of the complaint (e.g., race, color, national origin, etc.);
- The names of specific persons and respondents (e.g., agencies/organizations) alleged to have discriminated;
- Sufficient information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity that receives Federal financial assistance; and
- The date(s) of the alleged discriminatory act(s) and whether the alleged discrimination is on-going.

Complainants are encouraged to submit complaints directly to MnDOT via its online complaint form available here:

<https://www.dot.state.mn.us/civilrights/nondiscrimination-complaint-form.html>.

Complaints can also be filed by completing and submitting MAPO's Title VI Complaint Form available at Appendix B, the MAPO website, or via MnDOT's website or by sending an email or letter with the necessary information to MAPO at:

Mankato/North Mankato Area Planning Organization

10 Civic Center Plaza

Mankato, MN 56001

Phone: 507-387-8613

Email: mkonz@mankatomn.gov

The complaint form is also available in hard copy at MAPO offices at 10 Civic Center Plaza in Mankato, Minnesota. Language assistance is available for limited English proficient individuals. MnDOT has hard copy complaint forms available in [Spanish](#), [Somali](#), and [Hmong](#).

If necessary, the complainant may call MnDOT at the phone number below and provide the allegations by telephone. MnDOT will transcribe the allegations of the complaint as provided over the telephone and send a written complaint to the complainant for correction and signature.

Complaints can also be filed directly with the following agencies:

Minnesota Department of Transportation

Office of Civil Rights

385 John Ireland Boulevard, Mail Stop 170

St. Paul, MN 55105

Online: [Complaint Form](#)

Fax: 651-366-3129

Phone: 651-366-3073

Federal Highway Administration
U.S. Department of Transportation Office of Civil Rights
1200 New Jersey Avenue, SE
8th Floor E81-105
Washington, DC 20590

Online: [Complaint Form](#)

Phone: 202-366-4000

After submitting a complaint, the complainant will receive a correspondence informing them of the status of the complaint within ten (10) business days of MAPO or other agency receiving the complaint.

Complaints received by MAPO's Title VI Coordinator are forwarded to the MnDOT Office of Civil Rights (OCR). MnDOT OCR will forward the complaint to the FHWA Minnesota Division Office, along with a preliminary processing recommendation. The FHWA Minnesota Division Office will forward the complaint to FHWA Headquarters Office of Civil Rights (HCR).

FHWA HCR is responsible for all determinations regarding whether to accept, dismiss, or transfer Title VI complaints. There are four potential outcomes for processing complaints:

- **Accept:** if a complaint is timely filed, contains sufficient information to support a claim under Title VI, and concerns matters under the FHWA's jurisdiction, then HCR will send to the complainant, the respondent agency, and the FHWA Minnesota Division Office a written notice that it has accepted the complaint for investigation.
- **Preliminary review:** if it is unclear whether the complaint allegations are sufficient to support a claim under Title VI, then HCR may (1) dismiss it or (2) engage in a preliminary review to acquire additional information from the complainant and/or respondent before deciding whether to accept, dismiss, or refer the complaint.
- **Procedural Dismissal:** if a complaint is not timely filed, is not in writing and signed, or features other procedural/practical defects, then HCR will send the complainant, respondent, and FHWA Minnesota Division Office a written notice that it is dismissing the complaint.
- **Referral\Dismissal:** if the complaint is procedurally sufficient but FHWA (1) lacks jurisdiction over the subject matter or (2) lacks jurisdiction over the respondent entity, then HCR will either dismiss the complaint or refer it to another agency that does have jurisdiction. If HCR dismisses the complaint, it will send the complainant, respondent, and FHWA Division Office a copy of the written dismissal notice. For referrals, FHWA will send a written referral notice with a

copy of the complaint to the proper Federal agency and a copy to the USDOT Departmental Office of Civil Rights.

Complaints are not investigated by MAPO. FHWA HCR is responsible for investigating all complaints. FHWA HCR may also delegate the investigation to MnDOT OCR, who would then conduct all data requests, interviews, and analysis and create a Report of Investigation (ROI). MnDOT OCR will have sixty (60) business days from the date the investigation is delegated to prepare the ROI and send it to HCR. HCR will review the ROI and compose a Letter of Finding based on the ROI.

For further information about the FHWA investigation process and potential complaint outcomes, please visit the [Questions and Answers for Complaints Alleging Violations of Title VI of the Civil Rights Act of 1964](#).

Title VI Complaint Recordkeeping

All recipients of federal financial assistance are required to maintain a list of any complaints alleging discrimination on the basis of race, color, or national origin.

As of September 2024, there have been no Title VI investigations, complaints, or lawsuits filed with MAPO or Mankato Transit.

In order to comply with federal requirements MAPO maintains a Complaint Log (Appendix F) in case a complaint arises.

Subrecipient oversight

In accordance with 49 CFR 21.9(b), and to ensure that subrecipients are complying with the DOT Title VI regulations, MAPO must monitor their subrecipients for compliance with the regulations. Monitoring requires MAPO to do following:

- Determine the scope of subrecipient's activities and the related Title VI responsibilities
- Ensure subrecipient is aware of the identified Title VI responsibilities within the scope of its activities
- Ensure Appendix A and E of the Title VI/Non-Discrimination Assurances are inserted into all contracts with subrecipients

Ensure subrecipient's operations under its contract with MAPO are carried out in accordance with MAPO's Title VI Non-Discrimination Plan. Public Participation and LEP Assistance Plan

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

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

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

MAPO Staff Guide to Involve the Public

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

Policy Board Meetings

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

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

Unless notified otherwise, all Policy Board meetings will be held in-person at the Intergovernmental Center (IGC) in downtown Mankato. Meeting attendees may make oral comments, submit written comments, or send comments to MAPO staff at 507-387-8613 or mkonz@mankatomn.gov.

Upon request, a sign language interpreter will be made available for hearing impaired persons. Persons with limited English proficiency (LEP) may request aid from MAPO staff. Any requests should be submitted to MAPO staff at 507-387-8613 or mkonz@mankatomn.gov at least seven (7) days prior to the meeting. Policy Board meeting materials will include instructions on how to request reasonable accommodations for persons with limited English proficiency and/or impaired hearing.

MAPO staff will display/project the meeting packet. Staff will also provide hard copies of materials upon request. When possible, MAPO will use visualization

techniques such as maps, models, photographs, or project renderings to aid in greater understanding of projects, plans or other topics of discussion at each meeting.

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

Technical Advisory Committee (TAC) Meetings

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

Policy Board meeting materials will include instructions on how to request reasonable accommodations for persons with limited English proficiency and/or impaired hearing.

All TAC meetings will be held at locations that:

- Sufficiently hold the meeting attendees
- Are accessible to persons with disabilities
- Are located on or near public transportation routes
- Provide sufficient parking for meeting attendees

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

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

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

TAC meeting dates and times are predetermined each January for the upcoming calendar year. Meetings may be canceled if no items require action by the TAC.

Procedures for the Planning Process

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

- Public outreach involves inviting members of minority organizations to participate on our committees and in planning activities (i.e. public input meetings, focus groups). The [Public Participation Plan](#) outlines an expanded process for inviting participation.
- GIS analysis is used to identify the locations of minority persons. This includes annual updating of project impact maps for MAPO's Transportation Improvement Program (TIP), as well as the Mankato Transit System's Transit Development Plan (TDP). The TDP identifies block groups exhibiting higher percentages of minority or low-income persons than the percent of those groups for the City of Mankato and North Mankato. MAPO staff reviews these block groups and assesses project impact on a project-by-project basis.

MAPO Website

The MAPO website, www.mnmapo.org, is MAPO's primary source for the timely delivery of information to the public. Project specific information, maps, meeting agendas and minutes, and announcements of opportunities to comment and view draft versions will be provided online. Hard copy requests should be made by calling 507-387-8613 or emailing: mkonz@mankatomn.gov for pickup at the IGC or mailing.

Public Meeting and Open Houses

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

- Publicly-assessible open houses or meetings (virtual or in person)
- Post information on the homepage of the MAPO website.
- Publish a meeting notice 7 days in advance in the Mankato Free Press Newspaper.
- Create a meeting informational poster and display at the (IGC).

- Issue a news release to area print, television, radio, and internet news outlets.
- Provide meeting informational posters to Mankato Transit System (MTS) for distribution (i.e. on buses or in transit facilities) as appropriate.

Documentation

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

Comments or questions can be submitted to:

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

Outreach Methods and Techniques

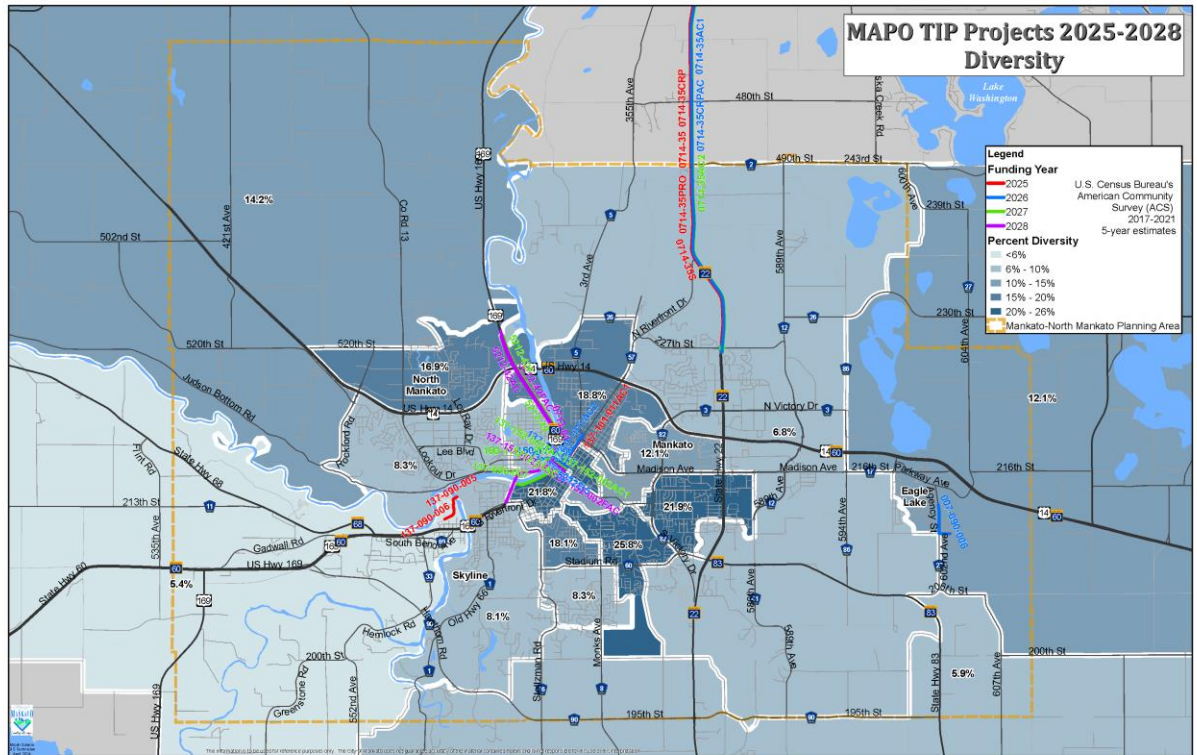
There are a variety of techniques to inform and involve the public, which MAPO uses as necessary. Public involvement is often more effective if multiple techniques are utilized and targeted to the needs and preferences of different groups and individuals. Below are guidelines and examples for public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

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

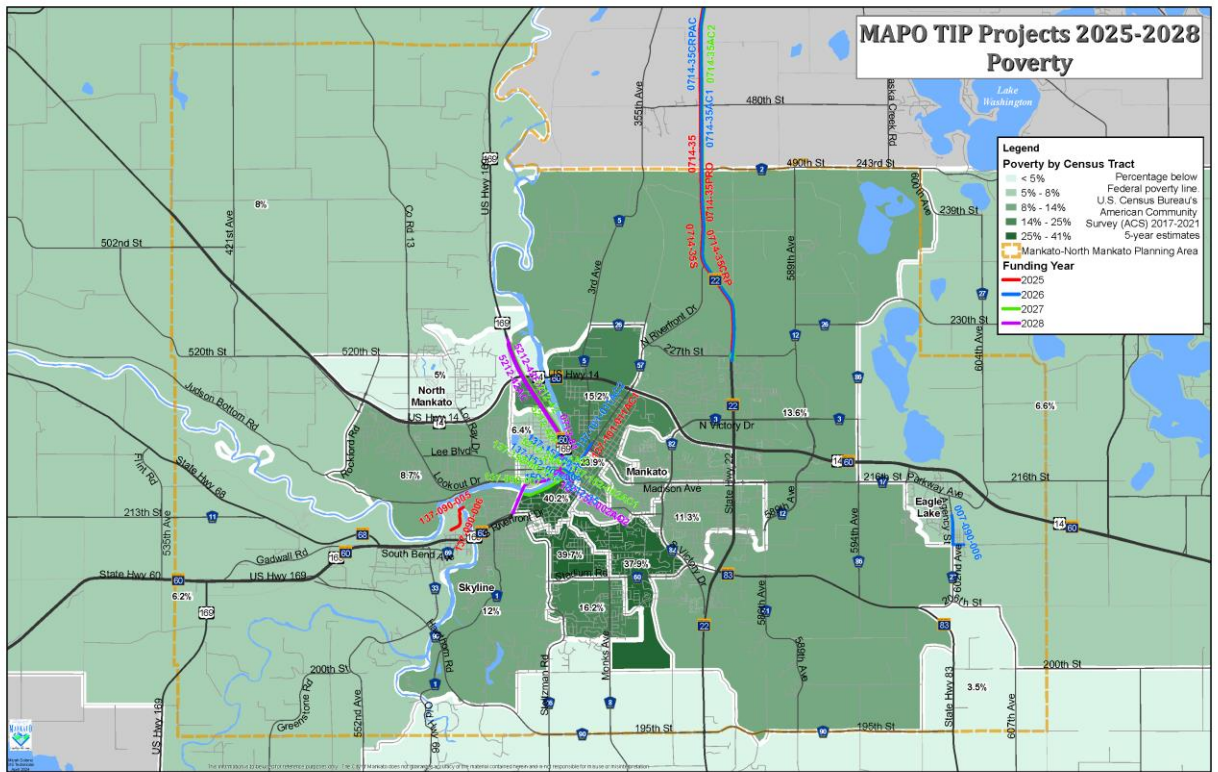
- Newsletters, public notices, targeted mailing, and media releases
- City of Mankato website, social media, email and written correspondence
- Contact lists, formal and informal networks of customer and advocacy groups
- Booths at public festivals and events
- Public opinion surveys and focus groups
- Meetings held at times and locations convenient and accessible for minority and LEP populations
- Different meeting sizes and formats
- Visualization techniques
- Audio and video recording to capture oral comments
- Ensure accessibility of technical and policy information through a variety of means:
 - Publish technical and policy information on the MAPO website.
 - Provide copies of technical and policy information at public libraries, City administration buildings, and the Intergovernmental Center.
 - Provide hard copies of technical and policy information by request to interested parties.
- Provide adequate notice to the public of involvement opportunities and activities:
 - Publish public notices in the Mankato Free Press at least one (1) week prior to public meetings; include the time and location of the meeting as well as contact information in the notice.
 - Distribute press releases to all local media at least one (1) week in advance of public meetings; include the time and location of the meeting as well as contact information in the notice.
 - Mail and email notices to transportation interests at least one (1) week in advance of public meetings; include the time and location of the meeting as well as contact information in the notice.

Mankato/North Mankato Area Demographic Profile

According to the ACS 2022 5-year estimate, the MAPO Planning Area has a population of 68,455. Of the population in the Planning area 86.59% are White, 4.23% Hispanic or Latino, 4.96% Black or African American, 2.83% Asian, 0.15% American Indian or Alaska Native, 0.05% Native Hawaiian and other Pacific Islander, and 1.27% other. Please see below correlating map. Minority populations are concentrated within the Urbanized Area of the MAPO Planning Boundary, primarily within the cities of Mankato and North Mankato.



Demographic Profile Map with 2025-2028 Transportation Improvement Program projects



Poverty Map with 2025-2028 Transportation Improvement Program projects

Analysis of Impacts

MAPO performs an analysis of impacts of projects in each annual TIP that identifies any disparate impacts on the basis of race, color, or national origin, and, if so, determines whether there is a substantial legitimate justification for the policy that resulted in the disparate impacts, and if there are alternatives that could be employed that would have a less discriminatory impact. MAPO's TIP includes a discussion of how or if transportation projects in the region impact minority and low-income persons.

For example, the project map from the 2025-2028 TIP above displays a project schedule with several projects which represent investment in infrastructure in areas of high-concentration of minorities and low-income populations. These projects include;

1. Reconstruction of Riverfront Drive from Main Street to Lafayette Street, utilities and ADA (137-101-011;
2. Reconstruct US 169 from North Belgrade ramps to Lake Street and roundabouts (5212-42)

3. Rehabilitation of Veterans Memorial Bridge (bridge 07042) over US 169 (137-152-002)

In each case these projects are expected to benefit, rather than adversely impact, low-income individuals and minorities living in the area. A Title VI equity analysis is required if the recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc. MAPO has not constructed any facilities.

The MAPO TIP is available for review at <https://mnmapo.org/planning-documents/>.

As a reminder, MAPO's definition of **Minority person** includes the following racial/ethnic categories:

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

MAPO's definition of a **Low-income person** means a person whose median income is at or below the Federal Poverty Line. This definition is due to the capacity of the MPO to utilize data for spatial analysis. MAPO applies the Federal Poverty Line to local geographies with information drawn from American Community Survey (ACS) to perform spatial analysis.

TAC and Policy Board Demographics

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

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

Policy Board

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

Technical Advisory Committee

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

The names and self-reported race/ethnicity of each member of each committee are provided in the following table

				Gender			Race/National Origin								
				Male	Female	Prefer not to answer	White	Black	Amer Ind/Alaskan Native	Asian	Hispanic	Other	Prefer not to answer	Elected	Appointed Agency Staff
MAPO Policy Board															
Name	Jurisdiction	Address	Email												
Lisa Norton	City of Eagle Lake	On File	On File			X							X	X	
Mark Piepho	Blue Earth County	On File	On File	X			X							X	
Mike Laven	City of Mankato	On File	On File	X			X							X	
Jack Kolars	Nicollet County	On File	On File	X			X							X	
Daniel Rotchadl	MAPO Townships	On File	On File	X			X							X	
James Whitlock	City of North Mankato	On File	On File	X			X							X	
MAPO Technical Advisory Committee															
Name	Jurisdiction/Position	Address	Email												
Dan Sarff	City of North Mankato Engineer	On File	On File	X			X								X
Ryan Thilges	Blue Earth County Engineer	On File	On File			X							X		X
Seth Greenwood	Nicollet County Engineer	On File	On File	X			X								X
Vacant	City of Mankato Community Development Director	On File	On File												X
Michael Fischer	City of North Mankato Community Development Director	On File	On File	X			X								X
John Considine	Blue Earth County Planning	On File	On File	X			X								X
Spencer Crawford	Nicollet County Planning	On File	On File	X			X								X
Jennifer Bromeland	City of Eagle Lake City Administrator	On File	On File			X							X		X
Paige Attarian	City of Skyline Council Member	On File	On File			X							X		X
Jeff Johnson	City of Mankato Public Works Director	On File	On File	X			X								X
Shawn Schloesser	Mankato Transit Representative	On File	On File	X			X								X
Scott Kaminski	ISD 77 Representative	On File	On File	X			X								X
Sam Parker	MnDOT District 7 Representative	On File	On File	X			X								X
Paul Corcoran	MSU, Mankato Representative	On File	On File	X			X								X
Joel Hanif	Region 9 Development Commission Representative	On File	On File	X			X			X					X
Shane Nelson	Belgrade Township Board	On File	On File			X							X	X	
Kurt Anderson	Le Ray Township Board	On File	On File			X							X	X	
Karl Friedrichs	Lime Township Board	On File	On File			X							X	X	
Scott Morgan	Mankato Township Board	On File	On File			X							X	X	
June Lonquist	South Bend Township Board	On File	On File			X							X	X	

Appendix A: Adopting Resolution

RESOLUTION OF THE MANKATO /NORTH MANKATO AREA PLANNING ORGANIZATION APPROVING THE MAPO TITLE VI PLAN UPDATE

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

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

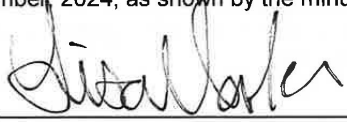
WHEREAS, MAPO intends that no person shall, on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any MAPO program or activity, regardless of funding source; and

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

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

State of Minnesota

I hereby certify that the foregoing Resolution is a true and correct copy of the resolution presented to and adopted to the Mankato/North Mankato Area Planning Organization at a duly authorized meeting thereof, held on the fifth day of September, 2024, as shown by the minutes of said meeting in my possession.

 9/5/2024
Chair Date

 9/5/2024
Executive Director Date

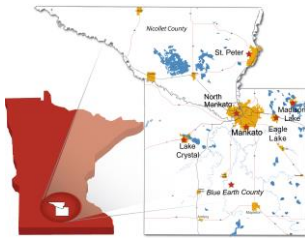
Appendix B: Title VI Complaint Form

<https://www.dot.state.mn.us/civilrights/nondiscrimination-complaint-form.html>

Appendix C: Language Access Plan

2024 Language Access Plan

In Compliance with DOT LEP Guidance



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

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I. Introduction

Purpose and Contents

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

This plan contains:

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

Questions or comments about this plan may be submitted to:

Mark Konz, Executive Director
Mankato/North Mankato Area Planning Organization
10 Civic Center Plaza
Mankato, MN 56001
507-387-8613
mkonz@mankatomn.gov

About the Mankato/North Mankato Area Planning Organization

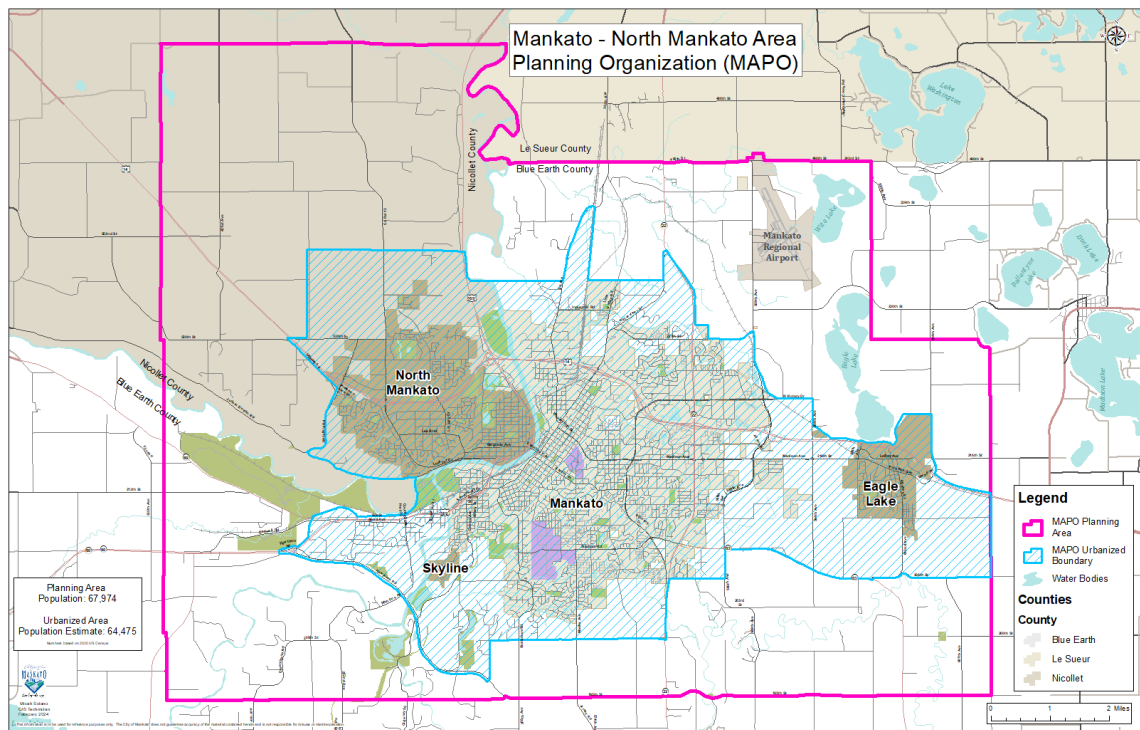
MAPO is a Metropolitan Planning Organization (MPO) designated because the Mankato/North Mankato urbanized area is now larger than 50,000 population. It is charged with carrying out the 3-C metropolitan transportation planning process (continuing, cooperative, and comprehensive). MAPO is comprised of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

Technical Advisory Committee (TAC) – the TAC is comprised of individuals representing engineering, planning, transit, public institutions, township, city, county, and state interests. The TAC reviews and formulates recommendations

to the Policy Board regarding technical aspects of transportation planning prepared by MAPO.

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

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



Language Access Plan

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

Executive Order 13166, titled Improving Access to Services for Persons with Limited English Proficiency, indicates that differing treatment based upon a person's inability to speak, read, write or understands English is a type of

national origin discrimination. It directs each agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all State and local agencies which receive Federal funds, including MAPO and its departments receiving Federal grant funds.

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

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

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

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

II. LEP Needs Assessment: Four-Factor Analysis

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

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

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

- U.S. Census American Community Survey (ACS) data
- Survey results

- Reports from drivers, dispatchers, others about contact with LEP persons
- Primary home language data for students enrolled in the Mankato Public School District, obtained via the [Minnesota Department of Education](#).

Factor 1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient.

MAPO staff reviewed American Community Survey (ACS) data for the Mankato/North Mankato Metropolitan Statistical Area for 2022 5-Year estimates. The data indicate there are a total estimated 40,023 households in the MSA. Of these, 1,211 speak primarily Spanish, 605 speak primarily other Indo-European languages, 639 speak primarily Asian and Pacific Island languages, and 824 speak primarily Other languages. This information is displayed in the table below:

Source: (2022 ACS 5-yr, Table ID S1602)

Primary Home Language	Total	Percentage (est.)	Limited English-speaking households	Percentage of LEP households (est.) *
All households	40,023	(X)	442	1.1%
Spanish	1,211	3%	112	9.2%
Other Indo-European languages	605	1.5%	54	8.9%
Asian and Pacific Island languages	639	1.6%	59	9.2%
Other languages	824	2.1%	217	26.3%

*Note this column is a percentage of the language group that is Limited English Proficient

The majority of the homes in the MAPO area speak English as a Primary Home Language. As a result, there are few social services professional and leadership organizations within the MAPO Urbanized area that focus on outreach to LEP individuals. The MAPO Policy Board, MAPO staff, and MAPO contractors or subrecipients are most likely to contact LEP individuals through public meetings and other general public involvement opportunities. Additional information on outreach methods is available in MAPO's [Public Participation Plan](#).

Staff cannot absolutely determine whether a LEP population in any given language is underserved by the recipient due to language barriers. **No LEP**

populations are over the 1,000 or 5% Safe Harbor Provision, translating vital documents into other languages is not required at this time. However, MAPO will continue to monitor, evaluate and provide outreach to LEP persons of any given language in the Mankato/North Mankato area., including coordinating with the Mankato school system to review spoken languages.

Factor 2. The frequency with which LEP persons come in contact with program.

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

Factor 3. The nature and importance of the program, activity, or service provided by the program to people's lives.

MAPO uses federal funds to plan transportation projects. While those projects are important, MAPO does not provide any programs, activities, or services involving vital, immediate, or emergency assistance, such as medical treatment, or any programs, activities, or services involving basic needs, such as food or shelter. And, while it is encouraged, involvement in the MAPO planning and decision-making process by residents is entirely voluntary. Anyone can participate in the planning and decision-making process simply by contacting MAPO staff. Furthermore, MAPO does not require residents to complete application forms or to submit to interviews prior to their participation in the MAPO transportation planning and decision-making process.

Transportation Improvement Program

Annually MAPO prepares a document describing upcoming transportation projects in the MAPO area, called the Transportation Improvement Program (TIP). Each TIP includes a project impact analysis, in which MAPO reviews upcoming projects based on area income and describes the anticipated effect on low income areas.

Inclusive public participation is an important MAPO priority. Because its planning and decision-making process impacts all residents within the planning area, MAPO encourages input and involvement from all residents and makes every effort to make the planning and decision-making process as inclusive as practicable. MAPO outlines ways in which the public can become involved in the MAPO planning and decision-making process in its Public Participation Plan (PPP), which is posted online and copies of which are available at the MAPO office.

Factor 4. The resources available to the recipient for LEP outreach, as well as the costs associated with that outreach.

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

LEP language assistance is available upon request through [The Language Line](#). This service offers one-touch, on-demand interpreting in more than 240 languages via mobile, video, and phone. This service is available free of charge to the public. MAPO makes Language Line services available to all members of the public upon request. To request Language Line services, please contact MAPO via any of the venues listed above. Spanish language assistance is available through the Spanish relay. This service is provided free of charge through the Minnesota Department of Commerce and allows a Spanish speaking person to use Minnesota Relay. The communications assistant relays calls between a Spanish speaking person with a hearing or speech disability and a Spanish speaking hearing person. To place a Spanish Relay call, dial: 1-877-627-5448 (voice, TTY, ASCII).

The City of Mankato's Housing Department also has a LEP Plan and resources available if needed.

III. Language Assistance Measures

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

- MAPO staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating in English.
- The following resources will be available to accommodate LEP persons. To procure interpretive or translation services, members of the public are invited to contact MAPO staff via any of the venues listed above, including phone, email, U.S. mail, or in person at MAPO offices
 - Interpretive services, within reason, will be provided for public meetings, if advance notice is provided to MAPO and such services are readily available;
 - MAPO will make translated versions (or provide for the interpretation of relevant section) of all documents/publications available upon request, within a reasonable time frame and if resources permit. The standard disclaimer provided to the public is: "If an American Sign Language, foreign language interpreter or

other reasonable accommodation or documents in alternative format (braille or large print) are needed, please contact staff at 651-366-4720.”

IV. Staff Training

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

- The Language Access Plan
- Demographic data about local LEP population
- Printed LEP persons’ materials
- How to handle verbal requests in a foreign language
- Responsibility to notify the MAPO Executive Director about any LEP persons’ unmet needs (see Subrecipient Oversight section).

V. Notice to LEP Persons

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

- Posters
- Website notices, which will include language such as: *If you wish to speak, please register in advance of the meeting via email to ctalamantez@mankatomn.gov or by calling 507-387-8389. Registering will allow callers to be easily identified during the meetings. An interpreter can be made available upon request.*”

VI. Monitoring, Evaluation, and Updating the Plan

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

- The number of documented LEP person contacts encountered annually.
- How the needs of LEP persons have been addressed.
- Determine current LEP population in the service area.
- Determine whether the need for translation services has changed.
- Determine whether local language assistance programs have been effective and sufficient to meet the need.
- Determine whether the MAPO financial resources are sufficient to fund language assistance resources needed.
- Determine whether the MAPO fully complies with the goals of this LEP plan.

- Determine whether complaints have been received concerning the agency's failure to meet the needs of LEP individuals.
- Maintain a Title VI complaint log, including LEP to determine issues and basis of complaints.

VII. Dissemination of Plan

This Language Access Plan is available on the MAPO's website:

www.mnmapo.org. This plan is also available at no cost in English upon request by telephone, fax, and mail or in person. If requested to be provided in another language and it is feasible to have it translated, it shall be provided at no cost to the requester.

Members of the public may request digital or hard copies of the plan via the below venues:

- **By phone:**
 - MAPO offices: (507) 387-8389
 - The City of Mankato (MAPO's host agency): 507-387-8600
- **By U.S. mail or in person:**
 - 10 Civic Center Plaza, Mankato, MN 56001
- **By email:**
 - ctalamantez@mankatomn.gov, MAPO staff
 - mkonz@mankatomn.gov, MAPO Executive Director

Appendix D: Public Notice

The following public notice is posted on MAPO's website, at the reception desk of MAPO's offices, and in MAPO's primary meeting room.



NOTIFICATION OF PUBLIC RIGHTS UNDER TITLE VI OF THE CIVIL RIGHTS ACT

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

Mark Konz
Executive Director
10 Civic Center Plaza
Mankato, MN 56002-3368
Phone: 507-387-8613

A copy of the Minnesota Department of Transportation (MnDOT) complaint form and additional information are available upon request and can also be found at the following internet link:

<https://www.dot.state.mn.us/civilrights/nondiscrimination-complaint.html>.

A Title VI complaint may be made by contacting the Minnesota Department of Transportation Office of Civil Rights at 651-366-3071 or submitting the online complaint form at the above internet link

Appendix E: Assurances

Inserted in the following pages

The United States Department of Transportation (USDOT)

Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

The Mankato/North Mankato Area Planning Organization (MAPO) (herein referred to as the "Recipient"), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through the **Federal Highway Administration (FHWA)**, is subject to and will comply with the following:

Statutory/Regulatory Authorities

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

Modal Operating Administration may include additional Statutory/Regulatory Authorities here.

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

General Assurances

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

"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity," for which the Recipient receives Federal financial assistance from DOT, including the FHWA.

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

Modal Operating Administration may include additional General Assurances in this section, or reference an addendum here.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted **FHWA Program**:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a

"facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

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

"The Mankato/North Mankato Area Planning Organization (MAPO), in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

3. The Recipient will insert the clauses of **Appendix A and E** of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of **Appendix B** of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in **Appendix C and Appendix D** of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
 - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance

under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.

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

Modal Operating Administration may include additional Specific Assurances in this section.

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

Mankato/North Mankato Area Planning Organization (MAPO) gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the FHWA. This ASSURANCE is binding on

Mankato/North Mankato Area Planning Organization (MAPO), other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in its programs. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Mankato/North Mankato Area Planning Organization (MAPO)

(Name of Recipient)

by



(Signature of Authorized Official)

DATED

9-19-24

APPENDIX A

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

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, **Federal Highway Administration (FHWA)**, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21. *[Include Modal Operating Administration specific program requirements.]*
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 will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin. *[Include Modal Operating Administration specific program requirements.]*
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the **FHWA** to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the **FHWA**, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the **FHWA** may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the **FHWA** may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

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

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the Mankato/North Mankato Area Planning Organization (MAPO) will accept title to the lands and maintain the project constructed thereon in accordance with the Regulations for the Administration of **Federal Highway Administration (FHWA)**, and the policies and procedures prescribed by the **FHWA** of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the Mankato/North Mankato Area Planning Organization (MAPO) all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto

Mankato/North Mankato Area Planning Organization (MAPO) and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the Mankato/North Mankato Area Planning Organization (MAPO), its successors and assigns.

The Mankato/North Mankato Area Planning Organization (MAPO), 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 will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the

Mankato/North Mankato Area Planning Organization (MAPO) will 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, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended[, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

APPENDIX C

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

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the Mankato/North Mankato Area Planning Organization (MAPO) pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:
 - 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, Mankato/North Mankato Area Planning Organization (MAPO) will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the Mankato/North Mankato Area Planning Organization (MAPO) will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the Mankato/North Mankato Area Planning Organization (MAPO) and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX D

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

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by Mankato/North Mankato Area Planning Organization (MAPO) pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, Mankato/North Mankato Area Planning Organization (MAPO) will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, Mankato/North Mankato Area Planning Organization (MAPO) will there upon revert to and vest in and become the absolute property of Mankato/North Mankato Area Planning Organization (MAPO) and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX E

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

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 – 12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 *et seq.*).

Appendix F: Complaint Log

No complaints received as of September 5, 2024.