

TITLE VI PROGRAM

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OCTOBER 30, 2013

This report was prepared in cooperation with the U.S. Department of Transportation, Federal Highway Administration, Federal Transit Administration, the Ohio Department of Transportation, the Kentucky Transportation Cabinet, the West Virginia Department of Transportation and local communities. The contents of this report reflect the view of KYOVA Interstate Planning Commission which is responsible for the facts and accuracy of the data presented herein. The contents do not necessarily reflect the official views or policies of the West Virginia Division of Highways, the Kentucky Transportation Cabinet, the Ohio Department of Transportation, the U.S. Department of Transportation, Federal Highway Administration or the Federal Transit Administration. This report does not constitute a standard, specification or regulation.

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Introduction

The KYOVA interstate Planning Commission is an association of local governments that serve as a forum for developing policies about regional growth management, economic, and transportation issues for its five county planning area that includes Boyd and Greenup Counties, Kentucky; Lawrence County, Ohio; and Cabell and Wayne Counties, West Virginia. KYOVA has been designated as the Metropolitan Planning Organization (MPO) for the Huntington, WV-KY-OH urbanized area. The KYOVA MPO serves as a forum for cooperative transportation decision making, and in this capacity is responsible for the preparation of the regional transportation plan. It performs a number of different functions, including:

- Establishing an annual work program for regional transportation planning tasks;
- Performing technical modeling of the transportation system;
- Establish a setting for regional decision making that includes federal, state, and local agencies dealing with transportation issues;
- Prioritizing transportation projects and developing a Metropolitan Transportation Improvement Program (TIP);
- Allocating state and federal funds for capital and operating needs;
- Ensuring compliance with state and federal regulations and standards; and
- Providing opportunities for public involvement.

The decision-making body is the KYOVA Policy Board Committee. This committee is comprised of appointed officials from the state and local governments in the region. The KYOVA MPO also formed a Technical Advisory Committee (TAC) to review the technical aspects of transportation studies and issues before they are brought before the Policy Committee.

The Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin. The Civil Rights Restoration Act of 1987 established that Title VI applies to all programs and activities of Federal-aid recipients, subrecipients, and contractors whether those programs are federally funded or not. In 1994, President Clinton issued Executive Order - Federal Actions to Address Environmental Justice in Minority and Low Income Populations. This mandated Federal agencies to address disproportionately high adverse effects of its programs on minority and low income populations. As a subrecipient of federal funds, KYOVA is subject to the provisions of Title VI and Environmental Justice. To be in compliance, KYOVA needs to:

- Enhance analytical capabilities to ensure that the Metropolitan Transportation Plan (MTP) and the TIP comply with Title VI.
- Identify residential, employment, and transportation patterns of low income and minority populations so that their needs can be identified and addressed.
- Assure that the burdens and benefits of transportation investments can be fairly distributed.
- Conduct a public involvement process that engages minority and low income populations in transportation decision-making.

Policy Statement

As a subrecipient of funds administered by the U.S. Department of Transportation, it is the policy of the KYOVA Interstate Planning Commission to effectuate Title VI of the Civil Rights Act of 1964 as amended. It requires 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 in any program or activity which is federally funded.

The Environmental Justice rules guarantees fair treatment for people of all races, cultures, and incomes regarding the development of transportation plans, regulations and policies. Under Title VI, KYOVA must:

- Ensure involvement of low-income and minority groups in the decision making process (public involvement);
- Safeguard low-income and minority groups against disproportionately high and adverse human health or environmental impacts of its programs, policies and activities;
- Ensure low income and minority groups receive their fair share of benefits.

Part 1: General Requirements

1. General Requirements

1.1. Access to Services by Persons with Limited English Proficiency

A Handbook for Public Transportation Providers (Federal Transit Administration Office of Civil Rights, April 13, 2007) describes a four-factor analysis that must be completed to determine the level of assistance required to provide Limited English Proficient (LEP) persons meaningful access to public transportation services. The analysis performed by KYOVA is described on the following pages.

Factor 1: The Number and Proportion of LEP Persons Served or Encountered in the Eligible Service Population

According to the most recent (2007-2011) American Community Survey (U.S. Census Bureau), the KYOVA region contained 270,633 persons 5 Years of Age and older. Of these, 1,203 (0.4 percent) were Limited English Proficient (LEP). According to the handbook, the LEP population is comprised of persons that speak English “less than very well”. Of this group, 164 persons speak Spanish, 65 persons speak Chinese, and 55 persons speak French. The number and percentage for each category are summarized in Exhibit 1.

Exhibit 1 Population and Ability To Speak English

	Cabell and Wayne Counties, West Virginia	Boyd and Greenup Counties, Kentucky	Lawrence County, Ohio
Speak only English	127,974	79,657	58,021
Spanish or Spanish Creole:	811	827	349
Speak English less than "very well"	164	381	44
French (incl. Patois, Cajun):	207	52	103
Speak English less than "very well"	55	23	0
Chinese:	173	114	0
Speak English less than "very well"	65	53	0
African languages:	88	44	0
Speak English less than "very well"	0	20	0
Vietnamese:	34	26	17
Speak English less than "very well"	34	0	0
German:	255	220	147
Speak English less than "very well"	20	52	35
Other Indic languages:	16	22	0
Speak English less than "very well"	3	0	0
Russian:	8	40	0
Speak English less than "very well"	0	0	0
Arabic:	239	26	0
Speak English less than "very well"	21	0	0
Japanese:	111	3	0
Speak English less than "very well"	28	0	0
Italian:	34	0	0
Speak English less than "very well"	0	0	0
Gujarati:	32	17	0
Speak English less than "very well"	23	0	0
Greek:	38	38	12
Speak English less than "very well"	0	0	0
Korean:	17	0	0
Speak English less than "very well"	17	0	0
Tagalog:	129	3	2
Speak English less than "very well"	9	0	2
Hindi:	137	55	0
Speak English less than "very well"	22	14	0
Other Indo-European languages:	39	42	0
Speak English less than "very well"	8	18	0
Mon-Khmer, Cambodian:	0	0	0
Speak English less than "very well"	0	0	0
Serbo-Croatian:	18	0	0
Speak English less than "very well"	0	0	0
Hebrew:	0	0	0
Speak English less than "very well"	0	0	0
Urdu:	103	16	0
Speak English less than "very well"	10	0	0
Other Slavic languages:	2	14	8
Speak English less than "very well"	0	7	0
Portuguese or Portuguese Creole:	0	0	0
Speak English less than "very well"	0	0	0
Scandinavian languages:	0	25	0
Speak English less than "very well"	0	0	0
Other Asian languages:	67	18	0
Speak English less than "very well"	56	0	0
Polish:	10	8	8
Speak English less than "very well"	0	0	0
Other West Germanic languages:	5	22	18
Speak English less than "very well"	0	0	0
Persian:	16	0	18
Speak English less than "very well"	0	0	0
Other Native North American languages:	0	27	0
Speak English less than "very well"	0	0	0
Hungarian:	9	0	0
Speak English less than "very well"	0	0	0
Other Pacific Island languages:	9	0	0
Speak English less than "very well"	9	0	0
Thai:	20	0	10
Speak English less than "very well"	10	0	0
Other:	22	0	0
Speak English less than "very well"	0	0	0

Source: American Community Survey 2007-2011

Exhibit 2 contains the number of linguistically isolated households (“households in which no one 14 and over speaks English only or speaks a language other than English at home and speaks English very well”) in the KYOVA region and the number of persons living in these households. As shown, about 0.3 percent of the population live in linguistically isolated households.

Exhibit 2
Ability to Speak English by Household

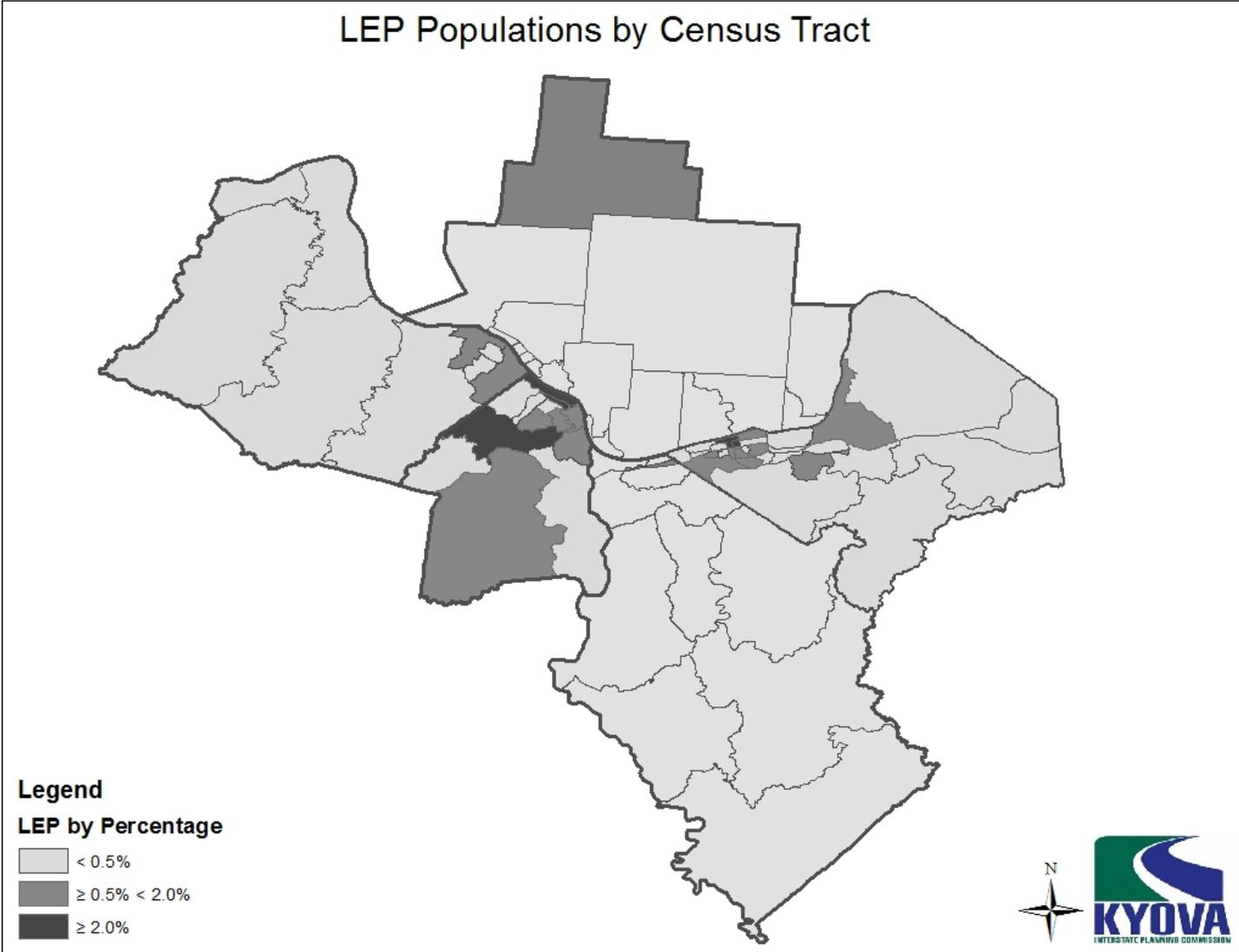
	Persons	Percent
Population 5 years and over in households	270,633	100.0%
In linguistically isolated households	402	0.3%
5 to 17 years	34	0.1%
18 to 64 years	314	0.2%
65 years and over	54	0.1%

The American Community Survey (ACS) provides updated information on LEP persons. According to the most recent ACS estimate, the three languages with over 100 persons that speak English less than “very well” are:

- Spanish or Spanish Creole
- German
- Chinese

To help identify the geographic location where the proportion of LEP persons exceeds the proportion for the entire KYOVA planning area, Exhibit 3 was prepared. This map highlights all the tracts where the LEP population exceeds 0.5 percent, which is the regionwide average, and the tracts where the percentage exceeds two percent. The majority of Census Tracts with higher than average LEP populations are located in urbanized areas mostly within the cities and Huntington and Ashland.

Exhibit 3
Limited English Proficiency Population



Factor 2: The Frequency with Which LEP Individuals Come into Contact with KYOVA Programs, Activities, and Services

LEP persons may come into contact with KYOVA activities, services and personnel in a variety of ways. The locations, programs, activities, and services where LEP persons most frequently come in contact with KYOVA include:

- Public meetings/legal notices;
- Newspapers;
- Web site; and
- KYOVA office.

The greatest need appears to be informational materials translated into Spanish that can be distributed to persons who request this information. However, to date KYOVA staff has not received any specific requests for translated materials.

Factor 3: The Importance of KYOVA Programs, Activities and Services to LEP Persons

One area of importance for LEP persons is KYOVA's public participation process (PPP). Public meetings are scheduled to collect input from the general public when transportation plans are developed or if a major change in the transportation system is proposed. An ability to speak and understand English is needed to participate in these public meetings, but there are alternative ways to submit comments and suggestions including comment cards and e-mail. In addition, upon request, KYOVA will retain an interpreter to translate these comments if needed.

Factor 4: The Resources Available to KYOVA and Costs

A Spanish version of the Title VI/EEO complaint process is available upon request from KYOVA. It is recognized that developing English-Spanish materials would provide a valuable resource for the LEP population. The cost of this will be the responsibility of KYOVA.

Language Implementation Plan

Based on the four factor analysis, the Spanish language was identified as the one language that KYOVA needs to include in its Language Implementation Plan. It currently has 164 Spanish speaking persons in the LEP category. A number of actions are described below that KYOVA is currently taking that help improve access to KYOVA information and services. These measures cover the five elements identified in the DOT LEP Guidance.

1. Identifying LEP Individuals who Need Language Assistance

KYOVA is currently providing the following assistance:

- Work with public and private agencies that assist LEP persons. Interview staff to solicit information about the locations and needs of LEP persons they serve.

- Continue to compile demographic information from the American Community Survey and other sources to identify concentration of LEP persons, and the type of language barriers that exist.

2. Language Assistance Measures

KYOVA is currently taking the following actions:

- Developing and distributing instructions to staff members that are likely to encounter LEP persons on how to respond to oral and written requests for assistance.
- Maintaining multilingual capabilities for KYOVA's public meetings to the extent possible. For this, KYOVA will contact the Foreign Language Departments at Marshall University and Ohio University – Southern Campus to obtain language interpretation services.

3. Training Staff

KYOVA is currently providing the following:

- Identify KYOVA positions that might come in contact with LEP persons.
- Include LEP assistance responsibilities into new employee orientation and other on-going training and re-training opportunities.

4. Outreach Techniques

KYOVA continues working with local agencies and organizations to meet the basic needs of LEP persons for oral and written information while new language assistance efforts and their costs are considered. KYOVA will provide translated documents upon request. For this, KYOVA will contact the Foreign Language Departments at Marshall University and Ohio University – Southern Campus to obtain language translation services.

5. Monitoring and Updating the LEP Plan

KYOVA is taking the following actions:

- Request continuous feedback from agencies regarding contacts with the LEP population to identify changes in the frequency of contacts or language assistance requirements.
- Keep an open channel of communication with agencies that serve the LEP population to identify new needs and trends.
- Closely monitor the relationship between existing and proposed transportation improvements and the areas that contain LEP persons.

If important changes are detected through feedback from staff, outside agencies or from LEP persons, KYOVA will reevaluate the LEP effort and the agency's financial situation to determine if the overall program needs to be modified.

Notifying Beneficiaries of Their Rights under Title VI

Any person who feels that they have been discriminated based on race, creed or national origin as a result of KYOVA's program(s), must file a complaint with KYOVA. Written procedure for a Title VI complaint will be provided in either English or Spanish and includes the Title VI complaint form.

1.2. Public Participation Process

It is the policy of KYOVA to encourage the broadest possible public participation in major decisions that affect our service, our customers and our community. KYOVA may also elect to hold public meetings or solicit public feedback on other proposed transportation changes that may be relatively minor in scope.

Solicitation of Comments

KYOVA encourages the community to comment on proposed transportation improvements in the following ways:

- A public meeting, announced through public meeting legal notices in local news outlets such as website or special interest publications as appropriate, news releases/news coverage, notice on KYOVA's website, and communications to elected officials. Community notification will occur not less than two weeks before the public meeting;
- Letters written to KYOVA; and
- Comments received through KYOVA's website.

In addition to these, other mechanisms such as receiving comments through telephone calls or surveys may also be used, if necessary, to gain a more complete overview of the public's opinion on the proposed transportation project.

Public Meetings

The format of the meeting will vary, depending on the audience and the magnitude of the proposed improvements. For example, an "open house"-type format that spans several hours or is available at several different venues might be preferred for major projects, while a facilitated public meeting might work best for changes that affect a smaller geographic area. The exact format of each meeting will be structured to efficiently and effectively solicit comments.

KYOVA's public meetings for major projects will meet the following criteria:

- KYOVA staff will be available at all times to explain the proposed changes and allow the public to ask questions;
- All public comments will be captured for the record, either electronically or through written transcript;
- Meeting materials will be available in ADA-compliant formats, such as braille or audio-recording, and Spanish language translation on request at least three days in advance of the meeting;

- A sign language interpreter or Spanish language interpreter will be available at the public meeting, on request at least one week in advance of the meeting; and
- KYOVA will schedule the public meeting in an ADA-accessible location within the affected area.

Consideration of Public Comments

All comments concerning fare increases and major service changes received through the public participation process (PPP) will be reviewed and summarized by KYOVA staff.

After consideration and consultation with other affected entities, KYOVA staff will share the public participation results with KYOVA's Board, along with the staff recommendation. The staff recommendations will take into consideration the public comments and will itemize any changes that are being made based on public comments.

The public participation results and any proposed changes will then be taken to the KYOVA Policy Board for action or acceptance.

1.3. Title VI Complaint Procedure

This outlines the Title VI complaint procedures related to providing programs, services, and benefits. However, it does not deny the complainant the right to file formal complaints with any local or state organization, the Federal Transit Administration, or seek private counsel for complaints alleging discrimination, intimidation or retaliation of any kind that is prohibited by law. 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. Appendix A includes KYOVA's Title VI complaint form. This form and the description of the Title VI complaint process will be provided in other languages upon request.

General

Any person who believes that he or she, individually, or as a member of any specific class of persons, has been subjected to discrimination on the basis of race, color, or national origin as noted below may file a written complaint with KYOVA's Title VI Coordinator, 400 Third Avenue, Huntington, West Virginia, 25701. Complaints must be filed within 180 days following the date of the alleged discriminatory occurrence. Every effort will be made to obtain early resolution of complaints. The option of informal meeting(s) between the affected parties and the Title VI Coordinator may be utilized for resolutions. The Title VI Coordinator will notify KYOVA's Executive Director of all Title VI related complaints as well as all resolutions.

Procedure

1. The complaint must include the following items.
 - a. The complaint shall be in writing and signed by the complainant(s). In cases where the complainant is unable or incapable of providing a written statement, a verbal complaint may be made. The Title VI Coordinator will interview the complainant and assist the person in converting verbal complaints to writing. All complaints must, however, be signed by the complainant or his/her representative.

b. The complaint shall include the following as applicable: date of the alleged act of discrimination; the date when the complainants became aware of the alleged act of discrimination; the date on which that conduct was discontinued; and/or the latest instance of conduct.

c. The complaint shall present a detailed description of the issues, including names and job titles of those individuals perceived as parties in the complaint.

d. Federal and state law requires complaints be filed within 180 calendar days of the alleged incident.

2. Upon receipt of the complaint, the Title VI Coordinator will determine its jurisdiction, acceptability, need for additional information, and begin investigation of the merit of the complaint.

3. The Complainant will be provided with a written acknowledgement that KYOVA has either accepted or rejected the complaint. A copy will be forwarded to the Title VI Coordinator of the appropriate state transportation agency(ies), i.e. the Ohio Department of Transportation, the Kentucky Transportation Cabinet, and/or the West Virginia Department of Transportation. For complaints that originate in West Virginia, appeals must be made to:

Title VI Coordinator
West Virginia Department of Transportation
Equal Employment Opportunity Office
1900 Kanawha Boulevard, East
Building 5, Room 948
Charleston, West Virginia 25305
Telephone: 304.558.3931

4. A complaint must meet the following criteria for acceptance.

a. The complaint must be filed within 180 days of the alleged occurrence.

b. The allegation must involve a covered basis such as race, color or national origin.

c. The allegation must involve a KYOVA program of a Federal-aid recipient, sub-recipient or contactor.

5. A complaint may be dismissed for the following reasons:

a. The Complainant requests the withdrawal of the complaint.

b. The Complainant fails to respond to repeated requests for additional information needed to process the complaint.

c. The complaint is untimely filed.

d. The complaint does not allege a basis covered by the statutes for which KYOVA is responsible.

- e. The complaint does not allege any harm with regard to covered programs or statutes.
 - f. The complainant has filed a legal action in Federal District Court with the same issue(s) involved in the complaint.
6. Once KYOVA's Title VI Coordinator decides to accept the complaint for investigation, the Complainant will be notified in writing of such determination. The complaint will receive a case number and will then be logged in a database identifying: Complainant's name, basis, alleged harm, and the race, color and national origin of the Complainant.
7. Within 90 calendar days of the acceptance of the complaint, KYOVA's Title VI Coordinator will prepare an investigative report for review by the Executive Director. The report shall include a narrative description of the incident, identification of persons interviewed, findings and recommendations for disposition.
8. The investigative report and its findings will be reviewed by the Executive Director, and in some cases it will also be reviewed by KYOVA's Legal Counsel. The report will be modified as needed.
9. The Title VI Coordinator will make a determination on the disposition of the complaint. Dispositions will be stated as follows:
- a. In the event KYOVA is in noncompliance with Title VI regulations, remedial actions will be listed.
 - b. In the event KYOVA is found to be in compliance, the reasons for this finding will be clearly described.
10. The notice of determination will be mailed to the Complainant. It shall include information regarding appeal rights of Complainant and instructions for initiating such an appeal. Notice of appeals are as follows:
- a. KYOVA will reconsider this determination, if new facts, come to light.
 - b. If Complainant is dissatisfied with the determination and/or resolution set forth by KYOVA, the same complaint may be submitted to the appropriate State agency for investigation. Complainant will be advised to contact the appropriate State transportation agency.
11. A copy of the complaint and KYOVA's investigation report, compliance finding and final remedial action plan, if appropriate, will be forwarded to the appropriate State transportation agency(ies) Title VI Coordinator within 120 days of the receipt of the complaint.
12. The KYOVA Executive Director shall further notify the complainant of his or her right to appeal the decision to ODOT, KYTC, WVDOT, or FHWA if the recommendation is not acceptable. The final determination is made by FHWA, Office of Civil Rights (HCR).

Recordkeeping Requirement

The Title VI Coordinator will ensure that all records relating to KYOVA's Title VI Complaint Process are maintained with department records. Records will be available for compliance review audits.

Record of Title VI Investigations, Complaints or Lawsuits

No Title VI complaints have been received by or filed with KYOVA.

1.4 KYOVA Board Composition

The KYOVA Board is listed in the table on the following page. There are currently no minority persons on the Board.

Voting Members	Representing	Title
Steve Williams	City of Huntington	Mayor
Alex Vence	City of Huntington	Realtor
James Turner	City of Huntington	Lawyer
Vacancy	City of Huntington	Member Appointment
Vacancy	City of Huntington	Member Appointment
Nancy Cartmill	Cabell County	President County Commission
Bob Bailey	Cabell County	Commissioner
Anne Yon	Cabell County	Commissioner
Chris Tatum	Cabell County	County Manager
Phoebe Patton Randolph	Cabell County	Architect
Vacancy	Cabell County	Member Appointment
Jason Stephens	Lawrence County	County Auditor
Les Boggs	Lawrence County	President County Commission
Doug Cade	Lawrence County	County Engineer
Bill Dingus	Lawrence County	Director Lawrence County COC
Terry Porter	Lawrence County	Trustee
Ralph Kline	Lawrence County	Assit. Director ILCAO
Kenneth Adkins	Wayne County	Commissioner
Robert Pasley	Wayne County	President County Commission
Don Bias	Wayne County	Kenova City Councilman
Shane Dillion	Wayne County	Citizen Member
Rich Blankenship	City of Ironton	Mayor
Vacancy	City of Ironton	Member Appointment
William Stevens	Boyd County	Judge/Executive
Nickie Smith	Boyd County	Member Appointment
Alex Vanderpool	Boyd County	Member Appointment
Robert Carpenter	Greenup	Judge/Executive
William Hopkins	Greenup	Member Appointment
Phil Biggs	Greenup	Member Appointment
Cheryl Moore	Greenup	Member Appointment
Chuck Charles	City of Ashland	Mayor
Marion Russell	City of Ashland	Member Appointment
Steve Corbitt	City of Ashland	Member Appointment
Joseph Haynes	Putnam County	President County Commission
Vacancy	Putnam County	Member Appointment
Vacancy	Putnam County	Member Appointment
Paul Mattox	WV DOT	Secretary of Transportation
Jerry Wray	ODOT	Director
Mike Hancock	KYTC	Secretary of Transportation
Matt Mans	Superior Marine	Chief Operating Officer
Paul Davis	TTA	General Manager
Jerry Brienza	Tri-State Airport Authority	Director

Part 2: Program Specific Requirements

2. Program Specific Requirements

2.1. Demographic Data and Maps

The most up-to-date demographic and service profile maps were prepared. These maps illustrate the availability of fixed-route service to minority and low-income populations in the KYOVA planning region. Along with the mandatory base map, three other maps were prepared to show the census tracts with a predominately minority population, predominately low-income population, and a combination of these characteristics. These maps and associated charts are presented in Appendix B.

2.2. Demographic Profile of KYOVA Region

In an effort to identify Title VI and EJ populations, KYOVA used 2007-2011 American Community Survey data by Census Tract. The following demographic categories were compiled for this: minority populations, low income persons, and persons with limited English proficiency. Higher concentrations of these persons were identified and compared with the geographic location of projects from the KYOVA Metropolitan Transportation Plan, and the Ashland Area Kentucky Metropolitan Transportation Plan.

Persons Below Poverty Level

Within the KYOVA planning region, there is an average of 19.2 percent of the population below the federal poverty threshold. Exhibit B.1 in Appendix B shows a map depicting the Census Tracts with a higher than average number of persons in poverty. These Census Tracts are mostly located in the urban core cities of Huntington, WV and Ashland, KY and in the rural portions of Cabell County, WV.

Minority Population

An average of 5.0 percent of the KYOVA region population are minorities. These are people who identify themselves as non-white or hispanic. Exhibit B.2 in Appendix B shows the locations of the Census Tracts with higher than average concentrations of minority populations. As shown, these are located primarily within the cities of Ironton, OH and Huntington, WV.

Persons Who Speak English Less Than "Well"

Region wide, there are 0.4 percent of the population who speakers English less than well. This is discussed in more detail in Section 1.2 of this document.

2.3. Procedures Identifying Mobility Needs of Minority Populations

KYOVA will identify the mobility needs of minority populations primarily through the public involvement process. Advertisements for KYOVA sponsored public meetings designed to solicit input on highway, transit, and other transportation system projects will be targeted to areas that have higher than average concentrations of minority and low income persons. Options for translation services will be available at these meetings.

Part of the public involvement process also includes outreach to organizations and agencies that serve minority populations. These organizations are included in mailing lists used for advertising public meetings for the various studies and plans developed by KYOVA.

2.4 Public Transportation Service and Minority Populations

Exhibit B.3 in Appendix B shows the coverage of fixed route transit systems operated in the KYOVA region along with the location of Census Tracts with higher than average minority populations. As shown, nearly all of the Census Tracts with higher minority populations are within the transit service area.

2.5. Disparate Impact Policy

Certain population groups will be the subject of a special analysis whenever transportation system improvements or changes are being considered. These are required under Title VI of the Civil Rights Act of 1964 and Environmental Justice regulations of the Federal Transit Administration. Title VI prohibits discrimination on the basis of race, creed or national origin. Environmental Justice regulations requires federally funded transportation agencies to identify and address disproportionately high impacts of transportation system changes on low income populations.

With each Title VI Plan update, KYOVA will perform special analyses to assess the relative quality of service in Title VI/Environmental Justice target areas. The analysis will indicate if there are any disparate impacts on the census tracts where the number of low-income and minority residents is higher than the area average.

Exhibit B.4 in Appendix B shows a map of transportation system improvements with the Census Tracts with higher concentrations of minority and low income persons.

APPENDICES

Appendix A
Title VI Complaint Form

Title VI Complaint Form

KYOVA is committed to providing its programs and services without regard to race, color, or national origin.

If you feel you have been discriminated against based on one of the above characteristics, you have the right to file a complaint.

Instructions: If you wish to submit a Title VI complaint to KYOVA, please fill out the form below and send it to:

KYOVA
Attn: Title VI Coordinator
400 Third Avenue
Huntington, West Virginia 25701

You can also fax the form to 304-529-7229, Attn: Title VI Coordinator. If you have questions about this process please call 304-523-7434.

1. Name (complainant):

2. Phone: (____) _____

3. Home Address (Street #, City, State, Zip):

4. If applicable, name and title of person(s) who allegedly discriminated against you:

5. Location where the alleged incident took place:

6. Date of alleged incident (or date range if activity took place on more than one date):

7. Is this activity still on-going?

Yes No

8. Discrimination was based on:

- Race
- Color
- National Origin

9. In your own words, describe the alleged discrimination. Be sure to include how you believe you were treated differently. If more space is needed please feel free to use the back of this form.

10. Please list below any person(s) we may contact for additional information to support or clarify your complaint:

11. Have you filed this complaint with any other federal, state or local agency, or with any federal or state court?

Yes No

If yes, check all that apply:

Federal Agency Federal Court State Agency

State Court Local Agency

Please provide the name and phone number of the contact person at the agency/court where the complaint was filed:

12. Please sign below. You may attach any written or other information that you think is relevant to your complaint.

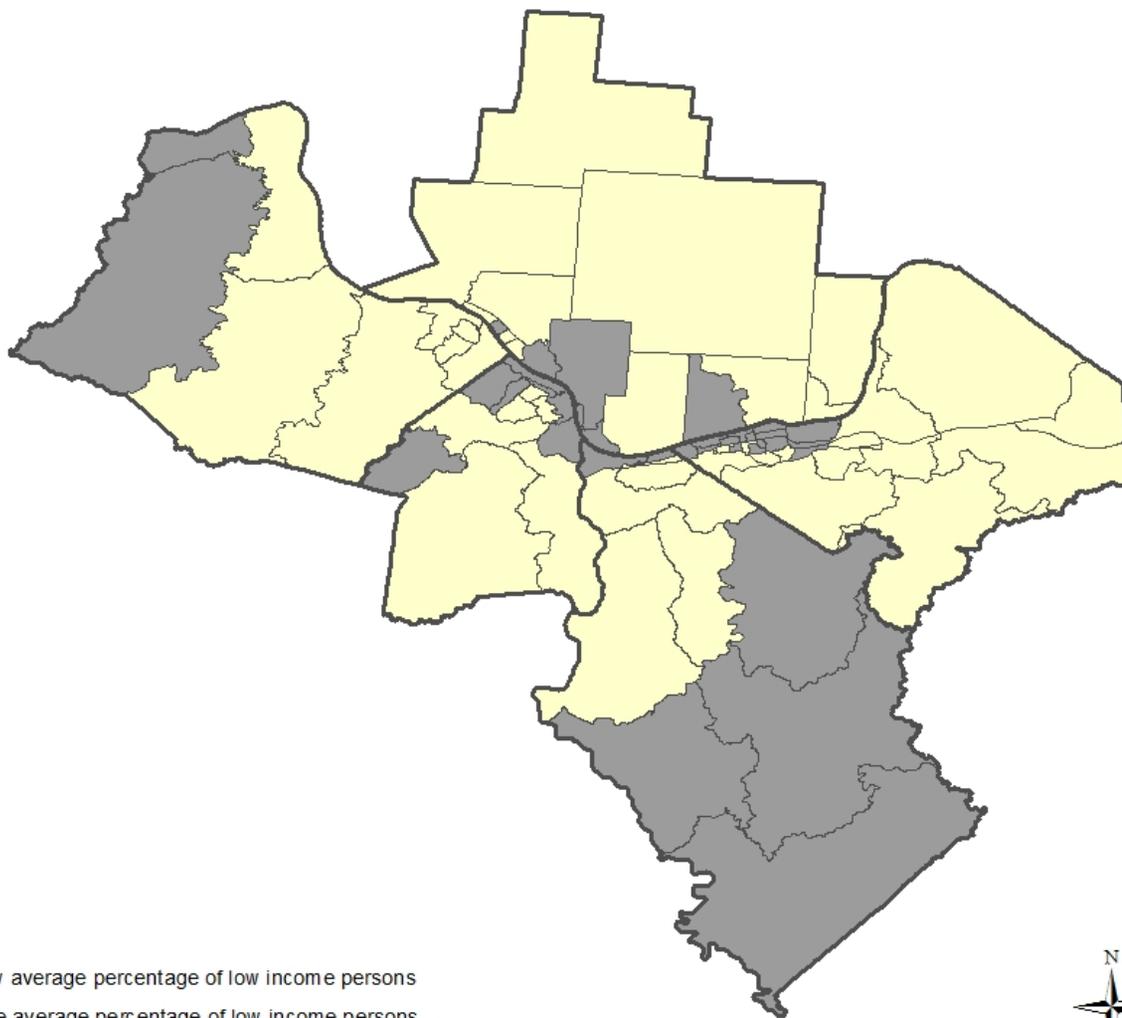
Signature:

Date:

Appendix B
Demographic Data and Maps

Exhibit B.1

Census Tracts with Higher than Average Percentage of Low Income Persons



Legend

-  Below average percentage of low income persons
-  Above average percentage of low income persons



Exhibit B.2

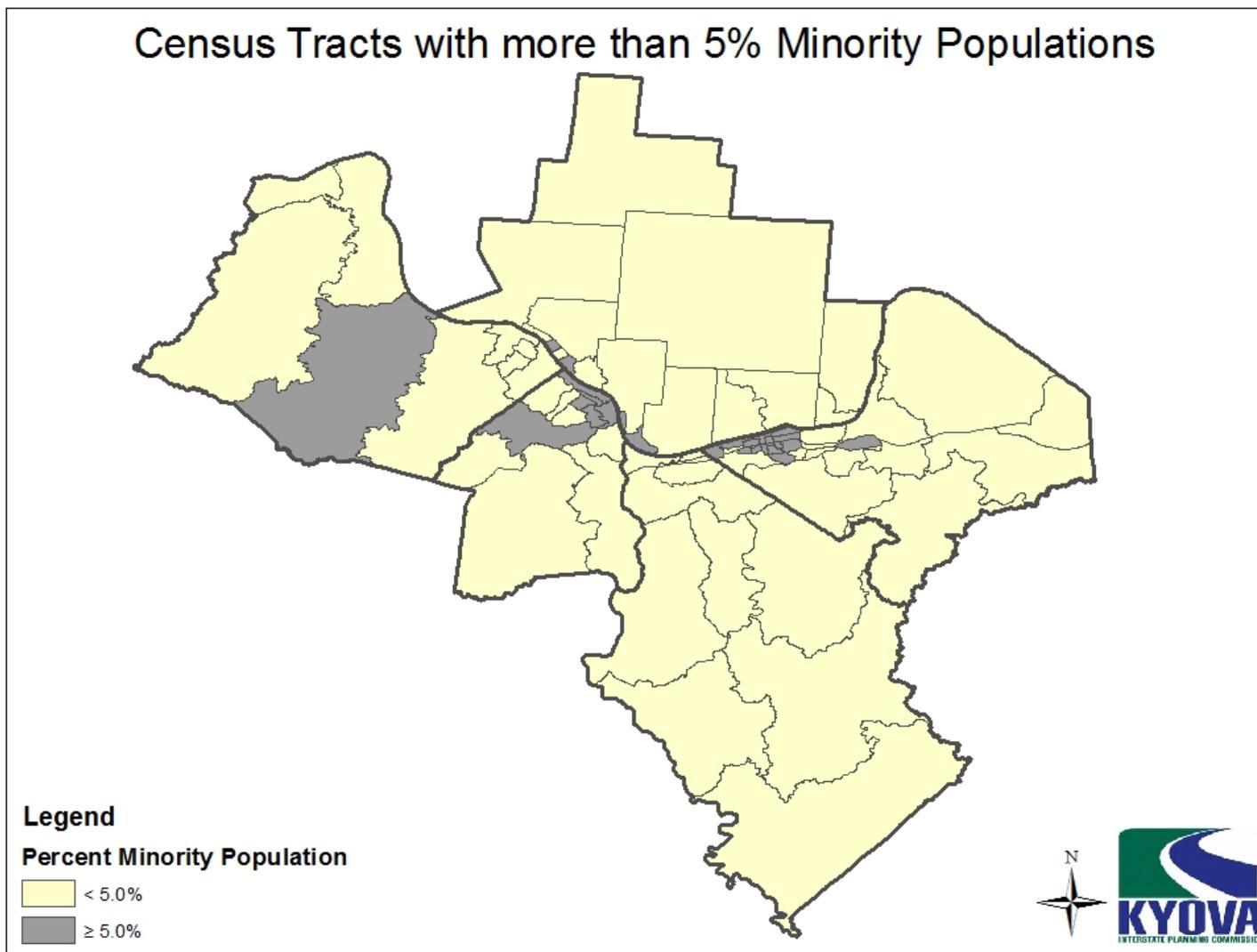


Exhibit B.3

Census Tracts within 3/4 Mile of a Bus Route

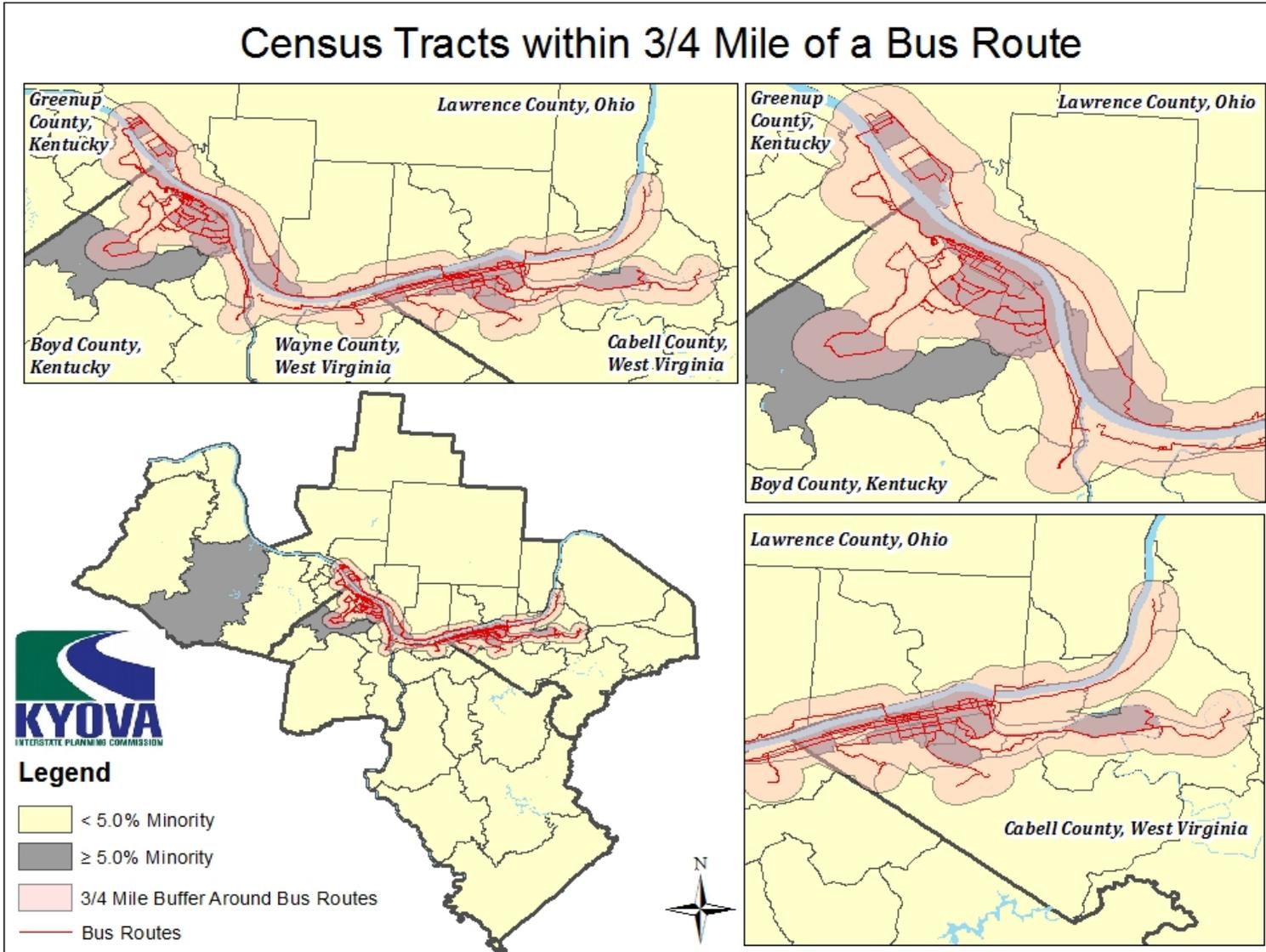
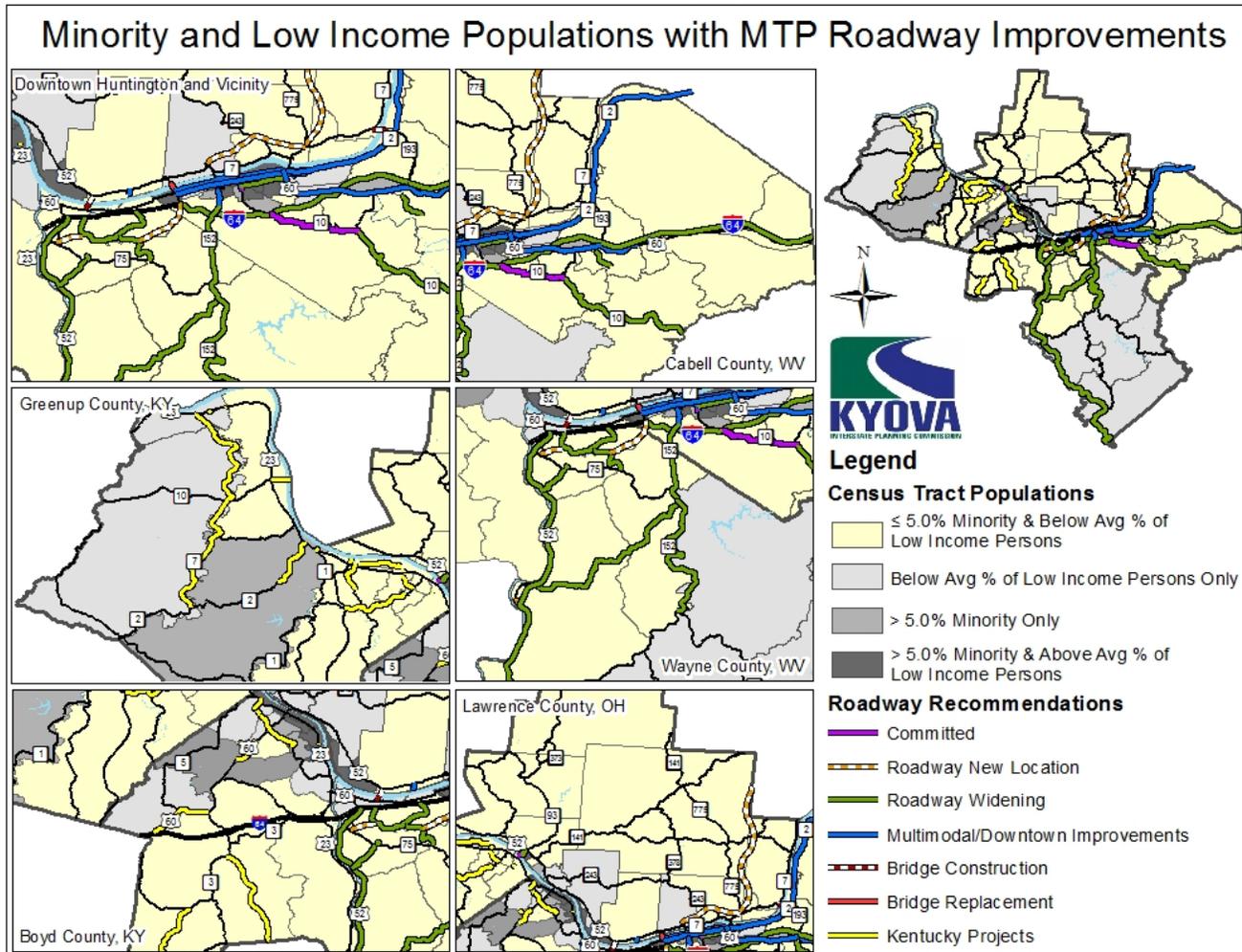


Exhibit B.4 Transportation Improvements in Metropolitan Transportation Plan



Appendix C
KYOVA Board Resolution

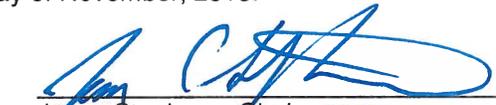
RESOLUTION
OF THE KYOVA INTERSTATE PLANNING COMMISSION
ADOPTING THE
TITLE VI PROGRAM

- Whereas, the United States Bureau of the Census on March 27, 2012, defined the Huntington, WV-KY-OH Urbanized Area with a population of 202,637; and
- Whereas, the United States Secretary of Transportation, on July 18, 2012, designated Huntington, WV-KY-OH Urbanized Area as a new Transportation Management Area (TMA); and
- Whereas, KYOVA Interstate Planning Commission was designated as the Metropolitan Planning Organization (MPO) by the Governors of West Virginia, Kentucky, and Ohio for the West Virginia counties of Cabell and Wayne, the Kentucky counties of Boyd and Greenup, and the Ohio county of Lawrence; and
- Whereas, as a recipient of U.S. Department of Transportation (DOT) financial assistance, KYOVA must carry out DOT Title VI regulations, and it is the policy of KYOVA to follow Title VI of the Civil Rights Act of 1964 as amended; and
- Whereas, all recipients of FTA funds must complete a Title VI Program approved by the board of directors; and
- Whereas, staff has completed the analyses and documented the results that follows the revised rules described in FTA Circular 4702.1B dated October 1, 2012; and
- Whereas, the Title VI Program Report is due October 2013, a copy of which is attached hereto and incorporated by reference herein.
- Whereas, staff recommends the Board adopt the 2013 Title VI Program and authorize staff to submit it to the Ohio Department of Transportation, the West Virginia Department of Transportation, and the Kentucky Transportation Cabinet.

NOW THEREFORE BE IT RESOLVED, that the KYOVA Interstate Planning Commission certifies that:

The Board hereby adopts the KYOVA Title VI Program as developed by staff and authorizes and directs the Executive Director to submit the Program to Ohio Department of Transportation, the West Virginia Department of Transportation, and the Kentucky Transportation Cabinet.

The above Resolution is hereby adopted on this 1st day of November, 2013.



Jason Stephens, Chairman



Michele P. Craig, Executive Director

Date: 11.1.13