

Madison Area Transportation Planning Board

# Title VI Non-Discrimination Program and Limited English Proficiency Plan 2017



December 2017





# Madison Area Transportation Planning Board

## Policy Board

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The contents of this report do not necessarily reflect the official views or policy of the U.S. Department of Transportation or WisDOT.



**Resolution TPB No. 137**  
**Approving the Title VI Non-Discrimination Program/Limited English Proficiency Plan**

**WHEREAS** Title VI of the Civil Rights Act of 1964 and U.S. Department of Transportation (USDOT) regulations to implement the law (49 CFR, Part 21) require all recipients and sub-recipients of Federal transportation funds such as the Madison Area Transportation Planning Board (MATPB) to establish and maintain a Title VI Program that carries out the regulations and integrates the activities and considerations outlined in the USDOT's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons (70 FR 74087, December 14, 2005) ; and

**WHEREAS** the Federal Transit Administration (FTA) issued Circular FTA 4702.1B, Title VI Requirements and Guidelines for FTA Recipients, on October 12, 2012 providing further guidance and instructions necessary to carry the USDOT Title VI regulations and policy guidance related to LEP persons; and

**WHEREAS** a Title VI Non-Discrimination Program has been developed for the MATPB and City of Madison as its administrative and fiscal agent, which aims to meet these requirements; and

**WHEREAS** the Title VI Program includes an updated Limited English Proficiency (LEP) Plan contained in Appendix F; and

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


**WHEREAS** the MATPB and City of Madison as its agent intends that any agencies or firms with whom the city contracts on behalf of the MPO will comply with the Title VI Program as appropriate and the MATPB will take reasonable steps to ensure such compliance:

**NOW, THEREFORE, BE IT RESOLVED** that the Madison Area Transportation Planning Board, as the designated Metropolitan Planning Organization (MPO) for the Madison Metropolitan Area, approves the Title VI Non-Discrimination Program/Limited English Proficiency Plan dated December 2017 which reflects the draft document dated November 2017 without change; and

**BE IT FURTHER RESOLVED**, in accordance with 23 CFR 450.334(a) the Madison Area Transportation Board hereby certifies that the metropolitan transportation planning process is addressing major issues facing the metropolitan planning area and is being conducted in accordance with all applicable requirements of:

1. 23 U.S.C. 134 and 49 U.S.C. 5303, and this subpart;
2. Title VI of the Civil Rights Act of 1964, as amended (42 USC 2000d-1) and 49 CFR part 21;
3. 49 USC 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
4. Sections 1101(b) of the Fixing America's Surface Transportation (FAST) Act (Pub. L. 114-357) and 49 CFR Part 26 regarding the involvement of disadvantaged business enterprises in the US DOT funded projects;
5. 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
6. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR Parts 27, 37, and 38;
7. The Older Americans Act, as amended (42 U.S.C 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
8. Section 324 of title 23, U.S.C regarding the prohibition of discrimination based on gender; and
9. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR 27 regarding discrimination against individuals with disabilities.

December 6, 2017  
Date Adopted

  
Al Matano, Chair



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# Overview

## Purpose

The U.S Department of Transportation's (USDOT) Title VI regulations<sup>1</sup> require that all programs which receive funding from the Federal Highway Administration (FHWA) and/or Federal Transit Administration (FTA) must be compliant with Section 601 of Title VI of the Civil Rights Act of 1964, which states:

*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.*

Recipients of USDOT financial assistance are required to prepare a Title VI Program in accordance with the guidance contained in FTA Circular 4702.1B, with the objectives to:

- Ensure that the level and quality of transportation facilities and services are planned for and provided in a nondiscriminatory manner;
- Promote full and fair participation in transportation decision-making without regard to race, color, or nation origin;
- Ensure meaningful access to transportation planning-related programs and activities by person with limited English proficiency.

As a subrecipient of USDOT funding, the Madison Area Transportation Planning Board (MATPB) is required to prepare a Title VI Program containing:

- MATPB's Title VI notice to the public;
- Procedures for filing a discrimination complaint;
- Listing of any public transportation-related Title VI investigations, complaints, or lawsuits filed against MATPB;
- Public participation plan;
- Limited English proficiency (LEP) plan; and
- Overview of minority representation on MATPB's planning and advisory bodies.

Additionally, as a Metropolitan Planning Organization (MPO) MATPB is required to include a demographic profile of the metropolitan area that includes identification of the locations of minority populations in the aggregate, a description of the procedures by which the mobility needs of minority populations are identified and considered within the planning process, demographic maps that overlay the percent minority and non-minority populations and charts that analyze the impacts of the distribution of State and Federal funds in the aggregate for public transportation purposes, and an analysis of any actions that could result in a disparate impacts on the basis of race, color, or national origin.

The Title VI program must be approved by the MPO Board and submitted to the Wisconsin Department of Transportation (WisDOT) every three years.

MATPB is committed to preventing discrimination and to fostering a just and equitable society, and recognizes the key role that transportation facilities and services provide to the community. The following Title VI program was approved by the MATPB on December 6, 2017.

## Definitions

The following are a selection of definitions applicable to the Title VI Program, which can be found in Chapter 1 of FTA Circular 4702.1B:

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<sup>1</sup> 49 CFR Part 21

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

*Limited English Proficiency (LEP) Person:* Refers to person 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.

*Low-Income Person:* Means a person whose median household income is at or below the U.S. Department of Health and Human Service poverty guidelines.

*Metropolitan Planning Organization (MPO):* The organization created and designated to carry out the federal required metropolitan transportation planning process.

*Minority Person:* Includes the following:

1. American Indian and Alaska Native, which refers to people having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.
2. Asian, which refers to people having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
3. Black, or African American, which refers to peoples having origins in any of the Black racial groups of Africa.
4. Hispanic, or Latino, which includes persons of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.
5. Native Hawaiian or Other Pacific Islander, which refers to people having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

## Relationship between Title VI and Environmental Justice

President Clinton issued Executive Order 12898 “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations” in 1994, which builds upon Title VI principles by including the consideration of low-income populations in addition to minority populations into the transportation planning and decision-making process. The principles of environmental justice (EJ) are to:

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

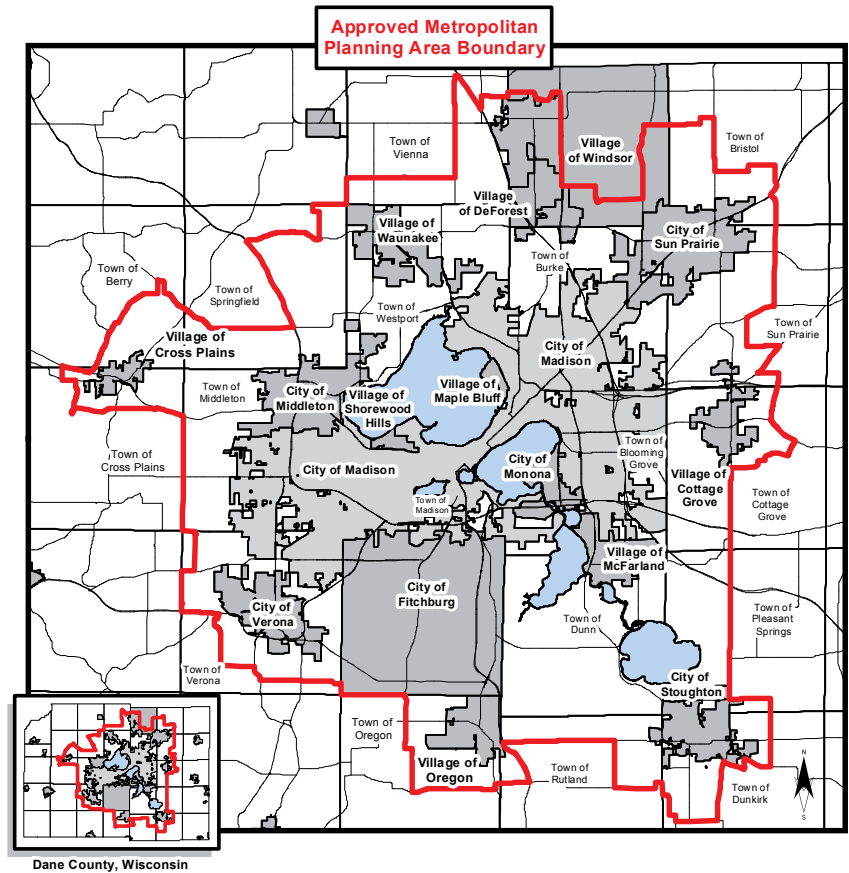
Although Title VI and EJ intersect and are closely related, they each have their own distinct authorities and requirements. Title VI prohibits intentional discrimination or disparate treatment on the basis of race, color, and national origin and is enforceable in court, whereas environmental justice policies require that in addition to intentional discrimination disproportionately high and adverse effects of proposed decisions on low-income and minority populations must be considered, but it provides no legal rights or remedies. A series of orders have been issued by Federal agencies, including USDOT, requiring the incorporation of Environmental Justice principles into Federal programs and policies. FTA issued Circular 4703.1 in 2012 containing the EJ requirements and guidelines for MPOs.

MATPB is committed to achieving the broader goal of environmental justice as part of its mission. While this program primarily focuses on meeting the statutory requirements for Title VI and its prohibition of discrimination on the basis of race, color, and national origin, EJ considerations are also integrated in this program in order to promote equity and inclusion within the Madison region.

# About The Madison Area Transportation Planning Board

The Madison Area Transportation Planning Board (MATPB) is the designated metropolitan planning organization (MPO) responsible for overseeing the continuous, comprehensive, and cooperative (3-C) transportation planning decision making process for the Madison Metropolitan Planning Area. MPOs are federally designated decision making bodies for metropolitan areas with a population greater than 50,000, which guide decisions about how federal transportation funds for planning studies and capital projects will be programed in the region. MPOs help facilitate implementing agencies (including municipal public works departments, county highway departments, and state departments of transportation) to prioritize their transportation investments in a coordinated way consistent with regional needs, as outlined in a long-range regional transportation plan.

MATPB was created through an agreement between the City of Madison, other units of government having more than 75% of the population in the MPO Planning Area, and the Governor effective May 2, 2007. MATPB assumed the responsibility to conduct transportation planning and programming for the metropolitan area from the previous MPO, the Madison Area MPO, following the MPO's reorganization. MPOs have served the Madison Urban Area since 1973.



Map 1: MATPB Planning Area Boundaries

MATPB is comprised of all the major regional transportation stakeholders and continuously plans and coordinates decisions regarding the region's transportation system, taking into consideration the effects of population and economic growth, changes to the built environment, advances in technology and more, on the transportation system. As shown on Map 1, MATPB is responsible for the oversight of transportation planning and programming within the Madison Metropolitan Planning Area, encompassing 36% of the land area of Dane County and 89% of the population of Dane County, including:

- The cities of Madison, Fitchburg, Middleton, Monona, Stoughton, Sun Prairie, and Verona
- The villages of Cottage Grove, Cross Plains, DeForest, Maple Bluff, McFarland, Oregon, Shorewood Hills, Waunakee, and Windsor
- The towns of Blooming Grove, Burke, Dunn, Madison, Middleton, Westport, and a portion of the towns of Berry, Bristol, Cottage Grove, Cross Plains, Dunkirk, Oregon, Pleasant Springs, Rutland, Springfield, Sun Prairie, Verona, and Vienna.

The primary responsibilities of MATPB include:

- Preparing and maintaining a long-range multi-modal transportation plan.
- Preparing a transportation improvement program to provide for transportation investments to meet metropolitan transportation needs.
- Other duties as required to comply with state and federal regulations.

## Governance and Organizational Structure

MATPB is governed by a 14-member Policy Board appointed by the local units of government within the Metropolitan Planning Area, Dane County, and Wisconsin Department of Transportation. Federal law requires that the Policy Board shall consist of:

- Elected officials;
- Officials of public agencies that administer or operate major modes of transportation in the metropolitan area; and
- Appropriate State officials

In addition, appointees must reside within the Metropolitan Planning Area.

The appointments to the MPO Policy Board serve two-year terms and are made as follows:

- The Mayor of Madison appoints six members. Four of the six appointees must be elected officials. One must be a non-elected official representative of Metro Transit.
- The Dane County Executive appoints three members. Two of the three appointees must be elected officials.
- Three members are appointed to represent other cities and villages in the Metropolitan Area. Appointment is by a simple majority vote of the chief elected officials of these cities and villages. Two of the three appointees must be elected officials.
- One member is appointed to represent the towns. Appointment is made by a simple majority vote of the Chairpersons of the towns with land area within the Metropolitan Planning Area. The appointee must be an elected official.
- The WisDOT Secretary appoints one member to represent the department.

The Policy Board is advised by a 21-member Technical Coordinating Committee (TCC) (including 5 alternates and 2 non-voting members) made up of representatives from WisDOT, USDOT, Dane County, and local planning and engineering staff. It reviews, coordinates, and counsels the MPO Policy Board on transportation planning matters and makes recommendations to the board on all plans and TIPs.

The City of Madison serves as MATPB's fiscal and administrative agent. MPO staff is provided by the City of Madison with the staff located in the city's Planning Division within the Planning & Community & Economic Development Department.

The management of the existing transportation system is vested with the governing bodies of each local unit of government within the metropolitan area, and WisDOT. Coordination efforts are achieved through the Madison Area Transportation Planning and Programming organizational structure, through the annually prepared Transportation Improvement Program and other means. Coordination in the City of Madison is through its three transportation commissions, which have responsibility for roadways, transit, parking, bicycle and pedestrian facilities, traffic engineering activities, and long-range transportation planning. Coordination in the 3<sup>rd</sup>/4<sup>th</sup> class cities within the metropolitan planning area is by their appropriate city committees, such as planning commissions, public works committees, and transportation committees. Coordination within the governmental structure of Dane County is through the County Public Works and Transportation Committee, which in turn coordinates many of the town government transportation improvements. While MATPB provides regional coordination and approves the use of federal transportation funds within the metropolitan planning area, responsibility for the implementation of specific transportation projects lies with WisDOT, Dane County, City of Madison, and other local units of government as transportation providers.



## Board and Committees Composition

MATPB understands that diverse representation on the MPO Policy Board and its committees helps result in sound policy reflective of the needs of the entire population. FTA Title VI Circular 4702.1B requires that for any recipients which have transportation-related, non-elected planning boards, advisory council or committees, or similar bodies, membership of these committees must be broken down by race and accompanied by a description of efforts made to encourage the participation of minorities on these committees. The 2007 MPO redesignation agreement includes the following statement regarding MPO Board appointments:

*When making appointments, the appointing authorities are encouraged to keep in mind the MPO's commitment to meeting the transportation needs of all citizens, particularly those who have traditionally been under-represented in the transportation planning process. These include the transit dependent, low-income and minority populations, and persons with disabilities.*

This language is also included in the MPO's Rules and Operating Procedures. Appointing authorities are reminded of this directive when appointments are made. The City of Madison Mayor appoints six (6) of the 14 members on the MPO Policy Board. The City of Madison's Civil Rights Director participates in the Mayor's review and decisions on all board and committee appointments, including those to the MPO Board. The Madison Mayor and Mayor's staff encourage city staff and others in the community to recommend city residents for appointment to boards and committees and recommendation of minority residents are strongly encouraged.

MATPB has established two standing advisory committees – an intergovernmental Technical Coordinating Committee (TCC) and a Citizen Advisory Committee (CAC). The CAC includes representatives from local government, community organizations, interest groups, businesses, and the general public. In addition to providing advice and serving as a sounding board on transportation planning issues, the CAC also provides liaison with other groups and the public. Table 1 depicts the racial and ethnic makeup of the Madison Metropolitan Planning Area and the MPO Policy Board and its two main advisory committees, the Technical Coordinating Committee and the Citizen Advisory Committee. In addition, ad hoc advisory committees are created for major plans such as the Regional Transportation Plan, Transit Development Plan, and Bicycle Transportation Plan. MATPB also makes use of other county and local transportation committees as part of its public involvement process.

The MPO Board encourages MPO staff to seek out citizen advisory committee members that are representative of the diverse population in the Madison area. It is important to note that as the MPO technical committee membership consists of state and local planning and engineering staff, and is based on the person's title or position, the MPO does not have any control over the racial and ethnic composition of that committee.

MATPB encourages participation of all citizens in the regional transportation planning and programming process. The MPO will continue to make efforts to encourage and promote diversity. To encourage participation on its citizen advisory committee and any other ad hoc advisory committees, the MATPB will continue to reach out to community, ethnic and faith-based organizations to connect with all populations. In addition, the MPO strives to find ways to make participating on its committees convenient. This includes scheduling meetings after work hours and in locations with good transit service (e.g., downtown) and in or near neighborhoods with a high concentration of minority and low-income populations. Further goals and strategies to actively engage minority populations are included in the Public Participation Plan.

**Table 1: Racial and Ethnic Composition of MPO Policy Board and MPO Technical and Citizen Advisory Committees**

Body	Caucasian	Hispanic	African American	Asian American	Native American
Policy Board	100%	0%	0%	0%	0%
Technical Coordinating Committee	100%	0%	0%	0%	0%
Citizen Advisory Committee	100%	0%	0%	0%	0%
Madison Metropolitan Planning Area	83%	6%	6%	5%	0.4%



# MATPB Nondiscrimination Policy

MATPB is committed to preventing discrimination and to fostering a just and equitable society, and recognizes the key role that transportation facilities and services provide to the community. MATPB assures that no person shall on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100-259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. MATPB further assures that every effort will be made to ensure nondiscrimination in all of its federally funded program activities. The following are some basic principles that serve as overall objectives in implementing this Title VI program:

- Make transportation planning and investment decisions that strive to meet the needs of all people.
- Enhance the public involvement process to reach all segments of the population and ensure that all groups have an opportunity to have a voice in the metropolitan transportation planning process regardless of race, color, and national origin, as well as income status, gender, age, and disability.
- Provide the community with opportunities to learn about and improve the quality and usefulness of transportation in their lives.
- Improve data collection, monitoring, and analysis tools that assess the needs of, and analyze the potential impacts of transportation plans and programs on Title VI protected populations.
- Avoid disproportionately high and adverse impacts on Title VI protected populations.
- Comply with the requirements of Title VI and accompanying rules and orders.

MATPB adopted its first Title VI Non-Discrimination Program in 2014; prior to that the MPO had its own Language Assistance Plan for persons with limited English proficiency, but relied upon the City of Madison's Title VI program. MPOs are required to update their Title VI program every three years.

To view a copy of MATPB Title VI Assurances, please see Appendix A.

## Title VI Notice to the Public

Information must be provided to the public regarding the recipient's obligations under U.S. DOT Title VI regulations and members of the public must be apprised of the protections against discrimination afforded to them by Title VI.

MATPB's Title VI notice to the public is posted under the [Civil Rights/ Title VI](#) link on the agency's website in both English and Spanish. The notice is also posted on the bulletin board in the agency office near the conference room. A sentence is included at the end in Hmong and Chinese that if information is needed in another language to contact the City of Madison Civil Rights Department at (608) 266-4910.

To view a copy of MATPB's Title VI notice to the public, please see Appendix B.

## How to File a Title VI Complaint

Recipients are required to develop procedures for investigating and tracking VI complaints filed against them and to make the procedures available to the public upon request. They must also develop a Title VI complaint form.

Any person(s) or organization(s) believing they have been discriminated against on the basis of race, color, or national origin by MATPB may file a Title VI complaint by completing and submitting MATPB's Title VI Complaint Form or by sending an email or letter with the necessary information to MATPB or City of Madison Department of Civil Rights:

Madison Area Transportation Planning Board  
Attn: Title VI Complaint  
121 S. Pinckney St., #400  
Madison, WI 53703  
PH: (608) 266-4336  
Email: [mpo@cityofmadison.com](mailto:mpo@cityofmadison.com)

City of Madison Dept. of Civil Rights  
Attn: Title VI Complaint  
210 Martin Luther King Jr. Blvd., #523  
Madison, WI 53703  
PH: (608) 266-4910  
Email: [dcrcityofmadison.com](mailto:dcrcityofmadison.com)

A person may also file a complaint directly with the Federal Transit Administration (FTA), at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.

Complaints addressed to MATPB must be received no more than 180 days after the alleged incident. Filing times may be extended if deemed necessary. Once the complaint is received, the MATPB will review it to determine which agency has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by our agency within ten (10) business days. The complainant has ten (10) business days from the date of the acknowledgement letter to send requested information to the investigator assigned to the case.

Complaints will be investigated within thirty (30) calendar days from the date the original complaint was received. If more information is needed to resolve the case, the city may contact the complainant.

Once the complaint is investigated, the investigator will issue either a letter of finding if a case of discrimination is found, or a closure letter if no discrimination is found. A copy of the letter will be sent to the U.S. Department of Transportation and Wisconsin Department of Transportation. Every effort will be made to complete the investigation process and issue a letter within sixty (60) days of the complaint.

If the complainant wishes to appeal the decision, she/he has thirty (30) days after the date of the letter to do so. MATPB's complaint form and detailed procedures for investigating a complaint are posted under the [Civil Rights/ Title VI](#) link on the agency's website in both English and Spanish and also posted on the bulletin board in the agency office.

To view a copy of MATPB's detailed complaint investigation procedures please see Appendix C. To view a copy of MATPB's Complaint Form please see Appendix D.

## **Title VI Investigations**

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. There have been no Title VI investigations, complaints, or lawsuits filed with MPO or City of Madison on behalf of the MPO.

## **MATPB Title VI Coordinator**

MATPB's Transportation Planning Manager is responsible for ensuring the implementation of the MPO's overall Title VI Program. This includes responsibility for ensuring compliance, program monitoring, reporting, and education on Title VI issues within the MPO.

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# Title VI and Environmental Justice Considerations in the Planning and Programming Process

## Procedures by which mobility needs of minority populations are identified and considered

MATPB seeks to identify the mobility needs of minority populations during the transportation planning and programming process through early and continuing public outreach to minority populations to obtain their input, and through data and GIS analysis of the location of minority population concentrations relative to existing and planned jobs and services and their travel patterns. The following sections outline in more detail how Title VI and environmental justice considerations are incorporated into MATPB's planning and programming process.

MATPB also monitors the Title VI analysis of transit service standards, policies, and the facility location equity analysis conducted by Metro Transit as part of its Title VI compliance efforts and references this analysis in its analysis for the TIP. The most recent analysis is included in Metro Transit's July 2017 Title VI Program report. The plan highlights Metro's current fixed-route service standards, service quality/policies, and fare equity policy and equity analyses of service and fare changes since the last plan was adopted. The policies and analysis help ensure that the level of service and location of routes, age/quality of vehicles assigned to routes, and stop and other facilities are being provided in a non-discriminatory manner, and that the fare structure is also equitable.

## Promoting Inclusive Public Participation and Providing Meaningful Access to Limited English Proficient Persons

### Public Participation Plan (PPP)

MATPB's Public Participation Plan, approved in September 2015, provides a framework for engaging the public in the regional transportation planning and programming process. MATPB recognizes that effective public involvement is inclusive of the needs of all transportation system users with an emphasis on traditionally underserved populations. The goals of the PPP include:

- Actively reach out to the public, including those traditionally under-served, to help them understand and participate in the transportation planning and programming process.
- Keep the public informed of ongoing transportation planning processes on a continuing basis.
- Provide education on the issues.
- Provide a variety of opportunities for active participation and input throughout the processes.
- Provide opportunities for informed public discussion.
- Engage the media to increase public awareness and participation.
- Promote intergovernmental and interagency coordination.

The PPP identifies multiple stakeholders that are important participants in the transportation planning process, including but not limited to:

- minority and low-income populations,
- those that speak English less than very well,
- the elderly,
- persons with disabilities,
- autoless persons/households,
- transportation providers,



- local jurisdictions and public agencies,
- businesses, and
- various special interest groups.
- The MPO relies on the distribution of printed and electronic materials, electronic communications, MPO website and social media, and staff presentations to keep stakeholders informed about its activities and programs. Public involvement is an ongoing activity. It is also an integral part of one-time activities such as corridor studies and regularly repeated activities, including the long-range Regional Transportation Plan (RTP) and Transportation Improvement Program (TIP). Other strategies that the MATPB will use to promote inclusive public participation include:
  - Public information meetings and hearings, held throughout the metro area at various stages of plan development with different meeting sizes and formats considered.
  - Coordination with other state and local planning efforts and public involvement activities.
  - Use of advisory committees.
  - Employment of special efforts to ensure meaningful opportunities for participation by minority and low-income populations and those with a disability or language barrier, and to address environmental justice issues at all stages of the planning process.
    - These include holding meetings in places convenient to EJ population groups, seeking representation on advisory committees, making translators available if requested, providing meeting notices and plan information to minority news media, and utilizing available resources such as neighborhood associations.

At the completion of the 2050 Regional Transportation Plan planning process an evaluation was done of the current PPP. The findings and recommendations from this evaluation will help shape the future update of the PPP.

The Public Participation Plan is included in Appendix E.

#### Limited English Proficiency Plan

Under Title VI of the Civil Rights Act of 1964, individuals who do not speak English as their primary language and have a limited ability to read, write, or speak English are entitled to language assistance where language barriers may otherwise prohibit people who are Limited English Proficient (LEP) from obtaining service or information relating to service and programs, and may limit participation in the transportation planning process. MATPB's LEP Plan includes a Four-Factor Analysis as required by Federal guidelines to identify LEP populations within the Madison Metropolitan Planning Area and the ways in which translation services and assistance may be provided to those that may otherwise have a difficult time participating in the transportation planning and programming process.

Typical measures to assist those needing language assistance include but are not limited to providing translated documents, opportunities to have interpreters present at MATPB meetings and public hearings, and supporting continuing education and training for MATPB employees.

The LEP Plan is included in Appendix F.

#### **Procedure for Conducting an Environmental Justice Analysis**

The MPO is committed to continuing efforts to enhance the analytical capability for assessing impact distributions of transportation programs, policies, and projects in its transportation plans and the TIP. The object of Executive Order 12898 on Environmental Justice is to ensure that Federal agencies and programs that receive Federal funding promote and enforce nondiscrimination as one way of achieving the overarching objective of environmental justice. FTA issued FTA Circular 4703.1 in 2012 to provide guidance on how recipients of Federal funding can integrate environmental justice principles into the transportation planning and programming process. This section provides a brief overview of the process that MATPB follows to identify and address, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority and low-income populations.

An equity or environmental justice analysis is conducted for the Regional Transportation Plan (RTP) (including stand alone plans incorporated into the RTP such as the Bicycle Plan) and the Transportation Improvement Program (TIP). This includes a qualitative analysis in which planned or programmed roadway, transit, and bicycle projects are overlaid or superimposed on a map highlighting the areas with concentrations of minority populations, low-income persons, and autoless households to determine the extent to which these areas are negatively or positively impacted by the projects. It also includes an assessment of how well recent and any planned Metro Transit bus service improvements have benefitted these areas. The EJ analyses of the RTP and TIP are conducted at the draft stage well before they are finalized in order to inform the plan and TIP development process and address any disproportionate impacts if discovered.

These analyses for the 2030 RTP, 2035 RTP Update, 2050 RTP, and annual TIP updates have concluded that the planned and programmed projects do not impose disproportionately high and adverse impacts on minority and other EJ population groups and that the benefits of the recommended and programmed transportation projects and services are reasonably distributed to meet the needs of all populations in the MPO planning area.

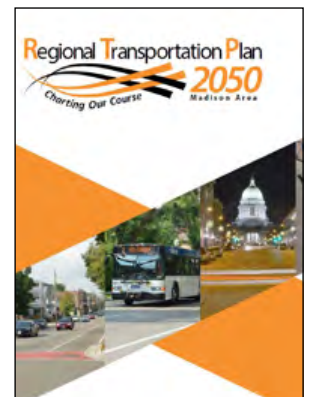
## Title VI and Environmental Justice in MATPB Planning Documents

Federal regulations require the formation of an MPO for each urbanized area with a population over 50,000 people to facilitate a 3-C (comprehensive, coordinated, and continuing) transportation planning process. Listed in this section are some of the major MATPB planning efforts that reflect Title VI and EJ issues most closely.

### Regional Transportation Plan (RTP)

The purpose of regional transportation plans (RTP) is to set a policy direction and identify how the region intends to invest in the transportation system across all modes. RTPs ensure that transportation projects are coordinated between the various levels of government (municipal, county, state, and federal). The Madison Area RTP 2050 contains the coordinated vision for our region. RTPs must:

- Forecast for demand for transportation facilities and services for 20 or more years
- Identify policies, strategies, and projects that are recommended for the future
- Include both short-range and long-range strategies and actions that lead to the development of an integrated multi-modal transportation system
- Contain reasonable cost estimates for identified capital investments and operations and maintenance
- Be updated every five years in air quality attainment areas (such as the Madison Metropolitan Area).



One of the RTP 2050's goals is to improve equity for all users of the transportation system by seeking to:

- Provide convenient, affordable transportation options that enable people of all ages and abilities to access jobs, services, and other destinations to meet their daily needs;
- Improve transit accessibility to jobs in areas with concentrations of transit-dependent populations and support provision of affordable housing in areas with high transit accessibility to jobs;
- Ensure that the interests of underrepresented populations, including minority, low-income, seniors and those with disabilities, are considered in the transportation planning process;
- Ensure that the benefits of regional transportation system investments, in terms of improved accessibility, mobility, and quality of life, are fairly distributed and that adverse public health and environmental impacts from transportation facilities do not disproportionately impact minority and low-income populations; and
- Retrofit existing transportation facilities to make them ADA compliant.

In 2016 MATPB began issuing an annual *Performance Measures Report* to track the region's progress towards achieving the goals and systems plan of the RTP, including measures to track the equity of transportation investments and access to the transportation system.

### Transportation Improvement Program (TIP)

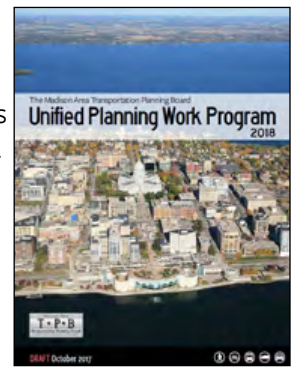
The Transportation Improvement Program (TIP), which MATPB updates annually, is a coordinated listing of short-range transportation improvement projects anticipated to be undertaken in the next five-year period. The TIP is the mechanism by which the long-range RTP is implemented, and represents the transportation improvement priorities of the region.



Projects within the MATPB Planning Area must be included in the TIP in order to be eligible to receive federal funding assistance. To be included, projects must be included in the RTP or determined to be consistent with the RTP. The TIP project list is multi-modal. In addition to streets/roadways, it includes transit, pedestrian, bicycle, parking, and rideshare/transportation demand management projects. The coordinated listing of projects in the TIP is a cooperative effort by state and local implementing agencies and the staff of MATPB, and is primarily based upon state and local capital improvement programs and budgets. Implementing agencies submit their lists of proposed projects to MATPB staff to coordinate into a comprehensive list of proposed transportation improvements, with information about project scope, cost timing, etc. The listing is subject to review by local units of government, MATPB Technical Coordinating Committee (TCC) and Citizen Advisory Committee (CAC), and MATPB. Opportunities are also provided for public comments.

### Unified Planning Work Program (UPWP)

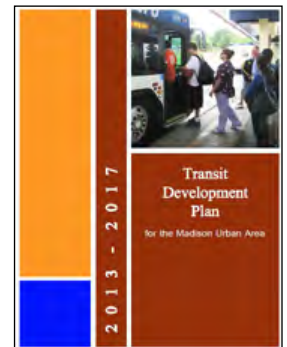
The MATPB work program is an annual publication that outlines major transportation planning issues, describes the planning activities the MPO will undertake and be involved in during the following year, summarizes the MPO's recent planning activities and accomplishments, and identifies how federal, state, and local transportation funding will be spent on the different planning activities. The publication of an MPO work program is required by federal law as a condition of receiving federal transportation funding.



MATPB includes a report on Title VI activities as part of the UPWP, which lists accomplishments from the prior year and anticipates work program activities for the coming year. The UPWP also includes a self-certification summary that details how the MATPB complies the applicable federal laws, including Title VI.

### Transit Development Plan (TDP)

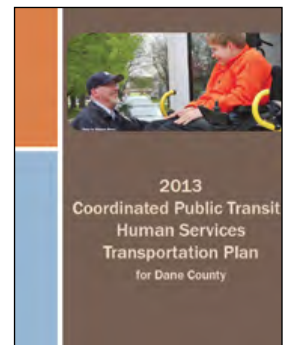
The Transit Development Plan (TDP) for the Madison Urban Area is a short- to medium range strategic plan intended to identify transit needs and proposed improvements and studies over a five-year planning horizon. MATPB is responsible for developing and maintaining the TDP. MATPB works in close cooperation with Metro Transit and other transit providers, funding partners, and jurisdictions in the Madison area to develop the plan. The TDP is developed within the overall framework of the long-range RTP. An EJ analysis is typically conducted for the TDP and will be done as part of the next update, which will be initiated in 2018.



### Coordinated Public Transit – Human Services Transportation Plan

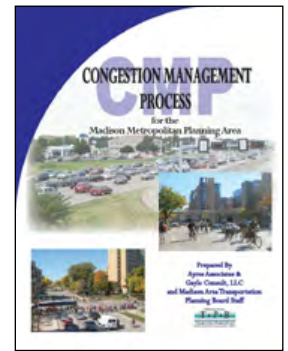
Federal transit law requires that projects selected for funding under the Enhanced Mobility for Seniors and Individuals with Disabilities (Section 5310) Program be "included in a locally developed, coordinated public transit-human services transportation plan," and that the plan be "developed and approved through a process that includes participation by seniors, individuals with disabilities, representatives of public, private, and nonprofit transportation and human services providers and other members of the public" utilizing transportation services. These coordinated plans identify the transportation needs of individuals with disabilities, older adults, and people with low incomes, provide strategies for meeting these needs, and prioritize transportation services for funding and implementation. Plans include:

- An assessment of available services;
- An assessment of transportation needs, strategies, activities, and/or projects to address identified gaps between current services and needs and to improve efficiencies in service delivery; and
- Priorities for implementation based upon available resources, time, and feasibility.



### Congestion Management Program (CMP)

MATPB developed its first CMP in 2011 based on a cooperatively developed and implemented metropolitan-wide strategy that provides for the safe and effective management and operation of the transportation system. Strategies from the CMP are incorporated into the RTP and TIP. Strategies used to manage travel demand, reduce single occupant vehicle (SOV) travel, and improve transportation system management and operations are all to be considered, as well as those that explicitly address transit, bicycling, and walking. The multi-modal focus of the CMP helps to ensure that the needs of all EJ populations are served.



### Bicycle Transportation Plan

The Bicycle Transportation Plan for the Madison Metropolitan Area and Dane County is a comprehensive bicycle plan to serve as a blueprint for continuing to improve bicycling conditions and increase bicycling levels throughout Dane County. The planning horizon is 2050. It provides a framework for cooperation between state agencies, Dane County, and local governments in planning for and developing bicycle facilities and programs. It is also intended to educate citizens and policy makers on bicycle transportation issues and the needs of bicyclists as well as present resources for planning, designing, and maintaining bicycle facilities. The plan is a component of MATPB's RTP. Providing equitable access to the benefits of bicycling is one of six plan goals. Performance measures were developed for each goal, including equity, and the plan includes strategies and recommendations to increase participation in bicycling and facilities planning by EJ populations. An EJ analysis was conducted of the distribution of premium facilities in relation to EJ population concentration areas, and projects were highlighted that will improve bike access to these areas.



## **Title VI and Environmental Justice in MATPB Programming**

WisDOT and Metro Transit select the projects for the federal program funds that they control. For WisDOT this includes programs that fund state highway projects (e.g., National Highway Performance Program) and programs that fund local projects which WisDOT administers (e.g., Local Bridge, Highway Safety Improvement Program). These projects are submitted to the MPO for inclusion in the TIP. As a large MPO (urbanized area population over 200,000), MATPB receives its own allocation of federal highway funding under the Surface Transportation Block Grant (STBG) program, which includes the Urban program and the Transportation Alternatives (TA) program set aside used to fund bicycle/pedestrian projects. The MPO scores and selects projects for funding under these two programs using a set of approved screening and scoring criteria, which include an environmental justice and health equity category. Eligible applicants are Dane County and local units of government.

### Surface Transportation Block Grant Program

The Surface Transportation Block Grant (STBG) Program provides flexible funding that may be used by states and localities for transportation projects. The intent of these projects is to preserve and improve the conditions and performance on any federal-aid highway, bridge, public road, pedestrian and bicycle infrastructure, and transit capital projects.

MATPB's average annual funding allocation for the STBG – Urban program for the 2018-2022 program cycle is \$6.86 million. Most of the MPO's STBG – Urban funding has historically been used for local arterial street (re)construction projects, but STBG – Urban funding can be used for a wide variety of capital projects such as transit vehicles and bicycle/pedestrian projects and TDM programs such as the MPO's Ridesharing Etc. program.

MATPB developed new projects scoring criteria for STBG funding in 2015. Eligible projects are required to be consistent with the MPO's RTP, compliant with its Complete Streets Policy and Title VI/environmental justice requirements:

- All projects must be included in or consistent with the Regional Transportation Plan (RTP) 2050 for the Madison Metropolitan Area, including the Congestion Management Process (CMP) for the Madison Metropolitan Area, Regional Intelligent Transportation Systems (ITS) Strategic Plan, and other separate mode-specific elements of the plan such as the five-year Transit Development Plan and the Bicycle Transportation Plan.
- All major roadway and transit capacity expansion projects must be listed by reference in the financially constrained Regional Transportation Plan (RTP) 2050 for the Madison Metropolitan Area.
- All roadway projects must comply with the MPO's Complete Streets Policy. The State of Wisconsin's Pedestrian

and Bicycle Accommodations law and associated rules in effect on May 2015 are used as a guide in determining compliance with the policy.

- For bus purchase projects, the transit agency shall maintain a maximum spare ratio of 20% of vehicles operated in peak or maximum fixed-route service after acquisition of the new buses. Any new buses resulting in that ratio being exceeded would not be eligible for funding.
- Projects shall not create significant adverse human health, environmental, social, or economic impacts on Title VI/environmental justice population groups or fail to avoid those impacts that could be avoided or mitigate unavoidable impacts on these groups.

MATPB established five project type categories eligible to apply for STBG funding: roadway, bicycle and pedestrian, transit buses, transit infrastructure, and ITS. While the weighting varies somewhat by project category, all projects are scored by the following categories with specific criteria tailored to each type of project:

- Importance to Regional Transportation System
- System Preservation
- Congestion Mitigation & TSM
- Safety Enhancement
- Enhancement of Multi-modal options/service
- Supports transportation efficient land use, livability, and economic prosperity
- Environment
- Environmental Justice and Health Equity
- Cost/Benefit

Recipients of STBG funding through MATPB are required to follow all Title VI requirements. The criteria are included as Attachment A of the Transportation Improvement Program.

#### Transportation Alternatives Program

The Transportation Alternatives Program (TAP) is a legislative program that is authorized in the "FAST" Act to provide funding for projects that meet eligibility criteria for the Safe Routes to School Program, Transportation Enhancements, and/or the Bicycle & Pedestrian Facilities Program. As a large MPO, MATPB receives a sub-allocation of TAP project funding. MATPB ranking criteria include points awarded to projects which would improve pedestrian/bicycle access for environmental justice areas, as well as projects which would be located in areas with health disparities and limited access to active transportation options.

#### Section 5310 Grant Program

The Section 5310 Program provides formula funding to states and large MPOs to improve mobility for seniors and individuals with disabilities. Grant recipients in the Madison area are selected through a competitive process by the Madison Area Transportation Planning Board as laid out in the *Section 5310 Program Management and Recipient Coordination Plan*. The Madison Urban Area's funding allocation for the 2018 calendar year is \$276,279.

The Federal Transit Administration (FTA) requires that projects funded under Section 5310 are included in a "locally developed coordinated public transit-human services transportation plan". This ensures that applicants are coordinating services with other private, public, and non-profit transportation providers. Proposed Section 5310 projects must be identified by a strategy and/or action item in a county, multi-county, or regional plan. The locally developed coordinated public transit-human services transportation plan in the Madison metropolitan area is the *2013 Coordinated Public Transit – Human Services Transportation Plan for Dane County*. Applications must identify which strategy(ies) identified in the plan are consistent with the project.

Recipients of 5310 funding through MATPB are required to follow all Title VI requirements.

## Distribution of State and Federal Funds for Public Transportation

Table 2 illustrates the distribution of federal and state funds for public transportation for the years 2018-2022 as programmed in the MATPB Transportation Improvement Plan. Just over a quarter (28.5%) of all federal transportation funding programmed in the Madison Metropolitan Area is allocated for public transportation, while 50% of state transportation funding is allocated for public transportation.

**Table 2: 2018-2022 Distribution of Federal and State Funds for Public Transportation (In Thousands)**

Program	Fed	State
Transit Sec. 5307 Urbanized Area Program	47,555	
Transit Sec. 5310 E/D Enhanced Mobility Program	296	
Transit Sec. 5311 Non-Urbanized Area Program	5,290	
Transit Sec. 5337 State of Good Repair	-	
Transit Sec. 5339 Bus & Bus Facilities	-	
Transit Sec. 5314 NRP/5339 Alt. Analysis (carryover projects)	1,635	
Transit Sec. 85.20 Operating Assistance Madison Metro Area		95,363
Transit Sec. 85.21 Senior/Disabled Transp. Assistance		3,969
<b>Total Public Transportation Funds</b>	<b>54,776</b>	<b>99,332</b>
<b>Total TIP Funds</b>	<b>191,965</b>	<b>196,471</b>
<b>Percent of TIP for Public Transportation</b>	<b>28.5%</b>	<b>50.6%</b>

Source: 2018-2022 Madison Metropolitan Area & Dane County TIP, adopted October 4, 2017



# Demographic Profile

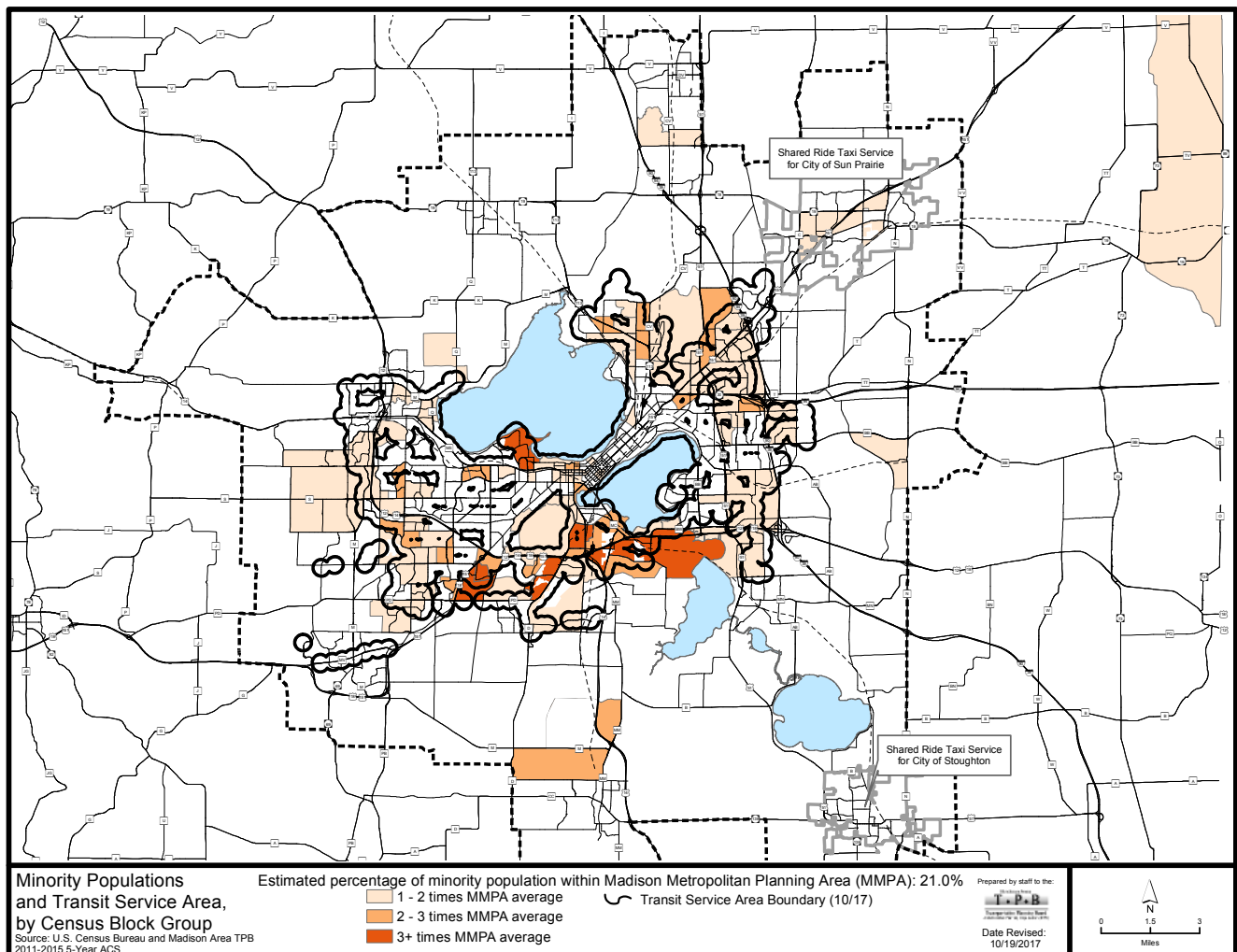
Since 2000, nearly 25% of the state of Wisconsin's population growth occurred within Dane County. A highly urban county, nearly 90% of the county population lives in the Madison Metropolitan Planning Area. As the region grows and evolves, it will need an efficient, safe, and integrated transportation system. The system must provide a mix of transportation choices – walking, biking, transit, and driving – that provide a variety of ways to access jobs, recreational facilities, shops, restaurants, and other communities for all users of the transportation system.

## Minority Populations

In recent trends, the minority population groups have been growing at a much faster rate than the White population. From 2000 to 2010, the Black, Asian, Other Minority, and Two or More Race groups in Dane County all grew by almost 50% or more. This resulted in the minority population in Dane County increasing from 11.0% of the total population in 2000 to 15.2% in 2010. The Hispanic population more than doubled, increasing from 3.4% to 5.9% of the total county population during the decade.

Within the Madison Metropolitan Planning Area, 21% of the population belongs to a minority group, according to the 2011-2015 American Community Survey (ACS) estimates. Figure 1 shows the distribution of minority population groups within the Madison Metropolitan Planning Area overlaid with the Metro Transit bus service and Sun Prairie and Stoughton shared ride taxi service areas. The data is shown at the block group level using the 2011-2015 ACS. Minority population groups are defined to include non-White Alone and/or Hispanic (i.e., excludes non-Hispanic White Alone). The percentage of minority and non-minority populations by municipality is listed in Table 3.

Minority populations are generally concentrated mostly in the City of Madison's South, Southwest (Gammon Rd., McKenna Blvd., Allied Dr.), and North (Northport Dr.) sides with some other areas on the East side (Stoughton Road and East Washington Avenue, N. Thompson Dr.), West side (Eagle Heights, Sheboygan Ave., Tree Ln.), and in the Cities of Sun Prairie and Fitchburg.



**Table 3: White and Minority Populations by Community in the MPA, 2011-2015 ACS**

Community		Non-Hispanic White Population	Minority Population	Total Population	Percent Minority
<i>Cities</i>					
	Fitchburg	16,367	10,249	26,616	38.5%
	Madison	181,439	61,683	243,122	25.4%
	Middleton	15,038	3,440	18,478	18.6%
	Monona	7,096	739	7,835	9.4%
	Sun Prairie	25,879	5,295	31,174	17.0%
	Verona	10,954	769	11,723	6.6%
<i>Villages</i>					
	Cottage Grove	5,049	1,590	6,639	23.9%
	Cross Plains	3,716	118	3,834	3.1%
	DeForest	8,487	860	9,347	9.2%
	Maple Bluff	1,379	99	1,478	6.7%
	McFarland	7,524	568	8,092	7.0%
	Oregon	9,042	727	9,769	7.4%
	Shorewood Hills	1,590	249	1,839	13.5%
	Stoughton	11,820	1,156	12,976	8.9%
	Waunakee	11,755	1,091	12,846	8.5%
<i>Towns</i>					
	Berry <sup>1</sup>	1,179	21	1,200	1.8%
	Blooming Grove	1,653	172	1,825	9.4%
	Bristol <sup>1</sup>	3,424	417	3,841	10.9%
	Burke	3,227	117	3,344	3.5%
	Cottage Grove <sup>1</sup>	3,750	128	3,878	3.3%
	Cross Plains <sup>1</sup>	1,465	70	1,535	4.6%
	Dunkirk <sup>1</sup>	2,000	93	2,093	4.4%
	Dunn	4,984	128	5,112	2.5%
	Madison	3,474	3,228	6,702	48.2%
	Middleton	5,527	556	6,083	9.1%
	Oregon <sup>1</sup>	3,169	63	3,232	1.9%
	Pleasant Springs <sup>1</sup>	3,083	206	3,289	6.3%
	Rutland <sup>1</sup>	1,928	120	2,048	5.9%
	Springfield <sup>1</sup>	2,648	190	2,838	6.7%
	Sun Prairie <sup>1</sup>	2,159	434	2,593	16.7%
	Verona <sup>1</sup>	1,630	92	1,722	5.3%
	Vienna <sup>1</sup>	1,581	47	1,628	2.9%
	Westport	3,936	171	4,107	4.2%
	Windsor <sup>1 2</sup>	6,030	578	6,608	8.7%
<b>Planning Area Total</b>		<b>356,042</b>	<b>94,459</b>	<b>450,501</b>	<b>21.0%</b>

<sup>1</sup>Only portions of these towns are within the Planning Area Boundary; only the portion of these towns within the Planning Area Boundary are included in the Planning Area Total.

<sup>2</sup>The town of Windsor voted to become a village in 2015.



# Appendix A- Title VI Assurances

The Madison Area Transportation Planning Board (hereinafter referred to as the Recipient) HEREBY AGREES THAT, as a condition of receiving Federal financial assistance from the U.S. Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 42 U.S.C. 2000d-4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted Programs of the U.S. Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations), and other pertinent directives to the end that, in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, and 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 through the Wisconsin Department of Transportation or the U.S. Department of Transportation; and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by Subsection 21.7(a)(1) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to its Federal-Aid Highway or Transit Programs:

1. That the Recipient agrees that each “program” and each “facility,” as defined in Subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a “program”) conducted, or will be (with regard to a “facility”) operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or materials subject to the regulations and made in connection with the Federal-Aid Highway or Transit Programs and, in adapted form, in all proposals for negotiated agreements:  
  
The Recipient, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4, and Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted Programs of the U.S. Department of Transportation, issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, Disadvantaged Business Enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, and national origin in consideration for an award.
3. That the Recipient shall insert the clauses of Appendix A in every contract subject to the Act and the Regulations.
4. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation, or the official to whom he or she delegates specific authority, to give reasonable guarantee that it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed by or pursuant to the Act, the Regulations, and this assurance.
5. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, discounts, or other Federal financial assistance extended after the date hereof to the Recipient by the U.S. Department of Transportation under the Federal-Aid Highway or Transit Programs and is binding on it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants in the Federal-Aid or Transit Programs.

December 6, 2017

Date Adopted

Al Matano

Al Matano, Chair

Madison Area Transportation Planning Board

# Appendix B - Title VI Notice to the Public

The Madison Area Transportation Planning Board's Notice to the Public is as follows:

## Notifying the Public of Rights Under Title VI

### Madison Area Transportation Planning Board and City of Madison

- ✓ The Madison Area Transportation Planning Board (MATPB) and City of Madison, as its administrative and fiscal agent, assure that no person shall on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100-259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The Madison Area TPB and City of Madison further assure every effort will be made to ensure nondiscrimination in all of its federally funded program activities.

Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the MATPB (PH: 608/266-4336; Email: [mpo@cityofmadison.com](mailto:mpo@cityofmadison.com)) or with the City of Madison Department of Civil Rights (PH: 608/266-4910; Email: [dcrr@cityofmadison.com](mailto:dcrr@cityofmadison.com)). For more information, visit [www.MadisonAreaMPO.org](http://www.MadisonAreaMPO.org).

- ✓ A complainant may file a complaint directly with the Federal Transit Administration (FTA) by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, FTA, East Building, 5<sup>th</sup> Floor-TCR, 1200 New Jersey Ave., SE Washington, DC, 20590.
- ✓ If information is needed in another language, contact the City of Madison Civil Rights Department at (608) 266-4910.

Si se necesita información en otro idioma, póngase en contacto con la Ciudad de Departamento de Derechos Civiles de Madison al (608) 266-4190.

Yog tias cov lus qhia uas yuav tsum tau nyob rau hauv lwm yam lus, ces hu mus rau lub nroog ntawm Madison lub Civil Rights Department ntawm (608) 266-4190.

如果信息是需要另一种语言，然后致电 (608) 266-4190 市的麦迪逊民权处

The MATPB's Notice to the Public is posted on the agency's Website (<http://www.MadisonAreaMPO.org/>) and on the bulletin board in the agency office near the conference room.

# Appendix C- Complaint Procedure

The Madison Area Transportation Planning Board's (MATPB) Title VI Complaint Procedure is made available in the following locations:

- Agency website (MadisonAreaMPO.org)
- Hard copy in the office
- Available in appropriate languages for Limited English Proficiency (LEP) populations, meeting the Safe Harbor Threshold.

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The MATPB and the City of Madison, as its administrative and fiscal agent, assure that no person or groups of persons shall, on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (P.L. 100-259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any programs, services, or activities. Furthermore, Madison General Ordinance (M.G.O.) Section 39.02(8) mandates the execution of this operational requirement. The MATPB and City of Madison further assure every effort will be made to ensure nondiscrimination in all of its federally funded program activities.

Any person(s) or organization(s) believing they have been discriminated against on the basis of race, color, or national origin by the MATPB may file a Title VI complaint by completing and submitting the MATPB's Title VI Complaint Form or by sending an email or letter with the necessary information to the MATPB or City of Madison Department of Civil Rights (see contact information below).

Madison Area Transportation Planning Board

Attn: Title VI Complaint  
121 S. Pinckney St., #400  
Madison, WI 53703  
PH: (608) 266-4336  
Email: [mpo@cityofmadison.com](mailto:mpo@cityofmadison.com)

OR

City of Madison Dept. of Civil Rights

Attn: Title VI Complaint  
210 Martin Luther King Jr. Blvd., #523  
Madison, WI 53703  
PH: (608) 266-4910  
Email: [dcr@cityofmadison.com](mailto:dcr@cityofmadison.com)

The MATPB investigates complaints received no more than 180 days after the alleged incident. Filing times may be extended if deemed necessary. The MATPB will only process complaints that are complete.

Once the complaint is received, the MATPB will review it to determine if our agency has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by our agency within ten (10) business days.

Complaints will be investigated within thirty (30) calendar days from the date the original complaint was received. If more information is needed to resolve the case, the city may contact the complainant.

The complainant has ten (10) business days from the date of the acknowledgement letter to send requested information to the investigator assigned to the case.

If the investigator is not contacted by the complainant or does not receive the additional information within ten (10) business days, the MATPB and City of Madison can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue the case.

After the investigator reviews the complaint, she/he will issue one of two (2) letters to the complainant: a closure letter or a letter of finding (LOF). A copy of the letter will be sent to the U.S. Department of Transportation and Wisconsin Department of Transportation. Every effort will be made to complete the investigation process and issue a letter within sixty (60) days of the complaint.

- ✓ A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed.

- ✓ A letter of finding (LOF) summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or other action will occur.

If the complainant wishes to appeal the decision, she/he has thirty (30) days after the date of the letter or the LOF to do so.

A person may also file a complaint directly with the Federal Transit Administration (FTA), at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.

If information is needed in another language, then contact the City of Madison's Civil Rights Department at (608) 266-4910.

Si se necesita información en otro idioma, póngase en contacto con la Ciudad de Departamento de Derechos Civiles de Madison al (608) 266-4190.

Yog tias cov lus qhia uas yuav tsum tau nyob rau hauv lwm yam lus, ces hu mus rau lub nroog ntawm Madison lub Civil Rights Department ntawm (608) 266-4190.

如果信息是需要另一种语言 · 然后致电 (608) 266-4190 市的麦迪逊民权处

# Appendix D - Title VI Complaint Form

The Madison Area Transportation Planning Board (MATPB) and the City of Madison, as its administrative and fiscal agent, assure that no person shall on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100-259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity.

Furthermore, Madison General Ordinance (M.G.O.) Sec. 39.02(8) mandates the execution of this operational requirement. The Madison Area TPB and the City of Madison further assure every effort will be made to ensure nondiscrimination in all of its federally funded program activities.

Any person(s) or organization(s) believing they have been a victim of discrimination based on race, color, or national origin may file a complaint with the Madison Area TPB or with the City of Madison Department of Civil Rights.

The purpose of this form is to assist persons in filing a complaint. Use of this form is not required. A letter or e-mail with the same information is sufficient.

## Letters or completed complaint forms can be mailed to:

Madison Area Transportation Planning Board  
Attn: Title VI Complaint  
121 S. Pinckney Street, Suite 400  
Madison, WI 53703

City of Madison Department of Civil Rights  
Attn: Title VI Complaint  
210 Martin Luther King, Jr. Blvd., Room 523  
Madison, WI 53703

Complaints can also be e-mailed to the Madison Area Transportation Planning Board at [mpo@cityofmadison.com](mailto:mpo@cityofmadison.com) or to the City of Madison Department of Civil Rights at [dcr@cityofmadison.com](mailto:dcr@cityofmadison.com).

Your Name:	
Your Street Address: City, State, Zip	
Telephone (Home/Cell):	Telephone (Work):
E-mail Address:	
Person(s) discriminated against (if other than complainant): List all names:	
Street Address, City, State, Zip:	

Which of the following best describes the reason the alleged discrimination took place? (Check one):

Race

Color

National Origin (Limited English Proficiency)

Date of Incident:



Have you previously filed a Title VI complaint with this agency? (Check one): Yes No

Have you filed a complaint with any other federal, state, or local agencies? (Check one): Yes No

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

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

Print or Type Name of Complainant:

Date Received: \_\_\_\_\_ Received By: \_\_\_\_\_

# Appendix E- Public Participation Plan

The 2015 MATPB Public Participation Plan can be found at [http://madisonareampo.org/planning/documents/Final\\_PPP\\_2015\\_web.pdf](http://madisonareampo.org/planning/documents/Final_PPP_2015_web.pdf)

**Table E-1 : MATPB Public Outreach Since Last Title VI Program Submission**

Date	Outreach Effort	Time	Location
9/3/2014	2015-2019 TIP Public Hearing	6:30 PM	Madison City-County Building
6/3/2015	Bike Plan Public Involvement Meeting	5:00 PM	Sun Prairie City Hall
6/24/2015	Bike Plan Public Involvement Meeting	5:00 PM	Middleton City Hall
8/5/2015	Bike Plan Public Hearing	6:30 PM	Madison Water Utility
9/2/2015	2016-2020 TIP Public Hearing	6:30 PM	Madison City-County Building
9/2/2015	Public Participation Plan Public Hearing	6:30 PM	Madison City-County Building
3/2/2016	2050 RTP Public Involvement Meeting	4:30 PM	Madison Urban League
3/3/2016	2050 RTP Public Involvement Meeting	4:30 PM	Verona Fire Department
3/7/2016	2050 RTP Public Involvement Meeting	4:30 PM	Sun Prairie City Hall
9/7/2016	2017-2021 TIP Public Hearing	6:30 PM	Madison City-County Building
10/13/2016	2050 RTP Public Involvement Meeting	5:00 PM	Warner Park- Madison
10/19/2016	2050 RTP Public Involvement Meeting	5:00 PM	Middleton City Hall
10/20/2016	2050 RTP Public Involvement Meeting	5:00 PM	Fitchburg City Hall
3/1/2017	2050 RTP Public Hearing	6:30 PM	Madison City-County Building
3/2/2017	2050 RTP Public Involvement Meeting	5:00 PM	Madison Senior Center
3/3/2017	2050 RTP Public Involvement Meeting	4:30 PM	Waunakee Village Hall
3/8/2017	2050 RTP Public Involvement Meeting	5:00 PM	Sun Prairie City Hall
9/6/2017	2018-2022 TIP Public Hearing	6:30 PM	Madison City-County Building

# Appendix F - Limited English Proficiency (LEP) Plan

## Introduction and Legal Basis for Language Assistance Requirements

The Madison Area Transportation Planning Board (MATPB) is the designated Metropolitan Planning Organization (MPO) responsible for ongoing, cooperative, comprehensive transportation planning and decision making in the Madison metropolitan area. As a recipient of federal financial assistance, the MPO is obligated under Title VI of the Civil Rights Act of 1964 and Executive Order 13166 to develop and implement a plan to ensure accessibility to its programs and services for persons who are not proficient in the English language.

This language assistance plan outlines the policies and procedures that the MPO will use in addressing the needs of persons with limited English proficiency (LEP) that wish to access or participate in MPO programs and planning activities. This plan updates the previous one adopted in August 2014.



The MPO relies in large part on the City of Madison's Language Access Plan as the city staffs the MPO and is the MPO's fiscal and administrative agent. The City of Madison recently developed a new comprehensive Language Access Plan, which will be adopted in December 2017 and implemented over the next 3-5 years.

Executive Order 13166: *Improving Access to Service for Persons with Limited English Proficiency*, issued in 2000, clarified Title VI of the Civil Rights Act of 1964. It stated that individuals who do not speak English well and who have a limited ability to read, write, speak, or understand English are entitled to language assistance under Title VI in order to access public services or benefits for which they are eligible. It directed federal agencies to prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons consistent with LEP guidelines. Recipients of federal financial assistance are also required to implement LEP plans in accordance with guidelines of the federal agency from which the funds are provided. The U.S. Department of Transportation published guidance in December 2005 concerning recipients' responsibilities to LEP persons. The guidance specifically identifies MPOs as organizations that must follow the guidance. The Federal Transit Administration (FTA) published Title VI Requirements and Guidance for FTA Recipients, FTA Circular 4702.1B in October 2012. It provides guidance and instructions for carrying out U.S. DOT Title VI regulations and integrating into FTA recipients' programs and activities the considerations expressed in the U.S. DOT's 2005 policy guidance. It specifies requirements for MPOs.

The MPO seeks to ensure access to the regional transportation planning process, information published by the MPO, and MPO programs like Rideshare Etc. to area residents who do not speak or read English proficiently. It is the MPO policy to inform residents with LEP of the right to free language assistance and interpreter services at no cost to them. This plan outlines the procedures and practices the MPO will use to provide meaningful access to its programs and activities for LEP populations.

The plan includes the following elements:

1. An LEP assessment that includes the results of the Four Factor Analysis, including a description of the LEP populations.
2. Description of language assistance services provided.
3. Description of public outreach efforts to inform LEP persons of the availability of language assistance services.



4. Description of how the language assistance plan is monitored and updated.
5. Description of how employees are trained to provide language assistance.

### LEP Assessment (Four Factor Analysis) for the Madison Urbanized Area

*Factor 1: Number and proportion of LEP persons who may be served or are likely to encounter an MPO planning activity or service*

According to 2011-2015 American Community Survey (ACS) Census data, approximately 52,616 (13.4%) persons aged five years and over in the Madison urbanized area population speak a language other than English at home. Table F-1 illustrates that of those that speak a language other than English at home, Spanish is the most common (5.7% of total population), followed by Chinese (1.3%) and Hmong (1.3%). Of those that speak another language at home, a total of about 20,230 (5.1% of total population) reported they speak English less than very well and are therefore considered LEP; of those, by far the highest number, 10,019 (49.5% of LEP persons) speak Spanish.

USDOT has adopted the Safe Harbor Provision, which outlines circumstances that can provide a “safe harbor”

for recipients regarding translation of written materials for LEP populations. The Safe Harbor Provision applies to eligible LEP language groups that constitute five percent (5%) or 1,000 persons, whichever is less of the total population of persons eligible to be served or likely to be affected or encountered. Based on 1,000 person threshold, language groups which may fall under the Safe Harbor Provision in the Madison area include Spanish, Mandarin Chinese, Hmong, and Korean. The City of Madison used data from the past four years of language assistance provided by the city to determine the primary non-English language groups in need of language services. This included information on documents translated, interpreters requested, and languages utilized via telephone interpreter services. Based on this, Spanish, Mandarin Chinese, and Hmong were identified as the target language groups for language services. The MPO intends to follow this determination, but this may change in the future as new data is collected.

Table F-2 shows the population that speaks another language at home and the percentage of those who are LEP for selected communities in the Madison urbanized area. The cities of Madison and Fitchburg have by far the largest numbers of LEP persons. The town of Madison (which has the highest percent of population that is LEP) and the cities of Middleton and Sun Prairie also have a significant number of LEP persons.

*Factor 2: Frequency of contact with LEP persons*

To date, MPO staff has never received a request for language assistance services such as a request for translation services at a meeting or a request to have a document translated. MPO staff is housed within the Planning Division of the City of Madison Planning & Community & Economic Development Department. The most frequent non-English language encountered by Department staff is Spanish, followed by Hmong. Less than 5% of the department’s clients are non-English speaking. The growing minority and LEP population in the Madison area increases the probability of future contact with the MPO.

Agendas for all MPO Policy Board meetings include a notice about the availability of an interpreter or materials in alternative formats if requested 48 hours in advance of the meeting. The MPO has not had a request for interpreter services at any of

### Language Spoken at Home for Madison Urbanized Area Population Aged 5 and Over

Language	Number	Percent
English Only	340,787	86.6%
Spanish	22,488	5.7%
<i>Speaks English less than very well</i>	10,019	2.5%
Chinese	5,274	1.3%
<i>Speaks English less than very well</i>	2,531	0.6%
Hmong	5,054	1.3%
<i>Speaks English less than very well</i>	1,789	0.5%
Korean	1,706	0.4%
<i>Speaks English less than very well</i>	1,108	0.3%
French	1,568	0.4%
<i>Speaks English less than very well</i>	224	0.1%
German	1,912	0.5%
<i>Speaks English less than very well</i>	271	0.1%
Hindi	1,219	0.3%
<i>Speaks English less than very well</i>	273	0.1%
Other Languages	13,395	3.4%
<i>Speaks English less than very well</i>	4,014	1.0%
<b>Total- Population 5 years and older</b>	<b>393,403</b>	<b>100.0%</b>
<b>Total-Speaks English less than very well</b>	<b>20,229</b>	<b>5.1%</b>

Source: 2011-2015 American Community Survey (ACS)

Table F-1

<b>LEP Populations by Community for the Madison Urbanized Area Population Aged 5 and Older</b>			
<b>Community</b>	<b>Total Population</b>	<b># Who Speak English Less Than "Very Well"</b>	<b>% of Total Population</b>
Cottage Grove, Village	6,195	319	5.1%
Cross Plains, Village	3,576	7	0.2%
DeForest, Village	8,660	160	1.8%
Fitchburg, City	24,667	2,661	10.8%
McFarland, Village	7,706	77	1.0%
Madison, City	229,416	13,790	6.0%
Madison, Town	6,230	1,100	17.7%
Maple Bluff, Village	1,435	12	0.8%
Middleton, City	17,536	611	3.5%
Monona, City	7,336	73	1.0%
Shorewood Hills, Village	1,739	40	2.3%
Stoughton, City	11,987	105	0.9%
Sun Prairie, City	28,720	724	2.5%
Verona, City	10,823	61	0.6%
Waunakee, Village	12,017	66	0.5%
Westport, Town	3,990	74	1.9%
Windsor, Village	6,152	249	4.0%
Remainder of Madison Urbanized Area	5,218	100	1.9%
<b>Total</b>	<b>393,403</b>	<b>20,229</b>	<b>5.1%</b>

Source: 2011-2015 American Community Survey (ACS)

Table F-2

its meetings, but budgets funding each year for such services.

*Factor 3: The nature and importance of the services and programs provided by the MPO to the LEP population*

The MPO plans and programs the use of federal funds for future transportation projects. The MPO also administers the Rideshare Etc. program, which provides ride matching services for persons interested in carpooling and provides information on other alternative transportation options to driving alone. However, the MPO does not provide a direct service or program that requires vital, immediate, or emergency assistance. The MPO also does not conduct required activities such as permit applications or interviews. Involvement by citizens with the MPO or its committees is voluntary.

While the MPO does not provide an essential service, the MPO is committed to ensuring that all segments of the population, including LEP persons, are involved or at the very least have the opportunity to be involved in the transportation planning process and benefit from programs such as Rideshare Etc. Special efforts are made to involve LEP persons and other traditionally under-represented populations in the planning process. The MPO also evaluates the impact of proposed transportation investments on under-served and under-represented population groups as part of the planning and programming process consistent with Title VI, Executive Order 12898, and other federal guidance.

*Factor 4: Resources available and overall MPO cost to provide LEP assistance*

Given the size of the LEP population in the Madison Metropolitan Planning Area, the nature of the MPO's services, and financial constraints, full multi-language translation of large transportation plan documents is not considered warranted or feasible. However, the MPO has created a Spanish webpage with information on the MPO translated in Spanish. Links to Spanish versions of the MPO Profile and the Executive Summary of Regional Transportation Plan are also available. The Spanish page makes sense because the Spanish speaking population makes up the great bulk of the LEP population. Going forward, the MPO will consider summaries of other plan or study documents that might be able to be translated as well. If requested, the MPO will attempt to provide verbal and/or written translation of other documents or key portions of them within a reasonable time and within available resources.

The MPO will also work with the City of Madison Department of Civil Rights and the City IT Department to have the same documents now translated in Spanish also translated in Chinese and Hmong and the same website information translated in those languages. The MPO will also follow the city's standards for translation services and interpretation procedures outlined in the city's Language Access Plan. This includes use of only city approved vendors for translation and interpretation services. City approved vendors or providers must meet a standard of competency and culturally sensitivity for interpretation and translators must have a high level of fluency and fundamental knowledge of the target group's vocabulary and phraseology.

## Language Assistance Services Provided

### Oral Interpretation

MATPB currently includes a notice on all MPO Policy Board agendas and public meeting notices in English and Spanish providing information on how individuals can request interpretation services or materials in alternative format for the meeting. MATPB intends to add the same statement in Hmong and Mandarin Chinese as well. MATPB maintains “I Speak” Language Chart cards in the office and brings them to all meetings.

Members of the public do not regularly stop by the MATPB office, but if it were necessary to respond to an LEP individual at the front desk, MATPB staff have access to City of Madison Department of Civil Rights resources, including interpretation vendors, and are trained to follow city interpretation procedures. This includes use of a Language Chart and language service under contract to the city. The same holds true for phone calls to or from LEP individuals. MATPB staff have access to the city’s interpretation vendor. An offer of assistance log will be kept and provided to the Department of Civil Rights for any language assistance services provided or offered.

### Written Translation

At this time, MATPB has only translated documents into Spanish. This includes the MPO profile and Regional Transportation Plan Summary as well the Title VI notice, complaint procedures, and form. These are the documents that the MPO has determined to be vital documents at this time. The MPO will continue to evaluate other potential documents for translation in the future. The MPO will also seek to translate any documents or parts of documents upon request. In conjunction with the city’s implementation of its Language Access Plan, the MPO will begin translating its vital documents into the other languages (Mandarin Chinese, Hmong) deemed to fall under the Safe Harbor Threshold beginning with the Title VI notice, procedures, and form.

The MPO maintains a Spanish-language page on its webpage with an easy-to-see link from the home page. The Spanish-language page features information about the MPO, including responsibilities, planning area, MPO facts, and staff contacts, and a link to pdf documents of the MPO profile and Executive Summary of the *2035 Regional Transportation Plan Update: Madison Metropolitan Area & Dane County* translated into Spanish. The Executive Summary of the new *Regional Transportation Plan 2050* will be translated and substituted for the earlier plan. The MPO also intends to add information on the Rideshare Etc. program as well to that page. There is also a link to Metro Transit’s Spanish page. As part of implementation of the city’s Language Access Plan, the MPO will work with the city IT Department to create Mandarin Chinese and Hmong pages or otherwise post translated information on the MPO’s website. The IT Department has a website content management system with multilingual feature that provides the ability to associate English pages to multiple translated pages that are associated with the “parent page.”

## Public Outreach Regarding Language Assistance Services

The MPO posts the Title VI Program/LEP Plan on its website via a “Civil Rights/Title VI” link on the MPO homepage. That link also provides information on filing a Title VI complaint and a complaint form. The more detailed complaint procedures will be added. A statement will also be added about the availability of translation services at MPO Board and other major public meetings upon request. Additional tools will be considered as appropriate, including use of community-based organizations.

## Monitoring, Evaluating and Updating the Plan

The MPO will review the LEP Plan annually as part of its self-certification procedure per 23 CFR 450.334 and document the review in its annual Unified Planning Work Program. The annual review and update, if necessary, will include:

1. The number of documented LEP person contacts, if any.
2. Any complaints received regarding the MPO’s failure to meet the needs of LEP persons.
3. How the needs of LEP persons have been addressed.
4. Regular update of the information on the LEP population in the MPO planning area, as updated data is available, and

how it affects the Four Factor Analysis.

5. Assessment of need to revise translation service policies or methods.
6. Assessment of whether language assistance services have been sufficient to meet needs.
7. Sufficiency of staff training.
8. Review of any new opportunities for LEP communication.
9. Assessment of whether the MPO's financial resources are sufficient to fund current or possible enhanced language assistance services.

### **Training of Staff on Language Assistance Services**

MPO staff, including the Transportation Planning Manager (the LAP designee) and the Administrative Clerk, will be made aware of the MPO's Title VI Program and LEP Plan, including services provided, resources available, and how to process a Title VI/LEP complaint. New employees will be made aware of the MPO's Title VI program and LEP Plan as part of new employee orientation. The Madison Department of Civil Rights has developed a training for front-line staff regarding language access services, including interpretation procedures. Training for all new city staff at orientation is being explored. As city staff, MPO staff will have access to this training. Self-guided training and resources are also available at [LEP.gov](http://LEP.gov), an inter-agency website. The posting of the Title VI Program/LEP Plan on the MPO website under the Civil Rights/Title VI link is also a reminder to staff about the MPO Title VI policy.