



Corvallis Area Metropolitan Planning Organization

Title VI Plan

Compliance with Federal Requirements under
49 CFR Part 21 and 23 CFR Part 200

FY2010

Corvallis Area Metropolitan Planning Organization

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US Federal Transit Administration (FTA), Region X
Oregon Department of Land Conservation and Development (DLCD)
Oregon Department of Environmental Quality (DEQ)
Oregon Division of State Lands (DSL)

Background

Purpose

The purpose of this document is to comply with federal regulations under 49 CFR Part 21 and 23 CFR 200. The regulations require all recipients of federal funds to comply with Title VI of the Civil Rights Act of 1964 and its subsequent federal acts.

Authorities

There are numerous Congressional Acts and federal regulations on civil rights and equitable treatment of all members of the public that apply to the various aspects of transportation planning practices. The following is the most relevant of these Acts to the transportation planning practices of the Corvallis Area Metropolitan Planning Organization (CAMPO):

Title VI of the Civil Rights Act of 1964

Title VI of the Civil Rights Act of 1964 (42 USC 200d) states that:

“No person in the United States shall on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity receiving federal financial assistance.”

The Uniform Relocation Assistance Act of 1970

The Uniform Relocation Assistance and Relocation Acquisition Act prohibits unfair and inequitable treatment of persons displaced or whose property will be acquired as a result of Federal and Federal-Aid programs and projects (42 USC 4601).

Section 504 of the Rehabilitation Act of 1973

The Act (29 USC 790) states that:

“No qualified handicapped person shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity that receives or benefits from Federal financial assistance.”

Federal Highway Act of 1973

The Act (23 USC 324) states that:

“No person shall on the ground of SEX be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance under this title or carried on under this title.”

The Age Discrimination Act of 1975

The Act (42 USC 6101) states that:

“No person shall on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

The Civil Rights Restoration Act of 1987

The Act expanded the coverage of previously enacted federal statutes prohibiting discrimination in employment and other areas. It restored the intent of Title VI and

applies to all programs and activities of Federal aid recipients and contractors whether those programs and activities are federally funded or not.

Americans with Disabilities Act (ADA) of 1990

ADA (42 USC 126) prohibits discrimination against any individual on the basis of disability in regard to public services, public transportation, employment, housing, education, health, labor, communication devices and many more.

Equal Employment Laws

Employment is generally not covered under Title VI. The following Acts however regulate the hiring and firing practices:

Title VII of the Civil Rights Act of 1964 prohibits employment discrimination based on race, color, religion, sex, or national origin;

Equal Pay Act of 1963 (EPA) protects men and women who perform substantially equal work in the same establishment from sex-based wage discrimination;

Age Discrimination in Employment Act of 1967 (ADEA) protects individuals who are 40 years of age or older;

Title I and Title V of the Americans with Disabilities Act (ADA) of 1990, as amended prohibit employment discrimination against qualified individuals with disabilities in the private sector, and in state and local governments;

Sections 501 and 505 of the Rehabilitation Act of 1973 prohibit discrimination against qualified individuals with disabilities who work in the federal government;

Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employment discrimination based on genetic information about an applicant, employee, or former employee; and

Civil Rights Act of 1991, among other things, provides monetary damages in cases of intentional employment discrimination.

Environmental Justice (EJ) of 1994

In February 1994 President Clinton signed Executive Order 12898 that directed every Federal agency to make environmental justice part of its mission by identifying and addressing the effects of all programs, policies, and activities on "*minority populations and low-income populations.*"

Limited English Proficiencies (LEP) of 2000

Executive Order 13166 protects people with Limited English Proficiency (LEP). The law requires that federal agencies shall work to ensure that people with limited English Proficiency have meaningful access to their services without unduly burdening the fundamental mission of the agency.

Federal Aid Recipient Information

The Corvallis Area Metropolitan Planning Organization (CAMPO) is a recipient of Federal Highway Administration (FHWA) fund, under Public Law (PL) and the Federal Transit Administration (FTA) funds under Section 5303. Additionally, in some years the MPO uses other federal funds under Transportation and Growth Management Program or similar programs.

Agency:

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The Corvallis Area MPO is in a contract with the Oregon Cascades West Council of Governments (OCWCOG) for its administrative services. OCWCOG handles the MPO's financial and personnel issues.

Agency:

Oregon Cascades West Council of Governments (OCWCOG)
1800 Queen Avenue SE
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Fax: (541) 967-6123

Contact:

Brenda Mainord
CED Office Manager
Cascades West Council of Governments
1400 Queen Ave SE, 205 A
Albany, OR 97322

Certificate of Assurance

The Corvallis Area Metropolitan Planning Organization (CAMPO) hereby certifies that, as a condition of receiving federal financial assistance, it will ensure that:

1. No person shall on the ground of race, color, national origin, sex, age, disability or income status be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity that is fully or partially covered by federal financial assistance;
2. Efforts will be made to facilitate the participation of persons with Limited English Proficiency (LEP) in transportation planning activities sponsored by CAMPO;
3. Will submit to the Oregon Department of Transportation (ODOT) an annual certification of compliance with the requirements of Title VI, per the requirements of 49 CFR Part 21 and 23 CFR 200.

**Corvallis Area
Metropolitan Planning
Organization**

**Oregon Department of
Transportation, TDD**

**Oregon Department of
Transportation, PTD**

Signature

Signature

Signature

Bill Currier
Printed Name

Printed Name

Printed Name

CAMPO Chair
Title

Title

Title

XX, March 2010
Date

Date

Date

Complaint Procedure

Any person who believes that he/she, individually or as a member of any specific class of people, has been discriminated by the MPO's programs or activities, on the basis of race, color, or national origin, may file a complaint.

Written complaints may be filed with the MPO at any time within one hundred and eighty (180) days from the date of the alleged discriminatory act. Complaints shall state the name and address of the person and the particulars of the alleged act of discrimination.

Within ten (10) days, the MPO shall confirm receipt of the complaint and inform the complainant of the investigation process. Should CAMPO find the complaint has merit; it shall commence an investigation of the allegation(s). The purpose of an investigation is to determine whether there is a reason to believe that a failure to comply with Title VI of the Civil Rights Act of 1964 has occurred. In addition, the MPO will render a recommendation for action in a report of findings or resolution.

Within ninety (90) days, the MPO will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the complainant of his/her right to file a formal complaint with the OCWCOG's Title VI Coordinator, if he/she is dissatisfied with the final decision rendered by the CAMPO. CAMPO will maintain a log of all complaints received.

Resolution

If a probable cause of a discriminatory practice based on race, color, or national origin is found to exist, the MPO shall endeavor to eliminate said practice by means of a Remedial Action Plan. The Remedial Action Plan shall include: a list of all corrective actions accepted by the agency; a description of how the corrective action will be implemented; and a written assurance that the agency will implement the accepted corrective action in the manner discussed in the plan. Where attempts to resolve the complaint fail, the complainant shall be notified in writing of his or her right to submit the complaint to the Federal Transit Administration as cited in FTA C4702.1A.

Environmental Justice

Background

Executive Order 12898, “Federal Actions to Address Environmental Justice (EJ) in Minority Populations and Low-income Populations was enacted in 1994 to reinforce Title VI of the Civil Rights Act of 1964. The Civil Rights Act states that *“No person in the United States shall, on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance”* (U.S. Code 1964).

Executive Order 12898 states, *“Each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations”* (Federal Register 1994). The Executive Order clearly adds the minorities and low-income people to the list of protected class.

CAMPO, as an entity that receives federal funds, is responsible for integrating environmental justice standards into its transportation planning and programming activities. These standards are:

- Avoid, minimize, or mitigate disproportionately high and adverse effects of its activities on minority populations and low-income populations;
- Ensure involvement of low-income and minority groups in the decision making process, and;
- Ensure low income and minority groups receive their fair share of benefits.

CAMPO Area Likely-Underserved Populations

Data gathered by the U.S. Census Bureau can help to identify the Likely-Underserved individuals in the CAMPO area. For this purpose the Likely-Underserved population is defined as the minorities, individuals living below the federal poverty level and individuals with Limited English Proficiency (LEP).

The racial composition of the CAMPO Area population is shown in the following tables. For outreach purposes it is important to identify the areas with the highest concentration of minorities. Map 2 shows the concentration of the Area’s minority population throughout the Corvallis Urbanized Area. Because 2006-2008 American Community Survey data is not available at the census block level, 2000 Census data was used.

Low-Income Population

According to 2006-2008 American Community Survey (ACS), 23.3% of individuals living in the Corvallis Urbanized Area had an income below the poverty level in the previous 12 months. An estimated 10.6% of families had incomes below the poverty level during the previous 12 months (Table below). Map 3 illustrates the areas of greatest poverty throughout the Corvallis Urbanized Area. Because 2006-2008 American Community Survey data is not available at the census block level, 2000 Census data was used.

People with Limited English Proficiency (LEP)

The U.S. Census Bureau estimates that 3.4% (842) households in the Corvallis Urbanized Area are linguistically isolated. This means all household members age 14 and over have at least some difficulty with English. Spanish-speaking households are the most prominent in this category, followed by Other Indo-European languages, Asian and Pacific Island languages, and other languages. Map 2 illustrates the 2000 U.S. Census estimates for the percent of minorities living in each CAMPO area Census Block.

Taking a closer look at what languages are spoken at home, regardless of linguistic isolation, the Census Bureau estimates that 13% (7,712) of CAMPO area residents over the age of five speak a language other than English at home, with the most prominent language being Spanish or Spanish Creole. The 2006-2008 American Community Survey estimates that 2,856 residents over the age of five speak Spanish in the home (5%).

Strategies for Involving Likely-Underserved Populations

To better involve Likely-Underserved Populations, CAMPO may employ a combination of the following measures:

1. Consulting with social and religious organizations that serve Likely Underserved communities
2. Purchasing advertisement and/or placing public notification in Oregon State University and Linn-Benton Community College media, and other publications serving Likely-Underserved communities
3. Providing assistance, upon request, and with 48 hours notice, to the hearing and visually impaired, those not fluent in English, and others requiring assistances at all MPO meetings, hearings and public events. Public notices of these events shall notify the public of this opportunity. Meetings shall be held in ADA-compliant venues.
4. Selecting meeting sites that are easily accessible to Likely Underserved communities and accessible by transit or means other than the automobile

Glossary of Acronyms

AASHTO	Association of American State Highway and Transportation Officials
ADT	Average Daily Traffic
BPAC	Bicycle and Pedestrian Advisory Commission (City of Corvallis)
CAMPO	Corvallis Area Metropolitan Planning Organization
CAMTP	Corvallis Area Metropolitan Transportation Plan: Destination 2030
CIP	Capital Improvement Program
CLDC	Corvallis Land Development Code
CSF	Corvallis Street Fund
CTS	Corvallis Transit System
DLCD	Department of Land Conservation and Development
FTA	Federal Transit Administration
GIS	Geographic Information Systems
ITE	Institute of Traffic Engineers
LOS	Level of Service
MPO	Metropolitan Planning Organization
MUCS	Mixed-use community shopping zone (Corvallis Development Code)
N-C Minor	Minor Neighborhood Center (Corvallis Development Code)
N-C Major	Major Neighborhood Center (Corvallis Development Code)
OAR	Oregon Administrative Rule
OBPP	Oregon Bicycle and Pedestrian Plan
OCWCOG	Oregon Cascades West Council of Governments
ODOT	Oregon Department of Transportation
OED	Oregon Employment Department
OSU	Oregon State University
P-AO	Professional and Administrative Office zone
PAC	Project Advisory Committee
PM Peak	The most congested period of traffic during afternoon hours
PSU	Portland State University
R-A-G traffic signal	Red-Amber-Green traffic signal
RTP	Regional Transportation Plan (MPO's Transportation Plan)
SDC	System Development Charges
STP	Surface Transportation Program
TIP	Transportation Improvement Program
TAZ	Traffic Analysis Zone
TE	Transportation Enhancement Program
TGM	Transportation and Growth Management
TWLT	Two-way left-turn (lane)
V/C Ratio	Ratio of Volume to Capacity