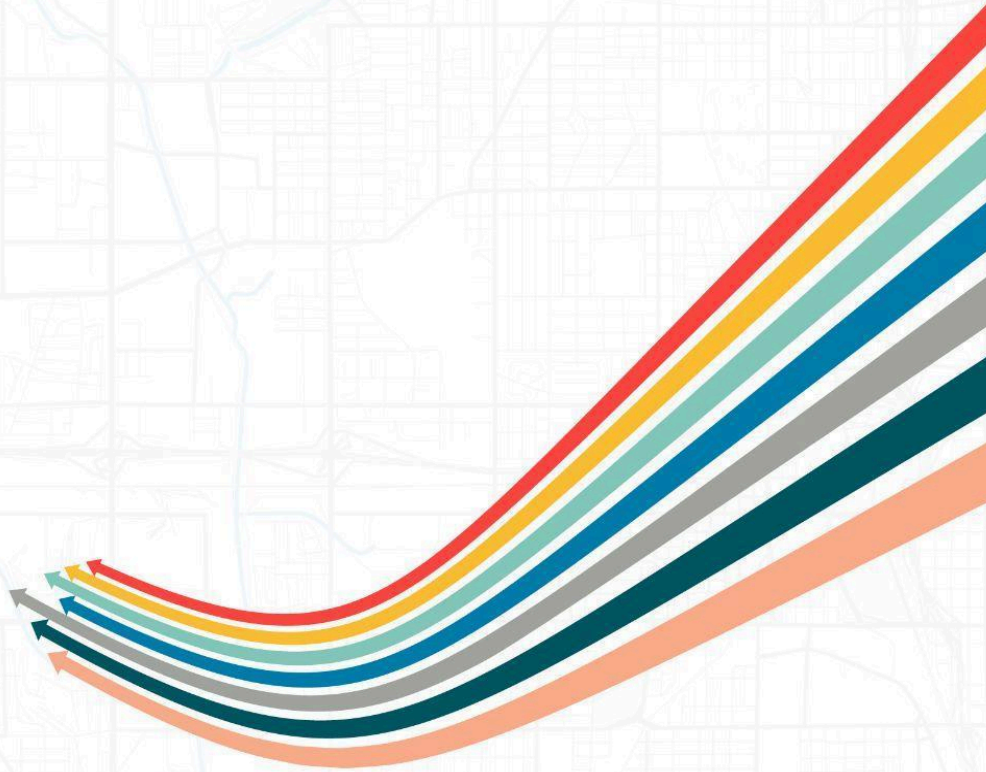


2024 - 2027

CIVIL RIGHTS POLICY



Environmental Justice Guidelines and Area Analysis

Title VI Guidelines and Complaint Procedure

Limited English Proficiency Guidelines

Americans with Disabilities Act

The Omaha-Council Bluffs Metropolitan Area Planning Agency (MAPA) assures that no person shall on the grounds of race, color, national origin, age, disability, or sex, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (P.L. 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance. MAPA further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

In the event that MAPA distributes Federal aid funds to another entity, MAPA will include Title VI language in all written agreements and will monitor compliance.

MAPA's Title VI Coordinator is responsible for initiating and monitoring Title VI activities, preparing reports, and other responsibilities as required by Title 23 of the Code of Federal Regulations (CFR) 200 and 49 CFR 21.

Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with MAPA. Any such complaint must be in writing and filed with MAPA's Title VI Coordinator within one hundred eighty (180) days following the date of the alleged discriminatory occurrence. For more information, or to obtain a Title VI Discrimination Complaint Form, please see our web site at mapacog.org or contact the Title VI coordinator:

*Omaha-Council Bluffs Metropolitan Area Planning Agency
Title VI Coordinator
2222 Cuming Street
Omaha, NE 68102
Phone: (402) 444-6866
Email: civilrights@mapacog.org*

Si necesita ayuda con la traducción, comuníquese con la oficina de MAPA utilizando la información de contacto a continuación.

*Phone/Teléfono: 402-444-6866
Email/Correo electrónico: mapa@mapacog.org*

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Statement of Policy

OMAHA-COUNCIL BLUFFS METROPOLITAN AREA PLANNING AGENCY

RESOLUTION NUMBER 2025 – 11

WHEREAS, the members of the Omaha-Council Bluffs Metropolitan Area Planning Agency (MAPA) have been formally designated by their respective legislative bodies to act as the official representative in planning matters of mutual concern; and

WHEREAS, MAPA is the designated Metropolitan Planning Organization (MPO) for the Omaha-Council Bluffs Transportation Management Area (TMA); and

WHEREAS, it is the responsibility of the MPO, in conjunction with the States, to certify that the transportation planning process complies with all applicable federal laws and regulations; and

WHEREAS, MAPA assures that no person shall on the grounds of race, color, national origin, age, disability/handicap or sex, as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 (P.L. 100.259) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance; and

WHEREAS, MAPA further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not; and

WHEREAS, the Civil Rights Restoration Act of 1987, broadened the scope of Title VI coverage by expanding the definition of terms “programs or activities” to include all programs or activities of Federal Aid recipients, sub-recipients, and contractors/consultants, whether such programs and activities are federally assisted or not (Public Law 100259 [S.557] March 22, 1988); and

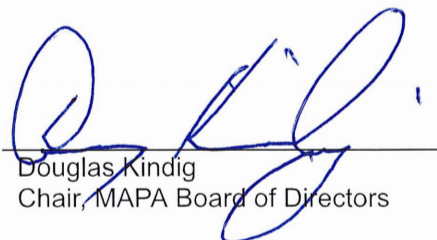
WHEREAS, pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973 (29 USC 794), MAPA hereby gives assurance that no qualified disabled person shall, solely by reason of a disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination, including discrimination in employment, under any program or activity that receives or benefits from this Federal financial assistance; and

WHEREAS, in the event MAPA distributes federal aid funds to a sub-recipient, MAPA will include Title VI language in all written agreements and will monitor for compliance; and

WHEREAS, the Executive Director is responsible for initiating and monitoring Title VI activities, preparing reports and other responsibilities as required by 23 Code of Federal Regulation(CFR) 200 and 49 Code of Federal Regulation 21; and therefore be it

RESOLVED, that MAPA approves and adopts the attached Civil Rights Policy and recommends it be forwarded to the appropriate state and federal agencies.

PASSED this 23rd day of January 2025.



Douglas Kindig
Chair, MAPA Board of Directors

[HOLD FOR RPA-18 POLICY BOARD RESOLUTION]

Assurances

MAPA's FY 2023 FTA Certification and Assurances. Retrieved from TrAMS December 31, 2024.

WELCOME MY WORK (0) RECORDS REPORTS CB Federal Transit Administration

OMAHA-COUNCIL BLUFFS METROPOLITAN AREA PLANNING AGENCY | MAPA | 1856

Summary Applications/Awards TrAMS Users Locations Designated Recipient **Related Actions**

Certifications & Assurances | FY 2023 C&A Affirmations

Recipient Details

Recipient ID
1856

Recipient Name
OMAHA-COUNCIL BLUFFS METROPOLITAN AREA PLANNING AGENCY

Certification and Assurance Information

Fiscal Year 2023
Assigned Date 1/27/2023
Due Date 4/27/2023

Original Certification Date 7/26/2023
Latest Certification Date 7/26/2023

Published Certifications and Assurances

FTA CERTIFICATIONS AND ASSURANCES

Public Transportation Agency Safety Plan (PTASP)

Applicants and recipients of Section 5307 grants and rail transit agencies that are subject to the State Safety Oversight Program must certify to Category 2: Public Transportation Agency Safety Plans (PTASP). The deadline for certification was July 20, 2020, however, in light of the extraordinary challenges presented by the COVID-19 public health emergency, FTA issued a Notice of Enforcement Discretion for the PTASP regulation (49 CFR Part 673). FTA will refrain from taking enforcement action until July 21, 2021 for applicants and recipients unable to certify compliance with the PTASP regulation before July 20, 2021. While applicants and recipients are encouraged to certify compliance as soon as reasonably practicable under the current circumstances caused by the COVID-19 public health emergency, those who do not certify compliance until July 20, 2021 remain eligible for Chapter 53 grant funds.

List of All Applicable Agencies

PTASP Technical Assistance Center

Certifications and Assurances

Certification History

Certification Date: 7/26/2023 | Official: Michael Helgerson | Attorney: David Grauman

Category	Title	Certified
01	Certifications and Assurances Required of Every Applicant	✓
02	Public Transportation Agency Safety Plans	✗
03	Tax Liability and Felony Convictions	✓
04	Lobbying	✓
05	Private Sector Protections	✗
06	Transit Asset Management Plan	✗
07	Rolling Stock Buy America Reviews and Bus Testing	✗
08	Urbanized Area Formula Grants Program	✓
09	Formula Grants for Rural Areas	✗
10	Fixed Guideway Capital Investment Grants and the Expedited Project Delivery for Capital Investment Grants Pilot Program	✗
11	Grants for Buses and Bus Facilities and Low or No Emission Vehicle Deployment Grant Programs	✗
12	Enhanced Mobility of Seniors and Individuals with Disabilities Programs	✓
13	State of Good Repair Grants	✗
14	Infrastructure Finance Programs	✗
15	Alcohol and Controlled Substances Testing	✗
16	Rail Safety Training and Oversight	✗
17	Demand Responsive Service	✓
18	Interest and Financing Costs	✗
19	Cybersecurity Certification for Rail Rolling Stock and Operations	✗
20	Tribal Transit Programs	✗
21	Emergency Relief Program	✗

Documents

Existing Documents

Document	Description	Uploaded By	Date
No items available			

Affirmation of Applicant

Affirmation of Applicant BY SIGNING BELOW, on behalf of the Applicant, I declare that it has duly authorized me to make these Certifications and Assurances and bind its compliance. Thus, it agrees to comply with all federal laws, regulations, and requirements, follow applicable federal guidance, and comply with the Certifications and Assurances as indicated on the foregoing page applicable to each application its Authorized Representative makes to the Federal Transit Administration (FTA) in the federal fiscal year, irrespective of whether the individual that acted on his or her Applicant's behalf continues to represent it.

The Certifications and Assurances the Applicant selects apply to each Award for which it now seeks, or may later seek federal assistance to be awarded by FTA during the federal fiscal year.

The Applicant affirms the truthfulness and accuracy of the Certifications and Assurances it has selected in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. § 3801 et seq., and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31, apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. § 1001 apply to any certification, assurance, or submission made in connection with a federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute.

In signing this document, I declare under penalties of perjury that the foregoing Certifications and Assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

Official's Name Michael Helgerson
 I accept the above

Certification Date Mar 24, 2023

Affirmation of Attorney

Affirmation of Applicant's Attorney As the undersigned Attorney for the above-named Applicant, I hereby affirm to the Applicant that it has authority under state, local, or tribal government law, as applicable, to make and comply with the Certifications and Assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the Certifications and Assurances have been legally made and constitute legal and binding obligations on it.

I further affirm that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these Certifications and Assurances, or of the performance of its FTA assisted Award.

Attorney's Name David Grauman
 I accept the above

Certification Date Jul 26, 2023

CANCEL

Chapter 1 - Introduction

The Metropolitan Area Planning Agency (MAPA) is the designated metropolitan planning organization (MPO) for transportation planning in the Omaha-Council Bluffs area. Additionally, MAPA is responsible for administering Regional Planning Affiliation 18 (RPA-18) and leading the transportation planning process in Harrison, Mills, rural Pottawattamie, and Shelby Counties in Iowa. MAPA receives funding from the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), the Environmental Protection Agency (EPA), the U.S. Department of Housing and Urban Development (HUD), as well as other state and federal agencies related to metropolitan and regional planning.

MAPA's transportation planning process implements the three C's of transportation planning—Continuing, Cooperative, and Comprehensive—to involve residents in the planning process in an ongoing and inclusive manner. Due to the nature of the federal funding that MAPA receives, a variety of laws and federal regulations apply to MAPA's activities. Specific accommodation policies, stating how regulations are implemented, are discussed throughout the plan, and MAPA's Title VI Policy Statement is detailed below.

Additionally, MAPA has outlined the complaint process for both Title VI and ADA in this document. If a person feels they have been discriminated against by MAPA staff, or as a part of MAPA program, the [complaint procedure outlined in Chapter 2](#) provides recourse to those individuals.

The Policy Statement below is MAPA's "Title VI Notice to the Public" that it complies with Title VI. This Policy Statement is posted at the following locations: MAPA's website, MAPA's office lobby, and included in all significant publications distributed to the public.

MAPA's Civil Rights Policy Statement

MAPA assures that no person shall on the grounds of race, color, national origin, age, disability, or sex, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (P.L. 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance. MAPA further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

In the event that MAPA distributes Federal aid funds to another entity, MAPA will include Title VI language in all written agreements and will monitor compliance.

MAPA's Title VI Coordinator is responsible for initiating and monitoring Title VI activities, preparing reports, and other responsibilities as required by Title 23 of the Code of Federal Regulations (CFR) 200 and 49 CFR 21.

Agency Overview

The Metropolitan Area Planning Agency (MAPA) was created by local governments in 1967 to serve as the regional planning agency for the greater Omaha-Council Bluffs region. MAPA performs planning and development work, especially to address problems that are regional in scope and cross jurisdictional boundaries, in a variety of geographies and serving a variety of roles. Figure 1 illustrates the different geographies served by each role.

MAPA is governed by the Board of Directors, and the Council of Governments serves as its policy body. Key governance bodies and decision making committees are outlined below.

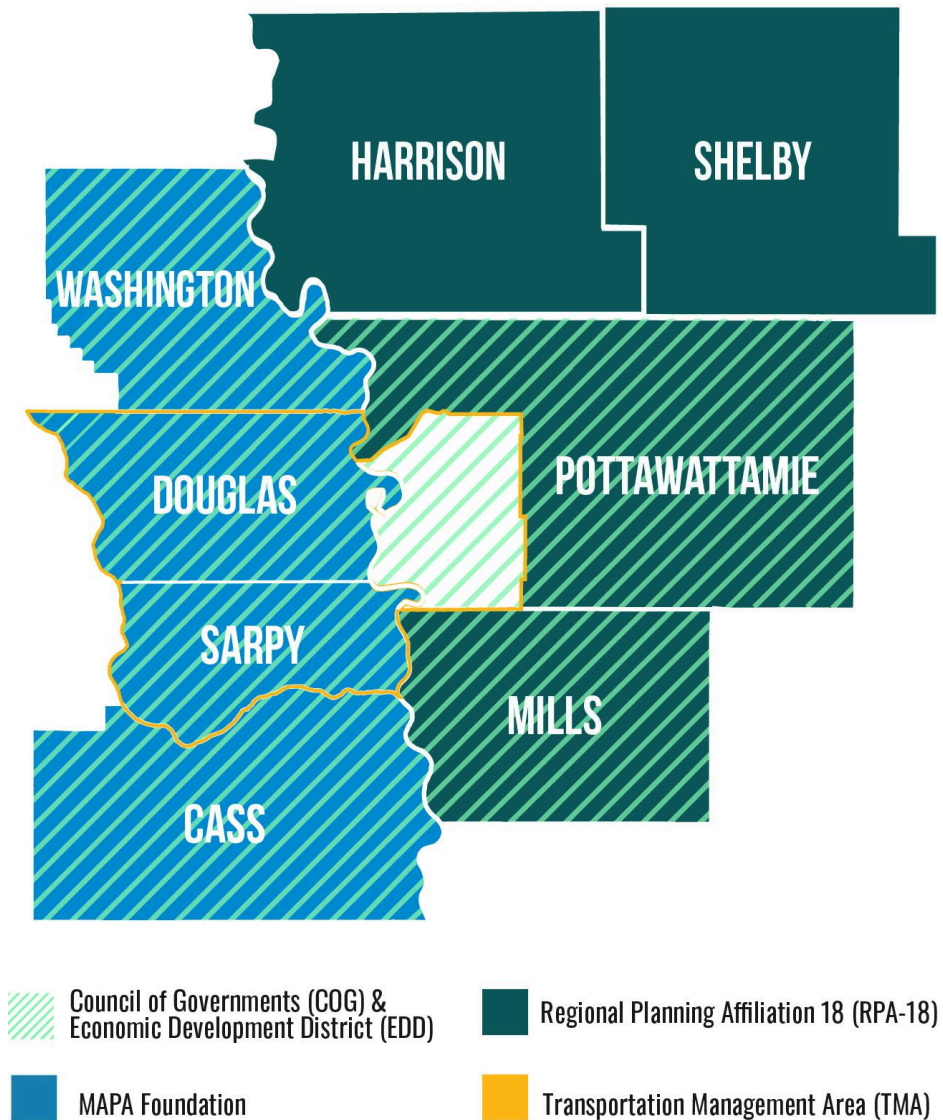


Figure 1: Map of MAPA's jurisdictional boundaries.

Policy and Governing Bodies

Determined by MAPA's Interlocal Agreement, the current Council of Governments (COG) service area includes Douglas, Sarpy, Cass, and Washington Counties in Nebraska, and Pottawattamie and Mills Counties in Iowa.

MAPA is governed by a **Council of Officials (COO)**, defined as MAPA's "policy body", made up of representatives from each of the governmental units (cities, counties, school districts, resource agencies, and other governmental bodies) within the six-county area. The Council's roles include approving the agency's long range plan and setting overall policy. COO representatives are elected officials or their officially designated alternate.

The COG is recognized by the U.S. Economic Development Administration as an Economic Development District (EDD). As such, MAPA works to bring together partners from the public, private, and nonprofit sectors to implement plans and strategies that aim to diversify the regional economy and strengthen areas where disinvestment has occurred. One function of the MAPA EDD is to establish a regional resiliency blueprint known as a Comprehensive Economic Development Strategy (CEDS).

The **MAPA Board of Directors (Board)** serves as MAPA's governing body and is made up of elected officials representing specific jurisdictions in the Council of Officials. The Board carries out policies set by the Council of Officials and oversees agency activities.

Advisory Committees

The **Transportation Technical Advisory Committee (TTAC)** reviews and makes recommendations related to transportation to the MAPA Board. Members are selected from membership constituencies in accordance with their interest and involvement in transportation planning, comprehensive planning, and planning for movement of goods. Proportional representation of the Transportation Management Area (TMA) is encouraged. Voting members are submitted by MAPA member jurisdictions and approved by the MAPA Board.

The **Regional Planning Advisory Committee (RPAC)** advises and provides guidance to the MAPA Board about regional planning. Several seats are held for appointed representatives of city or county jurisdictions; additional at-large members are selected from partner organizations or special interest groups. Members should have expertise and/or strong interest in planning and development, and the committee should include experts in the areas of Economic Development, Education, Health and Safety. At-large members should be selected to represent urban, suburban, rural interests, emerging and seasoned leadership, with attention ensuring geographic, ethnic and gender diversity. The membership list is updated annually and approved by the MAPA Board.

The relationship, responsibility, and composition of the Board of Directors, Council of Officials, TTAC, and RPAC are described in the MAPA Interlocal Agreement and/or relevant Committee Bylaws.

Transportation Planning Affiliations

In its role as a **Metropolitan Planning Organization (MPO)**, MAPA is the pass-through agency for millions of dollars in federal transportation funding for the MAPA **Transportation Management Area (TMA)**. The MAPA TMA consists of Douglas and Sarpy Counties in Nebraska and urbanized portions of western Pottawattamie County in Iowa. Metropolitan Planning Organizations (MPOs) are organizations designated by the federal government to be responsible for transportation planning and project selection in a particular region. MPOs provide a forum for cooperative decision making for the metropolitan planning area. The governor designates an MPO in every urbanized area with a population more than 50,000. MAPA has been designated as the MPO for the Omaha-Council Bluffs region by the governors of both Nebraska and Iowa.

In addition, MAPA serves as the administrator for Iowa **Regional Planning Affiliation 18 (RPA-18)**, which includes the counties of Harrison, Mills and Shelby, and the non-urbanized portion of Pottawattamie County. The Iowa Department of Transportation established Regional Planning Affiliations (or RPAs) to serve a similar role to an MPO, by leading regional transportation planning processes in non-metropolitan areas. MAPA's role as RPA-18 administrator mirrors many MPO responsibilities for communities in those four counties.

Committee Demographics

Many of MAPA's board and committee members are either elected officials, or appointed by elected officials. In June 2020, MAPA's Board of Directors passed an [Equity Resolution](#)¹ reaffirming the agency's commitment to a more equitable and just region, and empowered the agency to include robust representation from communities of color in MAPA boards, committees and stakeholder groups. MAPA encourages jurisdictions, "To best reflect the demographic diversity of our communities and region we encourage you to consider minorities, women and economically disadvantaged persons when making your appointments."

As a part of MAPA's resulting agency wide equity assessment (see "[Public Participation](#)" section of chapter 2), and in compliance with the federal Title VI of the Civil Rights Act of 1964, MAPA gathers committee demographic information to help better understand the makeup of our decision-making committees and improve our ability to serve the populations in our region.

In December of 2024 MAPA distributed its Committee Demographic Survey to all members of all boards and committees. The Committee Demographic Survey was distributed to a total of 475 individuals. Some individuals serve on more than one committee but were only permitted to submit one survey response. We received 123 total responses; a response rate of 26%. Aggregate results are presented below in table 1, a through e.

¹ <https://mapacog.org/data-maps/mapas-equity-resolution/>

Table 1: Summary of MAPA committee demographics showing race (a), age (b), language (c), gender (d), and disability status (e) aggregated across all committees

1a. Race	
American Indian or Alaska Native	0
Asian	3
Black or African American	3
Hispanic or Latino	4
Middle Eastern or North African	0
Native Hawaiian or Other Pacific Islander	0
White	104
Prefer not to answer	5
Other	0

1b. Age	
18-24 years	0
25-34 years	10
35-44 years	34
45-54 years	34
55-64 years	16
65-74 years	14
75+ years	6
Prefer not to answer	9

1c. Language	Fluent	Conversational	Limited	None
English	122	3	2	0
Spanish	4	5	44	24
French, Haitian or Cajun	0	0	8	53
Chinese (includes Mandarin, Cantonese)	0	0	1	57
Arabic	0	0	0	58
Russian, Polish, or Other Salvic languages	0	0	1	57
Other	3	0	4	48

Gender	
Male	80
Non-Binary	0
Female	40
Prefer not to answer	1
Other	0

1e. Disability Status	
Person with disability	6
Person without disability	113
Prefer not to answer	0
Other	0

MAPA's Civil Rights Policy / Title VI Plan Overview

All agencies that receive federal funds, including MAPA, must ensure that their activities meet the requirements of several interrelated laws and executive orders that pertain to accessibility and prevent discrimination of any group that has a right to participate and be included in the public planning process. MAPA's Civil Rights Policy outlines MAPA's commitment to nondiscrimination, and provides the policies and procedures followed to uphold this standard.

A list of these required considerations is included below:

<p>The Federal-Aid Highway Act Provided the framework for the federal government's role in funding and building the nation's highways</p>
<p>The Civil Rights Act (1964) Title VI prohibits discrimination based on race, color, and national origin in federally funded programs. Title VII prohibits employment discrimination based on race, color, religion, sex, and national origin.</p>
<p>Rehabilitation Act (1973) - Section 504 Prohibits discrimination against individuals with disabilities in programs and activities that receive federal financial assistance, and ensures people with disabilities have equal access to education, employment, and public services by requiring reasonable accommodations and prohibiting exclusion based on disability.</p>
<p>Age Discrimination Act (1975) Prohibits discrimination on the basis of age in programs or activities receiving federal-aid funds.</p>
<p>Executive Order 12250 (1980) Centralized the enforcement of non-discrimination provisions under federally assisted programs to ensure uniformity and coordination in the enforcement of civil rights laws across federal agencies.</p>
<p>Civil Rights Restoration Act (1987) Clarified that when any part of an institution receives federal funding, the entire institution must comply with civil rights laws, thereby expanding the scope of anti-discrimination protections in federally funded programs and activities.</p>
<p>Americans with Disabilities Act (ADA) (1990) Prohibits discrimination against people with disabilities in the areas of employment, state and local government services, public transit, businesses open to the public, and telecommunications.</p>

<p>Executive Order 12898 (1994), Federal Actions to Address Environmental Justice (EJ) in Minority and Low-Income Populations</p> <p>Addresses the benefits and burdens of federally funded community investment of low income and minority populations.</p>
<p>Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (LEP) (2000)</p> <p>Requires public agencies to ensure public materials are available in the native language of areas with a disproportionately high concentration of limited English proficiency populations.</p>
<p>Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (2020)</p> <p>Directs federal agencies to enhance their efforts in identifying and addressing the disproportionate environmental health impacts on underserved communities (perform equity assessments).</p>
<p>Infrastructure Investment and Jobs Act (IIJA) / Bipartisan Infrastructure Law (BIL) (2021)</p> <p>The current transportation authorizing legislation, which prioritizes early and continuous public engagement in the transportation planning process with a particular emphasis on outreach to underserved and underrepresented communities and digital equity.</p>
<p>Executive Order 14008, Executive Order on Tackling the Climate Crisis at Home and Abroad (2021)</p> <p>Created the government-wide Justice 40 initiative, establishing the goal that at least 40% of the benefits of certain federal investments flow to disadvantaged communities.</p>
<p>Executive Order 14096, Revitalizing Our Nation’s Commitment to Environmental Justice for All (2023)</p> <p>Reaffirmed and expanded Justice 40 and the concept of equity across federal policy to sectors beyond just environmental ones; including housing, education, healthcare, and economic opportunity.</p>

MAPA’s Civil Rights Policy serves as MAPA’s formal policy and procedure document for three key areas;

- Title VI Implementation Plan ([Chapter 2](#))
- Limited English Proficiency (LEP) ([Chapter 3](#))
- Americans with Disabilities Act (ADA) ([Chapter 4](#))

Organization and Structure

MAPA staff are led by the executive director, and fall into several departments as outlined below in Figure 2. Current staff along with up to date contact information can be found on MAPA's website at <https://mapacog.org/about/staff/>.



Figure 2: Organizational chart of the Metropolitan Area Planning Agency as of October 16, 2024.

The MAPA Executive Director is responsible for the overall implementation of the agency's Title VI program. The Executive Director, or their designee, fulfills the duties of the Title VI Coordinator. Contact information for the Executive Director can be found below. Full details on the roles and responsibilities of the Title VI Coordinator can be found in [Chapter 2](#).

Michael Helgerson
 MAPA Executive Director
 Phone: 402-444-6866, ext. 3224
 Email: mhelgerson@mapacog.org

Required Title VI Contract Provisions

MAPA requires Title VI Contract Provisions be included in all contracts issued by the agency that pertain to federal funding. These provisions can be found in [Appendix A](#).

Updates & Amendments to MAPA's Civil Rights Policy / Title VI Plan

Title VI plans must be updated every three years by MPOs to stay current with all relevant Federal, State, and local legislation. MAPA's Civil Rights Policy (Title VI) conforms to this requirement.

The draft document is discussed with appropriate committees and subcommittees and released for a public comment period that lasts a minimum of 25 days. The public is informed about the draft document via;

- Public notice published in local newspaper(s)
- A press release sent to area newspapers, television and radio stations (as appropriate)
- The MAPA website, newsletter (if possible), and social media platforms
- Email notification of the public comment period sent to identified outreach contacts

- An electronic version of the draft document is posted online, and a printed copy is made available at the MAPA office for review

At least one public meeting is held during the public comment period for a draft document or amendment. TTAC, RPAC, RPA-18 Policy Board, and the Board of Directors meetings can serve as the public meeting. Members of the public are allowed time to provide comments at those meetings. Public comments are addressed to the maximum extent reasonable. TTAC and RPAC may make recommendations to the Board, and the Board votes whether to approve the draft document for the MPO. In parallel, the RPA-18 Technical Committee may make recommendations to the RPA-18 Policy Board which votes to approve the document for the RPA. A final version of the document is added to the MAPA website and publicized as appropriate.

Amendments to the document are made on an as needed basis, and any amendments follow the procedure above.

A summary of the comments received about the development of this plan are included in [Appendix D](#).

This procedure is outlined in MAPA's [Public Participation Plan](#), which can be found on the MAPA website at www.mapacog.org/projects/public-participation-plan/.

Chapter 2 - Title VI Implementation Plan

The MAPA Executive Director or their designee is responsible for the overall implementation of the agency's Title VI program and fulfills the duties of the Title VI Coordinator. The Title VI Coordinator is responsible for initiating and monitoring Title VI and ADA activities as outlined below.

Responsibilities of the Title VI Coordinator

The responsibilities of the Title VI Coordinator constitutes the overarching framework of MAPA's Title VI Program. These responsibilities apply both to the day-to-day management of administrative affairs related to Title VI and the implementation of programs specific to outreach and training programs.

1. **Program Administration.** *Administer the Title VI program and coordinate implementation of the plan between MAPA departments. Ensure compliance with the assurances, policy, and program objectives. This includes performing Title VI program reviews to assess administrative procedures, staffing, and resources and provide recommendations, as required, to the Executive Director.*
2. **Complaints.** *Review written Title VI complaints that may be received by MAPA following the adopted procedural guidelines. Ensure every effort is made to resolve complaints informally at the local or regional level.*
3. **Data Collection.** *Review the statistical data gathering process performed by Transportation Department staff periodically to ensure sufficiency of data for meeting the requirements of Title VI program administration.*
4. **Environmental Review Requirements.** *Ensure that available census data are included as a part of all NEPA documentation for projects receiving Federal Highway Administration or other Federal assistance.*
5. **Training Programs.** *Conduct or facilitate training programs on Title VI issues and regulations for MAPA employees and facilitate Title VI training for appropriate staff, contractors and subrecipients. A summary of training conducted will be reported in the annual update.*
6. **Title VI Plan Update.** *Review and update the MAPA Title VI Plan as needed or required. Present updated plan to the Executive Director for approval and submit the amended Plan to Nebraska Department of Transportation (NDOT) and Iowa Department of Transportation (Iowa DOT).*
7. **Annual Accomplishment Report.** *Prepare an annual report of Title VI accomplishments and changes to the program in the preceding Federal fiscal year, and identify goals and objectives for the upcoming year as required by July 31 of each year.*

8. **Public Dissemination.** *Work with MAPA departmental staff to develop and disseminate Title VI program information to MAPA employees and sub-recipients, including contractors, subcontractors, consultants, and sub-consultants and beneficiaries, as well as the general public. Public dissemination may include postings of official statements, inclusion of Title VI language in contracts or other agreements, website postings, and annual publication of MAPA's Title VI Policy Statement in newspaper(s) having a general circulation, and informational brochures. Ensure public service announcements or notices are posted for proposed projects, hearings, meetings, or formation of public advisory boards, in newspapers or other media reaching the affected community. Ensure the full utilization of available minority publications or media and, where appropriate, provide written or verbal information in languages other than English.*
9. **Elimination of Discrimination.** *Recommend procedures to identify and eliminate discrimination that may be discovered in any MAPA processes.*
10. **Maintenance of Legislative and Procedural Information.** *Federal laws, rules and regulations, NDOT and Iowa DOT guidelines, the current MAPA Title VI Plan, Annual Accomplishment Reports, and other resource information pertaining to the implementation and administration of the MAPA's Title VI program will be maintained and updated by the Coordinator. Information will be made available to other Local Public Agencies or the public as requested or required.*

Title VI Complaint Procedure

MAPA has instituted a complaint procedure for any person who believes that they, on the basis of race, color, national origin, gender, or disability, have been excluded from or denied the benefits of, or subjected to discrimination by MAPA or its sub-recipients, consultants, and/or contractors. This complaint procedure applies to matters related to Title VI, ADA, or Limited English Proficiency (LEP).

These procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies, or to seek private counsel for complaints alleging discrimination. These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the complainant. MAPA is committed to finding a satisfactory resolution for all complaints that it receives. The option of informal internal mediation meeting(s) between the affected parties and the Title VI coordinator may be used for resolution at any stage of the process.

The Title VI Coordinator will make every effort to pursue a timely resolution to the complaint. Initial interviews with the complainant and the respondent, if applicable, will request information regarding requested relief and settlement opportunities. A brief description of MAPA's Title VI complaint procedure is illustrated in figure 3 and a copy of MAPA's Title VI complaint form is provided in [Appendix B](#).

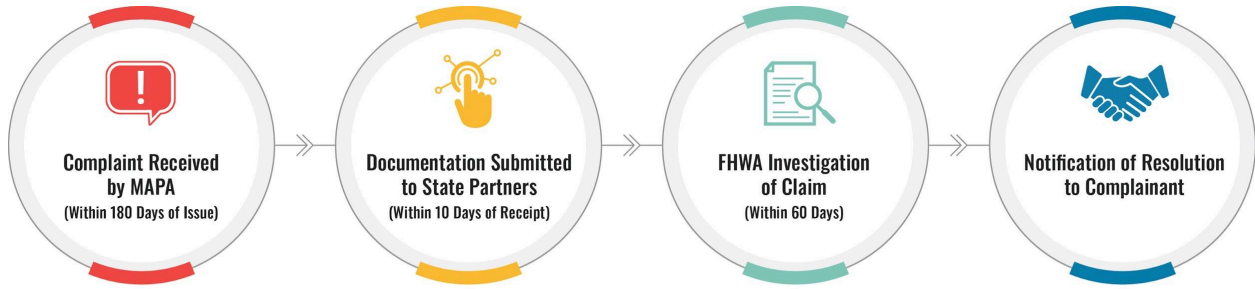


Figure 3: An outline of MAPA’s Title VI complaint procedure

MAPA’s Title VI Complaint Steps, Contact Information for Partners, and Milestones:

1. Any person who believes that they, individually, as a member of any specific class, or in connection with any disadvantaged business enterprise, have been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, the Americans with Disabilities Act of 1990, Section 503 of the Rehabilitation Act of 1973 and the Civil Rights Restoration Act of 1987, as amended, may file a complaint with MAPA. A complaint may also be filed by a representative on behalf of such a person. All complaints will be referred to MAPA’s Title VI Coordinator for review and action.

Contact Information for MAPA’s Title VI Coordinator is included below:

Omaha-Council Bluffs Metropolitan Area Planning Agency
 Title VI Coordinator
 2222 Cuming Street
 Omaha, NE 68102
 (402) 444-6866
 civilrights@mapacog.org

2. In order to have the complaint considered under this procedure, the complainant must file the complaint no later than 180 days after:
 - a. The date of the alleged act of discrimination; or
 - b. Where there has been a continuing course of conduct, the date on which that conduct was discontinued.

In either case, MAPA may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for doing so.

3. Complaints shall be in writing and shall be signed by the complainant and/or the complainant’s representative. Complaints shall set forth, as fully as possible, the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination to any MAPA employee, the person shall be interviewed by the Title VI Coordinator. If necessary, the Title VI Coordinator will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled according to MAPA’s investigative procedures.

4. Within 10 days of receipt of the allegations, the Title VI Coordinator will acknowledge receipt of the allegation, inform the complainant of procedures to be followed, and advise the complainant of other avenues of redress available, such as NDOT, Iowa DOT, and FHWA Division Offices.
5. MAPA will advise NDOT and/or Iowa DOT within 10 days of receipt of the allegations. Generally, the following information will be included in every notification to a State DOT:
 - a. Name, address, and phone number of the complainant.
 - b. Name(s) and address(es) of alleged discriminating official(s).
 - c. Basis of complaint (i.e., race, color, national origin or sex)
 - d. Date of alleged discriminatory act(s).
 - e. Date of complaint received by MAPA.
 - f. A statement of the complaint.
 - g. Other agencies (state, local or Federal) where the complaint has been filed.
 - h. An explanation of the actions MAPA has taken or proposed to resolve the issue raised in the complaint.
6. The State DOT will forward the complaint to FHWA. The FHWA Office of Civil Rights will determine the appropriate individual and/or organization to conduct the investigation.
7. Within 60 days, the FHWA Office of Civil Rights (or its designee) will conduct an investigation of the allegation and based on the information obtained, will render a recommendation for action in a report of findings to the Executive Director of MAPA. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.
8. The FHWA Office of Civil Rights (or its designee) 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 their appeal rights with NDOT, Iowa DOT, and/or USDOT, if they are dissatisfied with the final decision. The Title VI Coordinator will also provide the State DOT with a copy of this decision and summary of findings upon completion of the investigation.

Any complaints received against MAPA will be forwarded immediately to NDOT or Iowa DOT for investigation. MAPA will not investigate any complaint in which it has been named.

Note that once a complaint has been forwarded to a State DOT or FHWA, the State DOT or FHWA will follow their most updated procedures for complaint processing. The most up to date information and policies can be found at on the [NDOT](https://dot.nebraska.gov/business-center/civil-rights/)², [Iowa DOT](https://iowadot.gov/civilrights/Title-VI/Title-VI-Program)³, and [FHWA](https://highways.dot.gov/civil-rights)⁴ websites.

² <https://dot.nebraska.gov/business-center/civil-rights/>

³ <https://iowadot.gov/civilrights/Title-VI/Title-VI-Program>

⁴ <https://highways.dot.gov/civil-rights>

Title VI contacts for each state and FHWA Division Office are as follows:

Nebraska Department of Transportation
Kimberly Baker, Civil Rights Compliance Manager
1500 Nebraska Parkway
PO Box 94759
Lincoln, NE 68509-4759
402-479-4544
ndot.civilrights@nebraska.gov

**Nebraska Division Office
Federal Highway Administration (FHWA)**
Civil Rights Program
Felicia Beltran, Civil Rights Specialist
402-742-8474
felicia.beltran@dot.gov

**Region 7 Office
Federal Transit Administration (FTA)**
Nate Seeskin, Regional Civil Rights Officer
901 Locust Street
Suite 404
Kansas City, MO 64106
United States
816-329-3920
nathaniel.seeskin@dot.gov

Iowa Department of Transportation
Civil Rights Bureau
800 Lincoln Way
Ames, Iowa 50010
515-239-1111
civil.rights@iowadot.us
**Complaints must be filed in person or in writing*

**Iowa Division Office
Federal Highway Administration (FHWA)**
Office of Division Administrator
Danielle Gibson, Civil Rights Program Manager
515-233-7324
danielle.gibson@dot.gov

Title VI Notification for Sub-Recipients

In order for the goals of Title VI of the Civil Rights Act to be fully realized, the general public and MAPA's partners must be fully aware of protections afforded by the law. MAPA and sub-recipients provide information to the public regarding Title VI obligations through the following actions:

1. Posting the agency's policy statement regarding Title VI, along with the complaint procedure and Title VI and LEP brochures, to the MAPA website.
2. Utilizing Title VI brochures developed by [NDOT](#)⁵ and [Iowa DOT](#)⁶ to communicate the specific protections and obligations of MAPA.
3. Inserting the preferred, or abbreviated, "Notice to the Public" in all significant publications that are distributed to the public. The preferred notice is also posted on MAPA's public notice board and on the website at <https://mapacog.org/about/what-is-mapacog/civil-rights/>

Subrecipient Monitoring and Pass-Through Procedures

MAPA allocates significant amounts of federal-aid to sub-recipients for various transportation planning activities. Each of these "pass-through" agreements are subject to the federal and state

⁵ <https://dot.nebraska.gov/media/sypj2jdi/title-vi-brochure-english.pdf>

⁶ https://iowadot.gov/civilrights/documents/Title-IV_and_You.pdf

Civil Rights requirements described in this plan– including the sub-allocation of Federal Transit Administration (FTA) funding.

When selecting projects under the FTA Section 5310 Program, MAPA prioritizes projects that are located within the Environmental Justice areas and areas where transit dependent populations reside, but aren't currently served by the transit system.

Annual allocations of federal Metropolitan Planning funding from FHWA and FTA are distributed by the processes identified in the Unified Planning Work Program (UPWP) and are governed by agreements which require compliance with the civil rights requirements identified in this plan.

In order to ensure that all applicable requirements are met, MAPA has developed the following procedure to monitor sub-recipient compliance and issue remedial actions to non-compliant sub-recipients:

- A. **Title VI Review of Sub-recipients of Federal-Aid Highway and Federal Transit Administration Funds.** The Coordinator will assist State DOTs to conduct Title VI compliance reviews periodically. MAPA staff will review select recipients of Federal-aid highway or other Federal funds, to ensure adherence to Title VI requirements. MAPA will confirm periodically that operational guidelines provided to consultants, contractors, and sub-recipients (including Title VI language, provisions, and related requirements) are effective and appropriate. Additionally, Title VI assurances and provisional language will be included in all federally-funded consultant contracts.
- B. **Post-Grant Reviews.** MAPA, in cooperation with state and federal partners, will conduct Post-Grant reviews of select projects to ensure compliance with the requirements noted above.
- C. **Remedial Action.** When irregularities occur in the administration of Federal-aid highway programs at MAPA or a sub-recipient, corrective action will be taken to resolve identified Title VI issues. MAPA will seek the cooperation of the consultant, contractor or sub-recipient in correcting deficiencies found during the periodic reviews described. MAPA will provide technical assistance and guidance, upon request, to support voluntary compliance by the sub-recipient. When conducting Title VI compliance reviews, MAPA will document any recommended remedial action agreed upon by MAPA and the sub-recipient, and provide a copy of the letter to state and federal partners within a period not to exceed **45 days**.
 - Sub-recipients found to be in non-compliance will be given a reasonable time, up to **90 days** after receipt of the remedial action letter, to correct deficiencies voluntarily. When a sub-recipient fails or refuses to comply voluntarily with requirements within the allotted time frame, MAPA will submit copies of the case file and a recommendation that the sub-recipient be found in noncompliance to State DOTs and FHWA.
 - A follow-up review will be conducted within **180 days** of the initial review to ascertain if the sub-recipient has corrected deficiencies by earlier reviews. If the sub-recipient refuses to comply, MAPA and State DOTs may initiate sanctions as per 49 CFR 21, with FHWA's concurrence.

Program Report

No Title VI investigations, complaints, or lawsuits have been filed with or against MAPA since the time of MAPA's last Title VI Program submission (2022). Any future complaints and their resolution will be noted in this section as a part of future updates to this Title VI plan– including any applicable legal actions taken against MAPA.

MAPA Demographic Profile

MAPA maintains an online repository of demographic data at www.mapacog.org/equity/ that can be referenced at any time and is regularly updated with new information as it becomes available. The data presented in this online toolkit includes Cass, Douglas, Sarpy, Saunders and Washington Counties in Nebraska, as well as Harrison, Mills, Pottawattamie and Shelby Counties in Iowa, and encompasses both the TMA (Douglas and Sarpy Counties in NE, and urbanized Pottawattamie County in Iowa) and the RPA-18 (Harrison, Mills, Pottawattamie, and Shelby County in Iowa)

Environmental Justice Analysis

Executive Order (E.O.) 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, was issued in 1994. Its purpose is to focus federal attention on the environmental and human health effects of federal actions on minority and low income populations with the goal of achieving environmental protection for all communities. MAPA strives to ensure that environmental justice is a consideration in all planning efforts. This means supporting full and fair participation of minority and low-income populations, including special considerations that must be made to ensure adequate representation and outreach to accommodate environmentally sensitive and historically disadvantaged populations. Planning efforts will consider the populations that may be affected as well as the potential benefits and impacts of a plan or program.

To identify environmentally sensitive populations, MAPA conducted an analysis of census data at the tract level (2010 US Census and 2012-2015 American Community Survey). The analysis reviewed MAPA TMA populations to evaluate whether areas of disproportionate minority and low-income populations exist. The percentage of the population within each census tracts identified as low-income or minority was compared to the TMA average, using a normal range of one standard deviation above and below the average; 68 percent of all measurements fall within one standard deviation of the average in a normally distributed dataset. The remaining 32 percent is above and below this regional average. The MAPA TMA Percent Minority and Percent Poverty data sets are positively skewed and not normally distributed. To account for this, the data square root value was used to transform the dataset into a normal distribution. Those census tracts with a score greater than one standard deviation above the average (square root value) have a concentrated minority or low income population.

Figure 4 illustrates the locations of EJ areas within the TMA by displaying census tracts with a ratio of minority and/or low-income populations significantly higher than the TMA average. The concentrations of minority or low-income populations were defined by the above mentioned methodology.

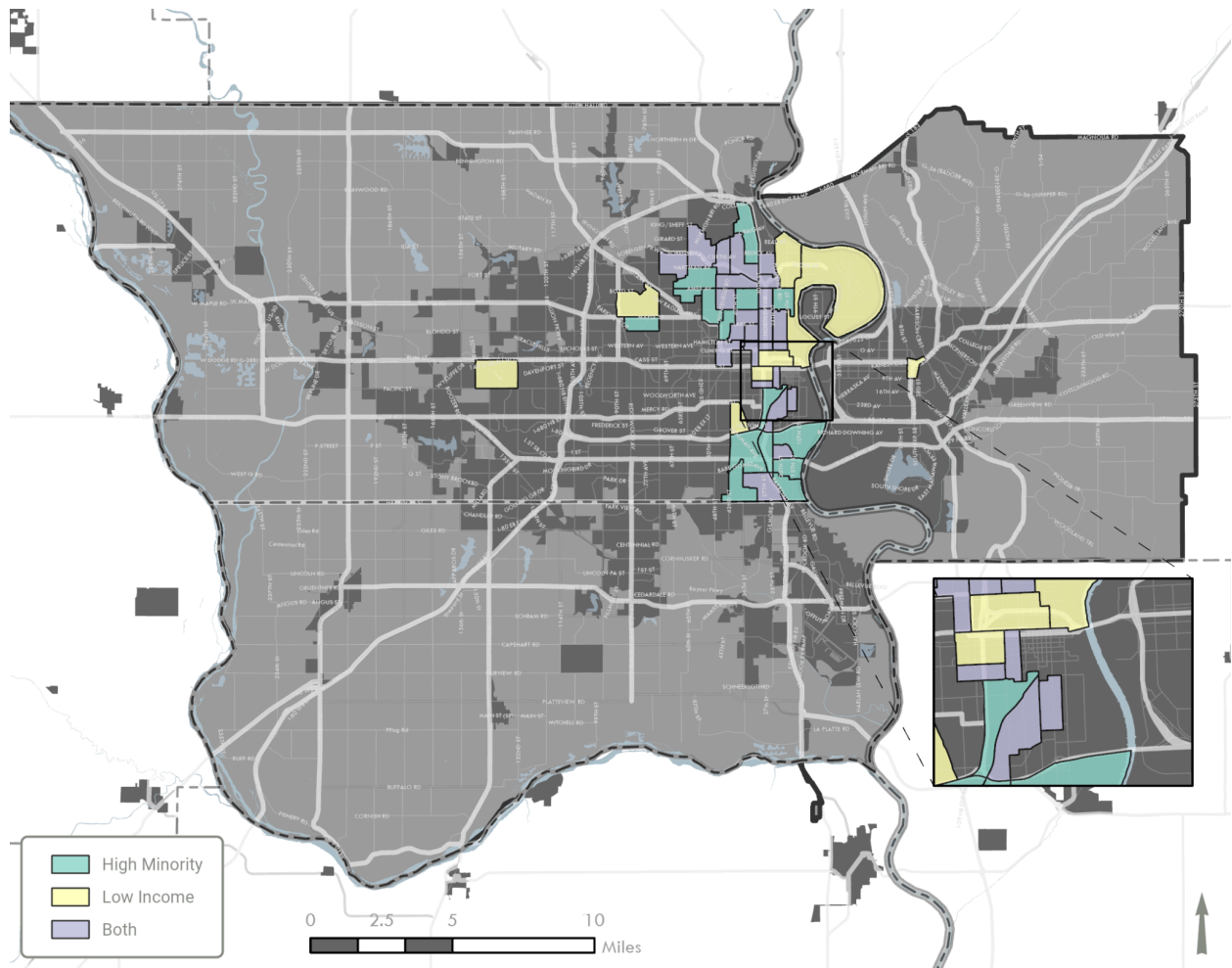


Figure 4: Locations of Environmental Justice (EJ) areas within the Transportation Management Area (TMA).⁷

Evaluation of Programmed Projects

MAPA performs Environmental Justice (EJ) analysis on all projects in its Transportation Improvement Program (TIP) and Long Range Transportation Plan (LRTP). This analysis examines several factors, including previous extent of funding invested in EJ areas, the categories of proposed projects, the project locations, the potential negative impacts of projects located in and around EJ areas, as well as the potential benefits to these communities from

⁷ 2025-2030 Transportation Improvement Program.

<https://mapacog.knack.com/2025-transportation-improvement-program#section-4-environmental-justice/>

projects in and around their communities/neighborhoods. The categories MAPA uses to classify projects are:

- Automotive/Roadway
- Bridge
- Active Transportation
- Public Transportation
- Aviation
- Planning

Projects in each of these planning categories have associated benefits and burdens to the communities in which they are located. Recognizing the individual issues within each community, and the impacts of projects, requires local knowledge and context which MAPA will provide through ongoing monitoring.

To identify EJ areas, MAPA uses census data to determine where there are disproportionately large populations of minority, low-income, and zero vehicle households. These areas are deemed environmentally sensitive and form the basis for additional analyses of burdens and benefits.

MAPA also looks at EJ Areas to determine project selection and conduct further program wide analysis of funding impacts, in conjunction with the benefits and burdens of project types and safety impacts. In past years, MAPA has attempted to identify the amount of funding programmed in the TIP which directly impacts EJ areas. This type of analysis was conducted by mapping the location of TIP projects and then measuring their proximity to EJ areas. For projects falling completely within an EJ area, all of the funding was noted as benefiting EJ populations. Projects falling partially within an EJ area were counted based on the proportion of the project impacting the EJ area directly. This process has worked well in measuring and ensuring that funding is distributed equitably throughout the region. Going forward, MAPA is looking at ways to measure the overall impacts of projects on the region and EJ communities.

Project Selection Criteria

In addition to analyzing the Environmental Justice impacts of projects within the TIP, the impacts of projects on EJ populations are also considered at the time of selection. The safety impact on equity focus areas is a major selection criteria for all MAPA programs. MAPA has developed project selection criteria for each of the federal funding programs which it administers. These programs are listed below:

- Surface Transportation Block Grant Program (STBG)
- Transportation Alternatives Program (TAP)
- Carbon Reduction Program (CRP)
- Heartland 2050 Mini-Grant Program
- Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities (5310)

Each of these programs takes a project's impacts on Environmental Justice populations and equity into account, and provides additional points for projects demonstrating a benefit to EJ

populations. As such, projects with clear benefits to EJ populations would score higher than similar projects without such benefits.

To assess the level to which environmental justice (EJ) populations will be impacted by the projects listed in MAPA’s Transportation Improvement Program (TIP), MAPA staff reviewed the total project listing, distribution of equity, and assumed benefits and burdens based upon the methodology outlined in the annual TIP EJ Analysis. Table 2 below outlines the total amount of federal funding, the percentage of funds affecting EJ areas, the total amount of EJ funding, and the total amount of non-EJ funding for the 2023, 2024, and 2025 TIPs.

	Total federal funding	EJ Percent	EJ Funding	Non-EJ Funding
2023	\$95,563.26	76%	\$72,810.86	\$22,752
2024	\$62,070.97	62%	\$38,612.47	\$23,458
2025	\$75,820.97	49%	\$37,478.47	\$38,342

Table 2: Summary of Environmental Justice Projects for the 2023⁸, 2024⁹, and 2025¹⁰ Transportation Improvement Programs (in \$1,000s)

Regional Planning Affiliation (RPA) 18

RPA-18 selects projects for funding under regional allocations of federal Surface Transportation Block Grant (STBG) and Transportation Alternatives Program (TAP) funds.

MAPA utilizes its [Regional Equity Toolbox](#)¹¹ to identify any areas within the RPA-18 boundaries that are identified as “Environmental Justice Areas” as shown in figure 5, however, there are currently no identified EJ areas within these 4 counties. As such, the regional STBG program does not currently consider environmental justice when scoring submitted projects. The RPA-18 regional Transportation Alternatives Program (TAP) program, however, does require applicants to submit a [Minority Impact Statement](#)¹² that identifies potential impacts of the grant project’s proposed programs or policies on minority groups.

⁸ <https://mapacog.knack.com/2023-transportation-improvement-program#section-4-environmental-justice/>

⁹ <https://mapacog.knack.com/2024-transportation-improvement-program#section-4-environmental-justice/>

¹⁰ <https://mapacog.knack.com/2025-transportation-improvement-program#section-4-environmental-justice/>

¹¹ MAPA’s Regional Equity Toolbox: www.mapacog.org/equity

¹² Minority Impact Statement form: <https://iowadot.seamlessdocs.com/f/CO19101000125171775>

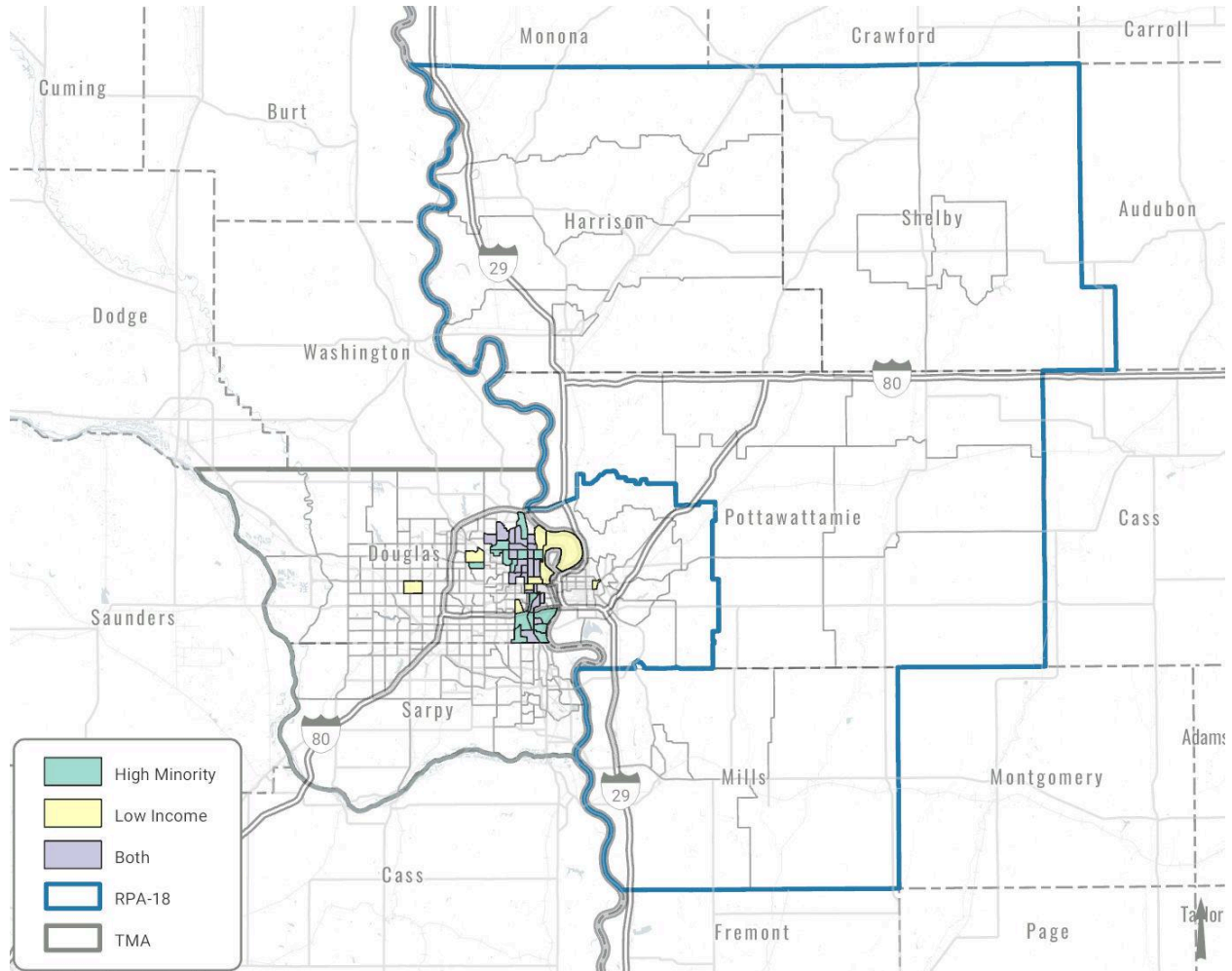


Figure 5: EJ areas identified within the Transportation Management Area (TMA) and Regional Planning Affiliation (RPA) 18. There are currently no identified EJ census tracts within the boundaries of RPA-18¹³.

Public Participation and Outreach for Historically Disadvantaged Populations

With the introduction of the Justice 40 initiative under the Infrastructure Investment and Jobs Act (IIJA) and Executive Order 14008 (2021), the federal government is working to confront and address decades of underinvestment in disadvantaged communities. Justice 40 works to address gaps in transportation infrastructure and public services by working towards the goal that at least 40% of the benefits from many federal grants, programs, and initiatives flowing to disadvantaged communities. It is therefore paramount that these communities be involved in the transportation planning process.

MAPA engages with many organizations and individuals from traditionally-underrepresented communities through the efforts of its Heartland 2050 Equity and Engagement Committee

¹³ MAPA Regional Equity Toolbox: www.mapacog.org/equity

which focuses on identifying key strategies to ensure that all residents of the Omaha-Council Bluffs region have full and equal access to opportunities that enable them to achieve their full potential.

MAPA is committed to providing equitable access to efficiently and effectively reach out and engage the public in MAPA’s decision making process. Programs and plans that have public outreach components can use the methods outlined in the Public Participation Plan (PPP) as a guide in developing project-specific outreach opportunities that can be further refined and tailored to align with the specific scope and audience of the project. [The most up to date version of MAPA’s PPP can be found on MAPA’s website](#)¹⁴. A brief summary of key outreach strategies are provided below.

MAPA Outreach Channels	Websites, Social Media, Newsletter, Annual Report
Meetings and Event Locations	When selecting a location for a meeting that is open to the public, MAPA requires that all locations comply with the Americans with Disabilities Act of 1990 and uses a compliance checklist to evaluate potential meeting sites. MAPA also utilizes best practices and considers aspects such as; <ul style="list-style-type: none"> ● Transit access ● Bicycle parking ● Public facilities that are familiar with the community (community centers, city and county offices, libraries, and schools) ● Locations that are within the communities that will be most affected by a given project, plan, or policy ● Varying locations when projects span a wide area ● Co-locating with existing or already scheduled meetings
Meeting Notifications	Public notices will be published in local newspaper(s) and include date, time, location, and pertinent information about the project/program/policy, and a phone number and primary contact email
Language Accommodations	An assessment of the population primarily impacted by a given project or effort will be done to determine the proportion of LEP residents. If over 5% of the population in the area speaks a language other than English, text-based materials will be provided in that language, and efforts will be made to provide translation services at meetings.
Hybrid Meetings	When appropriate staff will offer hybrid meetings to allow both in person and online attendance.
Additional Accommodation Tools	All meeting announcements include the policy statement found in Appendix C , communicating that assistance can be provided to those with Limited English Proficiency (LEP), people with disabilities, and others who may need assistance. The statement will be made available in any additional languages as determined to be relevant by the Language Assessment.

As a supplement to general public announcements in newspapers and online posts, MAPA contacts persons/agencies representing low-income and minority populations via telephone

¹⁴ www.mapacog.org/projects/public-participation-plan/

and/or email. MAPA asks these contacts to present and inform their communities of ways to be involved in the planning process.

MAPA's Equity Assessment

In June 2020, the MAPA Board of Directors adopted an Equity Resolution in order to increase equitable outcomes in our region through MAPA's work. This resolution reaffirms the agency's commitment to an equitable and just region, and ensures that the issues of disparities, justice and racism are at the forefront as we work to do more with greater intensity and focus to realize the goal of expanding true opportunity to all residents.

MAPA's Equity Assessments are a direct outcome of the resolution, and scores MAPA's work in each of the eight action items included in the resolution. Per the equity resolution, an equity assessment will be completed on an annual basis at the end of every fiscal year. The first assessment was presented to the Board of Directors in July 2021.

MAPA's annual Equity Assessments can be found on the MAPA website at www.mapacog.org/projects/equity-assessment/. Scores are defined in figure 6, and a summary of scores from 2021-24 for each annual assessment can be found in Table 3.

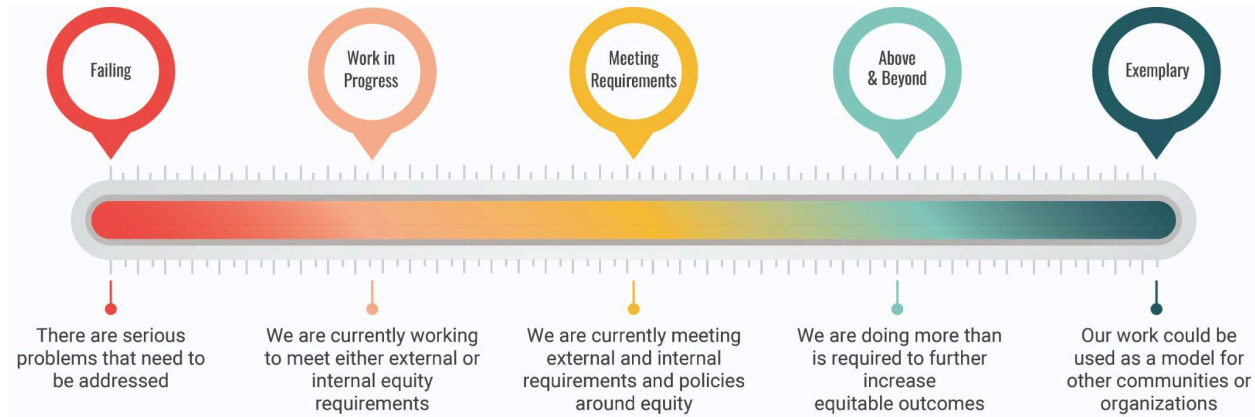


Figure 6: MAPA annual Equity Assessment score definitions.

Table 3: Summary of scores for each action item in MAPA’s annual Equity Assessments from 2021-2024.

Action Item	2021	2022	2023	2024
1. Ensure that equity is a regional goal and that progress toward this goal is measured in MAPA’s planning work	ABOVE & BEYOND	ABOVE & BEYOND	EXEMPLARY	ABOVE & BEYOND
2. Commit to listen to those affected and marginalized to learn how MAPA can help	MEETING REQUIREMENTS	MEETING REQUIREMENTS	ABOVE & BEYOND	ABOVE & BEYOND
3. Include robust representation from communities of color in MAPA boards, committees and stakeholder groups	MEETING REQUIREMENTS	MEETING REQUIREMENTS	MEETING REQUIREMENTS	MEETING REQUIREMENTS
4. Improve the employment, training, advancement, support and success of people of color by recruiting a diverse staff that reflects the region we serve	MEETING REQUIREMENTS	MEETING REQUIREMENTS	ABOVE & BEYOND	MEETING REQUIREMENTS
5. Review policies and programs to ensure equitable funding toward disinvested communities that will close disparities in our region and put all residents on a path toward reaching their full potential.	ABOVE & BEYOND	ABOVE & BEYOND	ABOVE & BEYOND	ABOVE & BEYOND
6. Address the needs of African-American and other historically disadvantaged populations in the transportation planning and project selection process through Environmental Justice analysis, public engagement, and other activities.	ABOVE & BEYOND	ABOVE & BEYOND	ABOVE & BEYOND	ABOVE & BEYOND
7. Target priority community development and economic development investments in Racially or Ethnically Concentrated Areas of Poverty (RCAP/ECAP).	MEETING REQUIREMENTS	MEETING REQUIREMENTS	MEETING REQUIREMENTS	ABOVE & BEYOND
8. Review MAPA’s work and progress in addressing these issues through conducting an organizational equity assessment to be conducted annually at the end of each fiscal year.	ABOVE & BEYOND	MEETING REQUIREMENTS	MEETING REQUIREMENTS	MEETING REQUIREMENTS

Chapter 3 - Limited English Proficiency (LEP)

While most individuals in the United States read, write, speak, and understand English, there are many individuals whose primary language is not English. Individuals who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English are considered by federal law to be Limited English Proficient, or “LEP.” This language barrier may prevent individuals from accessing services and benefits, and as such they may be entitled to language assistance with respect to a particular type or service, benefit, or encounter to help remove that barrier.

Four Factor Analysis

In accordance with Executive Order 13166, MAPA conducted a four-factor analysis recommended by the U.S. Department of Transportation to determine the level and extent of language assistance measures. This analysis is outlined below.

Factor 1 - Number or Proportion of LEP Persons “Served or Encountered” in the MAPA Region

To quantify the needs of LEP persons within the Omaha-Council Bluffs region, MAPA staff conducted a demographic analysis of American Community Survey (ACS) data from 2018 to 2022 to assess the number and proportion of LEP residents. The tables below show the breakdown of the total population that speaks only English at home, that speaks a language other than English at home, and that speaks English less than “Very Well”. This data is shown separately for populations in the TMA (Table 4) and RPA-18 (Table 6). Table 5 and Table 7 then show which languages are spoken at home throughout the region for the TMA and RPA-18, respectively.

In the **TMA**, approximately 13% of the population speaks a language other than English at home, and 5.3% of the population speaks English less than “Very Well”. Spanish is the most common language spoken other than English, and its speakers make up 3.3% of the total population (over 5 years of age). In the **RPA-18**, approximately 2% of the population speaks a language other than English at home, and only 0.8% of the population speak English less than “Very Well”. Spanish is the most common language spoken other than English, and speakers make up only 0.6% of the total population (over 5 years of age). As these percentages are very low, language accommodations will only be made upon request.

Generally, the vast majority of residents in the MAPA region live in English-only households (87% in the TMA and 98% in RPA-18). While most people who are likely to be impacted by MAPA’s planning activities or services speak English, those who speak a different language at home may be more likely to have difficulty understanding oral or written information provided by MAPA in English. As such, this need is an important consideration of accommodation strategies discussed later in this chapter.

Transportation Management Area (TMA) - LEP

Table 4: Counts and percentages of the total population of the TMA (over 5 years old) who speak only English at home, speak a language other than English at home, and who speak English less than "Very Well". American Community Survey data from 2018-2022.

TMA	Counts	Percentage of population Over 5
TMA Population Language Spoken at Home by Ability to Speak English (5 years and older)	790,696	
Spoke only English at Home	687,268	86.92%
Language Other than English Spoken at Home	103,428	13.08%
Persons Who Speak English Less than "Very Well"	42,236	5.34%

Table 5: Counts and percentages of LEP residents within the MAPA TMA boundary as determined using American Community Survey (ACS) data from 2018 to 2022. This data includes individuals 5 years of age and older, thus the percentage of the population indicated in the final column refers to the percentage of the population over 5 years of age.

TMA Language Group	Total Language Speakers	Speak English "Very Well"	Speak English less than "Very Well"	Less than "Very well" Percentage	Percentage of population Over 5	Less than "Very Well" Percentage of Population Over 5
Spanish	63,468	37,562	25,906	40.8%	8.03%	3.28%
Other Asian and Pacific	9,643	4,801	4,842	50.2%	1.22%	0.61%
Other and unspecified languages	6,619	3,474	3,145	47.5%	0.84%	0.40%
Other indo-European	7,005	4,630	2,375	33.9%	0.89%	0.30%
French, Haitian or Cajun	3,448	2,108	1,340	38.9%	0.44%	0.17%
Vietnamese	2,122	978	1,144	53.9%	0.27%	0.14%
Chinese (incl. Mandarin, Cantonese)	2,420	1,492	928	38.3%	0.31%	0.12%
Arabic	2,113	1,312	801	37.9%	0.27%	0.10%
Russian, Polish or Other Slavic languages	2,173	1,476	697	32.1%	0.27%	0.09%
Tagalog (incl. Filipino)	1,815	1,293	522	28.8%	0.23%	0.07%
Korean	973	675	298	30.6%	0.12%	0.04%
German or Other West Germanic languages	1,629	1,391	238	14.6%	0.21%	0.03%

Regional Planning Affiliation 18 (RPA-18) - LEP

Table 6: Counts and percentages of the total population of the RPA-18 (over 5 years old) who speak only English at home, speak a language other than English at home, and who speak English less than "Very Well". American Community Survey data from 2018-2022.

RPA - 18	Count	Percentage of population Over 5
RPA Population Language Spoken at Home by Ability to Speak English (5 years and older)	56,096	
Spoke only English at Home	54,954	97.96%
Language Other than English Spoken at Home	1,142	2.04%
Persons Who Speak English Less than "Very Well"	431	0.77%

Table 7: Counts and percentages of LEP residents within the RPA-18 boundary as determined using American Community Survey (ACS) data from 2018 to 2022. This data includes individuals 5 years of age and older, thus the percentage of the population indicated in the final column refers to the percentage of the population over 5 years of age.

RPA-18 Language Group	Total Language Speakers	Speak English "Very Well"	Speak English less than "Very Well"	Less than Very well Percentage	Percentage of population Over 5 years of age	Less than Very Well Percentage of Population Over 5 years of age
Spanish	814	475	339	41.6%	1.45%	0.60%
Russian, Polish or Other Slavic languages	62	33	29	46.8%	0.11%	0.05%
Other indo-European	60	38	22	36.7%	0.11%	0.04%
Tagalog (incl. Filipino)	66	44	22	33.3%	0.12%	0.04%
Other Asian and Pacific	21	14	7	33.3%	0.04%	0.01%
Vietnamese	6	0	6	100.0%	0.01%	0.01%
German or Other West Germanic languages	65	60	5	7.7%	0.12%	0.01%
Other and unspecified languages	5	4	1	20.0%	0.01%	0.00%
French, Haitian or Cajun	38	38	0	0.0%	0.07%	0.00%
Arabic	0	0	0	0.0%	0.00%	0.00%
Chinese (incl. Mandarin, Cantonese)	5	5	0	0.0%	0.01%	0.00%
Korean	0	0	0	0.0%	0.00%	0.00%

Factor 2 - Frequency of Contact with MAPA’s Programs and Services

To date, MAPA has not received a formal request for translation. However, MAPA is intentional in generating partnerships with organizations that are able to assist and provide translators for meetings in locations, or to communities, known to have a large Spanish speaking population. MAPA’s Public Participation Plan notes continued efforts to improve outreach and develop contacts in LEP areas. Through efforts such as these and with targeted outreach during the transportation planning process, MAPA’s contact with LEP populations is likely to grow.

Demographic shifts within the Omaha-Council Bluffs region will increase the frequency with which MAPA makes contact with minority communities. Figure 7 illustrates a projection of the MAPA region’s racial and ethnic composition by the Year 2050. These shifts reflect continued growth in the population of minority communities– particularly in the case of the largely Hispanic Latino population, many of whom speak Spanish. As such, it is critical that members of these racial and ethnic communities are involved in the planning processes about the future in which they will comprise a much greater portion of the population.

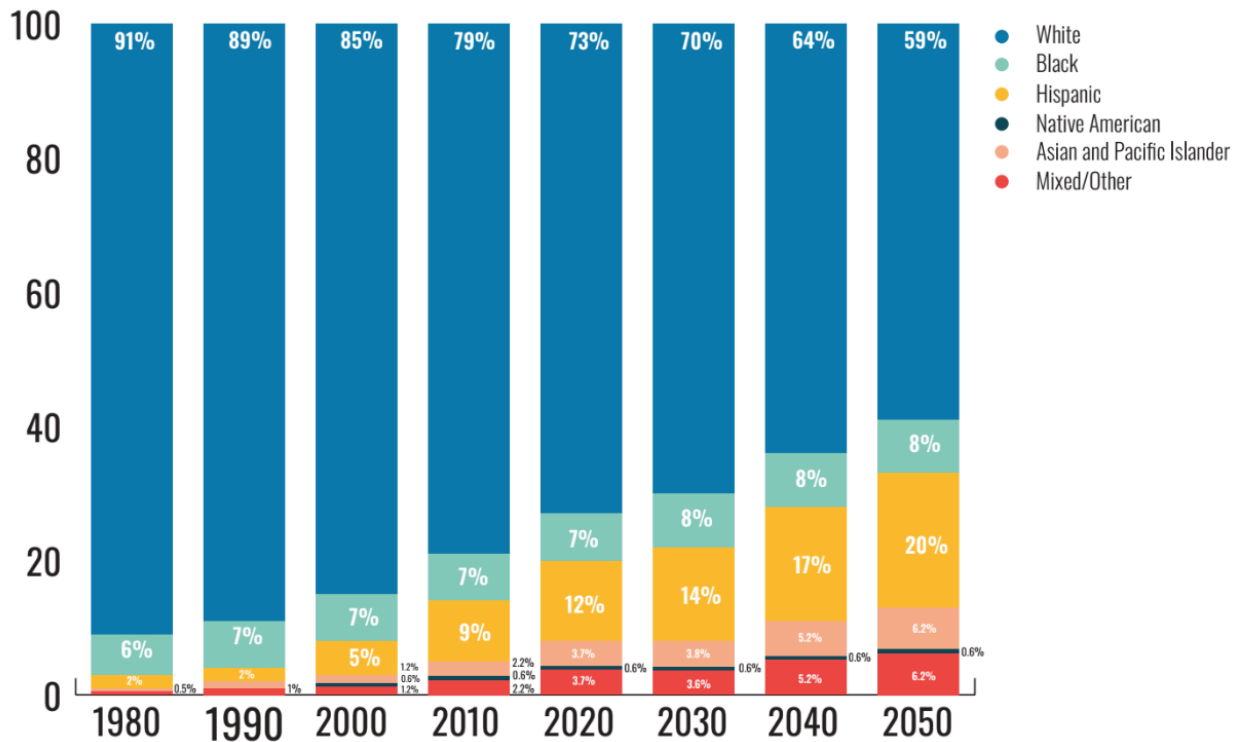


Figure 7: Racial/Ethnic composition, 1980 - 2050 (projected) for the 8 county Omaha-Council Bluffs metropolitan statistical area (MSA)¹⁵. The MSA includes Cass, Douglas, Sarpy, Saunders and Washington Counties in Nebraska, as well as Harrison, Mills and Pottawattamie Counties in Iowa.

Executive Orders 14008 and 14096 respectively introduced and expanded the Federal Justice 40 initiative, which directs 40% of the benefits from federal investments across a variety of sectors to disadvantaged communities to advance environmental justice and equity. MAPA’s equity

¹⁵ U.S. Census Bureau; Woods & Poole Economics, Inc. | National Equity Atlas

resolution works hand in hand with this federal directive by reaffirming the agency's commitment to an equitable and just region. Under both of these initiatives, MAPA has been making concerted efforts to conduct outreach in historically underserved or disadvantaged communities, particularly by attending events hosted by the community, and using this opportunity to share information about ongoing planning efforts. In these instances efforts are made to ensure translation services are available on site, and materials are provided in languages other than English.

Factor 3 - Nature and Importance of MAPA's Activities or Programs

The primary function of MAPA in its role as the MPO and facilitator of RPA-18 is to support cooperative and comprehensive transportation planning, as outlined in the federal and State transportation legislation. In this capacity, MAPA develops several key work and planning documents, including but not limited to the Long Range Transportation Plan (LRTP), Transportation Improvement Program (TIP), Unified Planning Work Program (UPWP) or Transportation Planning Work Program (TPWP), and the Public Participation Plan (PPP).

These documents have multifaceted impacts on transportation planning within the region. As the agency responsible for coordinating these efforts, MAPA must ensure that all segments of the population, including LEP persons, have the opportunity to be involved in the planning process. Critical items must include Spanish translation. There are several key factors to consider when determining the criticality of an item;

1. Does it pertain to an individual's legal rights (e.g. the right to obtain free language assistance, the right to file a Title VI complaint, etc.)
2. Does it pertain to an individual's eligibility to participate in an activity that does not require English proficiency (e.g., outreach efforts, public meeting notices, etc.)

With these questions in mind, MAPA provides translation of the Title VI complaint form, and includes a note in its Title VI public notice, and its accommodation policy statement ([Appendix C](#)) directing persons to contact MAPA offices to request translation services. When performing public engagement at the regional level, MAPA ensures that online and paper surveys are provided in both English and Spanish to ensure an individual's eligibility to participate in the planning process. The executive summary of key policy documents could also be translated as requested. Activities are evaluated as needed to determine the criticality of any given work product and the need for translation to be provided.

Factor 4 - Availability of Resources and Accommodation Costs

MAPA has identified Spanish language translation as an important consideration for accommodating the largest single LEP population in the Omaha-Council Bluffs metro area. Document translation cost estimates are shown in Table 8 and are based on the average cost per word quoted by professional translation services for past MAPA documents.

Table 8: Cost of translation for a selection of MAPA’s key planning documents based on word count.

	Total words	Cost (\$0.185/word)
Transportation Improvement Program (TIP)	31,333	\$5,796.61
Long Range Transportation Plan (2050)	55,235	\$10,218.48
Unified Planning Work Program (UPWP)	20,450	\$3,783.25
Public Participation Plan (PPP)	17,780	\$3,289.30
Total	124,798	\$23,087.63

Based on this cost estimate analysis, full professional Spanish language document translation services would require significant financial resources committed to these activities. The length of these documents also makes maintaining them in multiple languages a logistical hurdle. In the past, MAPA has budgeted between \$5,000 and \$10,000 annually for all printing related costs agency wide. The burden of translation services dictates that MAPA must be deliberate in the provision of full professional translation services for hard copies of key documents. Spanish is the highest need language in the region, however only 3% of the population in the MAPA region speak English less than “Very Well” (See Factor 1). Additionally, accommodating additional language groups could be cost prohibitive based on the even lower frequency with which MAPA has historically encountered these communities (less than 1% of the population in both the TMA and RPA).

However, there are now many digital translation services available through integrated web apps that would allow for translation of documents hosted online. MAPA will explore the integration of these tools into its website to allow for online viewing of key work products in languages other than English.

LEP Implementation Plan

MAPA has adopted a threshold such that if over 5% of the population in the project or program area speaks a language other than English, text-based materials will be provided in that language, and efforts will be made to provide translation services at meetings. This threshold was adopted to mirror the policies of local jurisdictions, as well as provide a quantitative measurement for determining translation needs. Although when looking at the region as a whole, there is no language that surpasses this 5% threshold. Planning efforts and projects that look at more specific or smaller areas will need to have a language assessment performed on census tracts directly impacted by the project. In the event that these project areas surpass this 5% threshold, translation services will be provided by default. Language services are always available upon request.

The majority of MAPA planning efforts have not historically met this 5% threshold, however, MAPA actively works to incorporate additional languages as needed and respond to requests for translation services. The following documents are provided in both English and Spanish;

- Title VI Complaint form
- Title VI notice includes instructions in Spanish for obtaining translations
- Accommodations policy includes instructions in Spanish for obtaining translations
- Public surveys when conducting public outreach
- Executive Summaries (as applicable)

MAPA anticipates language services to become more important in the future and is reviewing its policies and revising procedures to ensure that when a four factor analysis finds a need for language services, staff are trained to adequately source and provide those services.

Chapter 4 - Americans with Disabilities Act

Overview and Notice

MAPA, in accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA) will not discriminate against qualified individuals with disabilities on the basis of disability in admission of its programs, services, or activities, in access to them, in treatment of individuals with disabilities, or in any aspect of their operations.

- **Employment:** MAPA does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA and Section 504 of the Rehabilitation Act of 1973.
- **Effective Communication:** MAPA will, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in MAPA's programs, services, and activities, such as qualified sign language interpreters, and other ways of making information and communication accessible to people who have speech, hearing, or vision impairments.
- **Modifications to Policies and Procedures:** MAPA will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of MAPA should contact the office of the Title VI Coordinator, as soon as possible but no later than three (3) working days before the scheduled event.

The ADA does not require MAPA to take any action that would fundamentally alter the nature of its program or services, or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of MAPA is not accessible to persons with disabilities should be directed to the Title VI Coordinator.

MAPA will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

Authorities

The federal authorities under which the provisions of this plan have been created are listed below;

- **Section 504 of the Rehabilitation Act of 1973**, as amended, provides that "No otherwise qualified disabled individual in the United States, as defined in section 7(6), shall, solely by reason of his disability, be excluded for the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."
- **29 USC 794** (October 29, 1992 to the Rehabilitation Act of 1973) substitutes "a disability" for "handicaps" and "disability" for "handicap".
- **49 CFR Part 27.13** (Nondiscrimination on the Basis of Disability in Programs and Activities Receiving or Benefiting from Federal Financial Assistance) states, "This part applies to each recipient of Federal financial assistance from the Department of Transportation and to each program or activity that receives or benefits from such assistance."
- **49 CFR Part 28.102** (Enforcement of Nondiscrimination on the Basis of Disability in Programs or Activities Conducted by the Department of Transportation) states, "This part applies to all programs or activities conducted by the Department of Transportation except for programs and activities conducted outside the United States that do not involve individuals with disabilities in the United States."
- **28 CFR Part 35** (Judicial Administration) states that: "The purpose of this part is to effectuate Subtitle A of Title II of the ADA which prohibits discrimination on the basis of disabilities by public entities."
- **49 CFR part 27** (Nondiscrimination on the Basis of Disability in Programs and Activities Receiving or Benefiting from Federal Financial Assistance) states, "The purpose of this part is to carry out the intent of Section 504 of the Rehabilitation Act of 1973 (29 USC 794) as amended, to the end that no otherwise qualified disabled individual in the United States shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."
- **49 CFR Part 28-140** (Employment) states that, "(a) No qualified individual with disabilities shall, on the basis of disability, be subjected to discrimination in employment under any program or activity conducted by the Department," and "(b) The definitions, requirements, and procedures of Section 504 of the Rehabilitation Act of 1973 (29 USC 791), as established by the Equal Employment Opportunity Commission in 29 CFR part 1613, shall apply to employment in federally conducted programs or activities."
- **29 CFR Part 1613** (Equal Employment Opportunity in the Federal Government) states that: "It is the policy of the Government of the United States. .. to provide equal

opportunity in employment for all persons to prohibit discrimination in employment because of race, color, religion, sex, or national origin and to promote the full realization of equal employment opportunity through a continuing affirmative program in each agency."

- **42 USC Part 12101-12213** (The Americans with Disabilities Act of 1990) states that: "No covered entity shall discriminate against a qualified individual with a disability because of the disability of such individual in regard to job application procedures, the hiring, advancement, or discharge of employees, employee compensation, job training, and other terms, conditions, and privileges of employment."

Grievance Procedure

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 (ADA). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by MAPA. MAPA's Personnel Policies and Procedures govern employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of the complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or their designee as soon as possible but no later than 60 calendar days after the alleged violation to MAPA's Title VI coordinator:

Metropolitan Area Planning Agency
Title VI Coordinator
2222 Cuming Street
Omaha, NE 68102
(402) 444-6866
civilrights@mapacog.org

Within 15 working days after receipt of the complaint, the Title VI Coordinator will meet with the complainant to discuss the complaint and possible resolutions. Within 15 working days of the meeting, the Title VI Coordinator will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, or audio tape. The response will explain the position of MAPA and offer options for substantive resolution of the complaint.

If the response by the Title VI Coordinator does not resolve the issue satisfactorily, the complainant or their designee may appeal the decision within 15 working days after receipt of the response to the MAPA Board of Directors.

Within 15 working days after receipt of the appeal, the MAPA Board of Directors will meet with the complainant to discuss the complaint and possible resolutions. Within 15 working days

after the meeting, the MAPA Board of Directors will respond in writing, and where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by MAPA, appeals to the MAPA Board of Directors, and responses from these individuals and the Board offices will be retained by MAPA for at least three (3) years.

ADA Coordinator Responsibilities

MAPA's Title VI Coordinator is also designated as ADA Coordinator. This role is served by the Executive Director or their designee. The responsibilities of the Title VI Coordinator under the ADA provisions of this policy are as follows;

1. Serve as the principal coordinator for MAPA's ADA programs, policies, and procedures relating to compliance;
2. Publicize the name and contact information of the designated ADA Coordinator responsible to oversee compliance;
3. Draft and ensure dissemination of policies to employees regarding the provision of equal opportunity for persons with disabilities;
4. Establish a complaint grievance procedure to respond to complaints of noncompliance from employees as well as the general public;
5. Maintain current knowledge and information regarding state and federal laws and regulations concerning the rights of individuals with disabilities and ways of providing reasonable accommodation as well as relating to employment policies and practices of employees with disabilities.
6. Provide ADA program and facility interpretation and advice on compliance to all sectors of MAPA;
7. Serve as a point of contact for all matters related to ADA (including facility accessibility), and serve as the conduit for information for compliance reporting for other MAPA staff;
8. Coordinate with and assist Program Managers on complaints alleging discrimination and noncompliance under the ADA and other applicable federal and state laws regarding discrimination on the basis of disability;
9. Ensure prompt and equitable resolution of complaints and inquiries from MAPA employees as well as the general public regarding discrimination on the basis of disability; and
10. Maintain a record of all disability and accommodation issues and the resolution of each.

Americans with Disabilities Act (ADA) Self-Assessment

MAPA will conduct an initial self-evaluation routinely and if areas of non-compliance are identified, a Transition Plan will be created, and all needed modifications will be addressed.

As a part of the development of this Civil Rights Policy, MAPA conducted a self-assessment of its facilities and activities to ensure compliance with the Americans with Disabilities Act. The

results of that self-assessment are included in this section and have been organized into the two following categories:

- **Facilities** – A review of the accessibility of MAPA's administrative offices
- **Programming** – A review of MAPA's public participation activities, grant funding, and other activities

MAPA has renewed and approved its policy statement for ADA activities as a part of the development of this plan.

Facilities

MAPA's administrative offices are located in Metro Transit's main office and bus garage. Metro Transit is the transit authority for the regional metropolitan transit authority for the Omaha, Nebraska metropolitan area and is also a designated recipient of Federal Transportation funding. As a part of its Triennial Review with the Federal Transit Administration, Metro Transit certified the ADA compliance of all of Metro's facilities– including the office building where MAPA is located.

MAPA holds many of its public and stakeholder meetings at its offices– including the meetings for the MAPA Board of Directors, Transportation Technical Advisory Committee (TTAC), Regional Planning Affiliation Board and Technical Committee, and Regional Planning Advisory Committee (RPAC). When meetings are held offsite, MAPA staff consider ADA and transit accessibility through a meeting location checklist that can be found in the Public Participation Plan. Additionally, public access to MAPA staff and records would be accessible to residents with disabilities and mobility issues at this location as well. If MAPA or Metro undertakes renovation, it will complete modifications within the requirements of the regulations. MAPA has not built any new facilities in the past three years.

Programming

There are many activities in which MAPA is involved that are impacted by the ADA and its goals. These activities are categorized in the sections below. Generally, MAPA's Coordinated Transit planning activities and its Public Participation policies have the greatest direct impact on interaction with persons with disabilities, but the needs of disabled populations are considered in all planning processes.

Coordinated Transit Activities

The Omaha-Council Bluffs Metropolitan Area Planning Agency (MAPA) became the Designated Recipient of FTA Section 5310 program funds in 2013. The activities of this program are guided by the Coordinated Transit Plan that was last updated in 2022.

The Coordinated Transit Plan was derived from the efforts of local stakeholders and the public. It is meant to provide information to the general public, local jurisdictions, and agencies to develop eligible transportation projects to meet the transportation needs of the elderly, those with disabilities, and those that are economically disadvantaged.

The Program Management Plan (PMP) provides the formal guidance on the eligibility requirements for Section 5310 projects and the process by which funds are awarded. Section 5310 funding may be used for “Traditional” capital projects and “Other/New Freedom” projects. Activities that impact the mobility of the elderly and people with disabilities directly are eligible in both categories of funding.

Additionally, MAPA will seek written certification of compliance pertaining to ADA directives from approved applicants during the FTA Certification and Assurances process. MAPA, in turn, will make all documents related to ADA reporting part of the permanent file of the project. This documentation will include information regarding the ADA accessibility of vehicles purchased through the 5310 program and executed, contracted assurances for sub-recipients.

ADA requirements pertaining to MAPA’s Section 5310 program activities are monitored using a Program Checklist that is included as a part of the PMP.

Public Participation

Public participation is a critical component of the transportation planning process. MAPA’s Public Participation Plan (PPP) provides the overarching framework for the agency’s outreach efforts and compliance with relevant federal guidance. In general, MAPA’s outreach philosophy seeks to maximize opportunities for the public to be involved in its planning initiatives.

An extensive checklist was developed to document the accessibility of all locations used for public meetings and MAPA events. This check-list includes physical characteristics of the meeting facilities (walkways, ramps, sidewalks, restrooms, etc.) in addition to transportation services available to members of the public with disabilities or limited mobility (e.g. the availability of transit service).

Additionally, all public meeting announcements will include the language outlined in [Appendix C](#), informing the general public that auxiliary aids and services (sign language interpreters, oral interpreting services, audio listening device system, etc.) are available when requested in advance.

These measures are described in more detail in MAPA’s Public Participation Plan and ensure that MAPA’s public meetings are open and accessible to all residents of the region– including those with disabilities.

Appendices

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Appendix A: Required Title VI Contract Provisions

SECTION XX. TITLE VI NONDISCRIMINATION CLAUSES

- xx.x Compliance with Regulations. During the performance of this Agreement, Subrecipient, for itself and its assignees and successors in interest, must not unlawfully discriminate, harass, or allow harassment, against any employee or applicant for employment because of race, color, sex, age, disability, national origin, or any other category protected under federal, state, or local law.
- xx.x Subrecipient must include the nondiscrimination and compliance provisions of this Section in all third-party contracts to perform work under this Agreement.
- xx.x Subrecipient, for itself and its assignees and successors in interest, agrees to comply with all applicable civil rights statutes and implementing regulations including, but not limited to, the following:
 - xx.x.x Nondiscrimination in Federal Transit Programs. Subrecipient agrees to comply with Section 504 of the Rehabilitation Act of 1973, as amended During the performance of this Agreement, Subrecipient, for itself and its assignees and successors in interest, agrees to comply with the regulations of the United States Department of Transportation relative to nondiscrimination in federally-assisted programs of the United States Department of Transportation (49 CFR 21 and 27, hereinafter referred to as the Regulations).
 - xx.x.x Nondiscrimination on the Basis of Disability. Subrecipient agrees to comply with the applicable laws and regulations, discussed below, for nondiscrimination on the basis of disability.
 - xx.x.x.x Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794) prohibits discrimination on the basis of disability by recipients and subrecipients of federal financial assistance.
 - xx.x.x.x The ADA, as amended (42 U.S.C. 12101, et seq.), prohibits discrimination against qualified individuals with disabilities in all programs, activities, as well as imposes specific requirements on public and private providers of public transportation.
 - xx.x.x.x U.S. DOT regulations implementing Section 504 and the ADA include 49 CFR 27, 37, 38, and 39. Among other provisions, the regulations include service requirements intended to ensure that individuals with disabilities are afforded equal opportunity to use transportation systems.
 - xx.x.x.x Providers of demand responsive service must utilize accessible vehicles, as defined at 49 CFR 37.7 or meet the applicable equivalent service standard. For private and public entities, the service must be equivalent in regards to schedules, fares, response times, geographic areas of service, hours and days of service, availability of information, reservations capacity, constraints on capacity or service availability

- xx.x.x.x In addition, those who receive any funds under this Agreement should be aware that they also have responsibilities under Titles I, II, III, IV, and V of the ADA in the areas of employment, public services, public accommodations, telecommunications, and other provisions, many of which are subject to regulations issued by other federal agencies.
- xx.x.x Nondiscrimination - Title VI. Subrecipient agrees to comply with all of the following requirements under Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d et seq.):
 - xx.x.x.x Title VI provides that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.
 - xx.x.x.x U.S. DOT regulations, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act,” 49 CFR Part 21.
 - xx.x.x.x FTA Circular 4702.1B “Title VI Requirements and Guidelines for Federal Transit Administration Recipients.” This document provides Subrecipient with guidance and instructions necessary to carry out U.S. DOT Title VI regulations (49 CFR Part 21), and U.S. DOT Policy Guidance Concerning Recipient’s Responsibilities to Limited English Proficient (LEP) Persons (70 FR 74087, Dec. 14, 2005).
 - xx.x.x.x U.S. DOT Policy Guidance Concerning Recipient’s Responsibilities to Limited English Proficient (LEP) Persons (70 FR 74087, Dec. 14, 2005). This guidance clarifies the responsibilities of those receiving federal financial assistance from U.S. DOT and assists them in fulfilling their responsibilities to LEP persons, pursuant to Title VI and Executive Order 13166.
 - xx.x.x.x U.S. DOT Order 5610.2 to Address Environmental Justice in Minority Populations and Low-Income Populations and FTA Circular 4703.1 “Environmental Justice Policy Guidance for Federal Transit Administration Recipients.” The Circular provides Subrecipient with guidance and instructions necessary to carry out U.S. DOT Order 5610.2 to Address Environmental Justice in Minority Populations and Low-Income Populations, and Executive Order 12898 on Environmental Justice that describes the process that the Office of the Secretary of Transportation and each operating administration will use to incorporate environmental justice principles into existing programs, policies, and activities.

- xx.x.x Equal Opportunity Opportunity. Subrecipient agrees to comply with all equal employment opportunity (EEO) requirements of Title VII of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000e et seq.), and with 49 U.S.C. 5332 and any implementing regulations U.S. DOT may issue. Subrecipients that receive capital or operating assistance in excess of \$1 million or planning assistance in excess of \$250,000 and employ 50 or more transit-related employees must submit to MAPA an EEO plan consistent with the requirements set forth in FTA Circular 4704.1A.
- xx.x.x Nondiscrimination on the Basis of Sex. Subrecipient agrees to comply with all applicable requirements of Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681, et seq.), with U.S. DOT implementing regulations, “Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance,” 49 CFR Part 25.
- xx.x.x Nondiscrimination on the Basis of Age. Subrecipient agrees to comply with all applicable requirements of the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101 et seq.), and U.S. Department of Health and Human Services implementing regulations, “Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance,” (45 CFR Part 90), which prohibit discrimination against individuals on the basis of age. In addition, Subrecipient agrees to comply with all applicable requirements of the Age Discrimination in Employment Act, 29 U.S.C. 621 through 634, and Equal Employment Opportunity Commission (EEOC) implementing regulations, “Age Discrimination in Employment Act” (29 CFR Part 1625), which prohibit employment discrimination against individuals on the basis of age.
- xx.x.x Disadvantaged Business Enterprise (DBE). To the extent required by federal law, regulation, or directive, Subrecipient agrees to take the following measures to facilitate participation by DBEs:
 - xx.x.x.x Subrecipient agrees and assures that it will comply with U.S. DOT regulation, “Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs,” 49 CFR Part 26. Among other provisions, this regulation requires Subrecipient to ensure that DBE firms have a level competitive playing field and opportunity to participate in U.S. DOT-assisted contracts.
 - xx.x.x.x As required by 49 CFR Part 26 and approved by U.S. DOT, MAPA’s DBE Program is incorporated by reference and made part of this Agreement.

- xx.x.x.x Subrecipient understands and agrees that implementation of this DBE Program is a legal obligation, and that failure to carry out its terms shall be treated as a violation of this Agreement. Upon notification by U.S. DOT to MAPA and notification by MAPA to Subrecipient of a failure to implement its approved DBE Program, U.S. DOT may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001, and/or the Program Fraud Civil Remedies Act (31 U.S.C. 3801 et seq.).
- xx.x Failure of Subrecipient to carry out the requirements set forth in this Section will constitute a breach of this Agreement and, after the notification of the FTA, may result in withholding of payments to Subrecipient under this Agreement until Subrecipient complies, and/or cancellation, termination, or suspension of this Agreement, in whole or in part.

- xx.x Subrecipient must sign and submit to MAPA the following forms attached to this Agreement, prior to, or concurrently with, this Agreement: "Certificate of Nondiscrimination Assurances," and "Equal Employment Opportunity Certificate." In addition, Subrecipient must submit documentation of its DBE status if Subrecipient or any third-party contractors are certified as a DBE.

Appendix B: Title VI Complaint Form

Title VI Non-Discrimination Complaint Form

This form may be used to file a complaint with the Omaha-Council Bluffs Metropolitan Area Planning Agency (MAPA) pursuant to discrimination laws, rules and regulations, including, but not limited to, Title VI of the Civil Rights Act of 1964, Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency" and the Americans with Disabilities Act of 1990.

If you need assistance completing this form, please contact us by phone at 402-444-6866, and ask for a Title VI Coordinator or email civilrights@mapacog.org.

Feel free to add additional pages if necessary. You are not required to use this form; a signed letter that provides the same information is sufficient to file your complaint.

Complaints of discrimination must be filed within 180 days of the alleged discrimination.

This form MUST be completed by the complainant or the complainant's designated representative.

Complainant's Personal Information:

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone: (home/work) _____ (cell) _____

Email: _____

Name of the person completing this form, if different from above: _____

Your relationship to the complainant indicated above: _____

Alleged Discrimination – Details of Complaint

I. Identify the agency, department or program that discriminated:

Agency and/or department name: _____

Name of any individual, if known: _____

City: _____ State: _____ Zip Code: _____

Phone: (Work) _____

Date(s) of the alleged act: _____

Date alleged discrimination began: _____

Last or most recent date of alleged discrimination: _____

II. What is the basis for this complaint?

If your complaint is in regard to discrimination in the delivery of services or discrimination that involved the treatment of you or others by the agency or department indicated above, please indicate below the basis on which you believe these discriminatory actions were taken.

Example: If you believe that you are discriminated against because you are African American, you would mark the box labeled "Race/Color" and write "African American" in the space provided.

Example: If you believe the discrimination occurred because you are female, you would mark the box labeled "Gender" and write "female" in the space provided.

Check all that apply:

Race/Color_____

Age_____

Religion_____

Gender_____

National Origin_____

Disability_____

III. Explain what happened:

Please explain as clearly as possible what happened. Provide the name(s) of witnesses, fellow employees, supervisors, and others involved in the alleged discrimination. Please include all information that you feel is relevant to the investigation. (Attach additional sheets if necessary and provide a copy of any written materials pertaining to your complaint.)

IV. How can this/these issue(s) be resolved to your satisfaction?

V. What is the most convenient time and place for us to contact you about this complaint?

VI. If we are not able to reach you directly, please give us the name and phone number of a person who can reach you and/or provide information about your complaint:

Name: _____

Telephone Number: (____)_____

VII. If you have an attorney representing you concerning the matter raised in this complaint, please provide the following:

Name of Attorney: _____

Address: _____

Telephone Number: (____)_____

Email: _____

Your Signature

Date

Signature of Legal Representative

Date

Note: The laws enforced by this agency prohibit retaliation or intimidation against anyone because the individual has either taken action or participated in action to secure rights protected by these laws. If you experience retaliation or intimidation separate from the discrimination alleged in this complaint or if you have questions regarding the completion of this form, please contact:

*Title VI Coordinator
Omaha-Council Bluffs Metropolitan Area Planning Agency
2222 Cuming Street
Omaha, NE 68102
Phone: (402) 444-6866
Email: civilrights@mapacog.org*

Título VI No-Discriminación, Formulario de Queja (Español)

Este formulario se puede utilizar para presentar una queja ante la Agencia de Planificación del Área Metropolitana de Omaha-Council Bluffs (MAPA) conforme con las leyes, normas y reglamentos contra la discriminación, incluido, entre otros, el Título VI de la Ley de Derechos Civiles de 1964, Orden Ejecutiva. 13166, "Mejora del acceso a servicios para personas con dominio limitado del inglés" y la Ley de Estadounidenses con Discapacidades de 1990.

Si necesita ayuda para completar este formulario, comuníquese con nosotros por teléfono al 402-444-6866 y solicite un Coordinador del Título VI o envíe un correo electrónico a civilrights@mapacog.org.

Siéntase libre de agregar páginas adicionales si es necesario. No es necesario que utilice este formulario; una carta firmada que proporcione la misma información es suficiente para presentar su queja.

Las quejas por discriminación deben presentarse dentro de los 180 días posteriores a la presunta discriminación.

Este formulario DEBE ser completado por el denunciante o el representante designado del denunciante.

Información personal del denunciante:

Nombre: _____

Dirección: _____

Ciudad: _____ Estado: _____ Código postal: _____

Teléfono: (casa/trabajo) _____ (Teléfono móvil) _____

Correo Electrónico: _____

Nombre de la persona que completa este formulario, si es diferente al anterior:

Su relación con el denunciante indicado anteriormente: _____

Presunta discriminación: detalles de la denuncia

I. Identificar la agencia, departamento o programa que discriminó:

Nombre de la agencia y/o departamento: _____

Nombre de cualquier individuo, si se conoce: _____

Ciudad: _____ Estado: _____ Código postal: _____

Teléfono: (casa/trabajo) _____

Fecha(s) del presunto acto: _____

Fecha en que comenzó la presunta discriminación: _____

Última o más reciente fecha de presunta discriminación:_____

II. ¿Cuál es la base de esta denuncia?

Si su queja se refiere a discriminación en la prestación de servicios o discriminación que involucró el trato hacia usted u otros por parte de la agencia o departamento indicado anteriormente, indique a continuación la base sobre la cual cree que se tomaron estas acciones discriminatorias.

Ejemplo: si cree que lo discriminan por ser afroamericano, marque la casilla denominada "Raza/Color" y escriba "Afroamericano" en el espacio provisto.

Ejemplo: si cree que la discriminación se produjo porque es mujer, marque la casilla denominada "Género" y escriba "mujer" en el espacio provisto.

Marque todo lo que corresponda:

- Raza/Color_____
- Religión_____
- Origen Nacional_____
- Edad_____
- Género_____
- Discapacidad_____

III. Explica lo que sucedió:

Por favor explique lo más claramente posible lo que sucedió. Proporcione los nombres de los testigos, compañeros de trabajo, supervisores y otras personas involucradas en la presunta discriminación. Incluya toda la información que considere relevante para la investigación. (Adjunte hojas adicionales si es necesario y proporcione una copia de cualquier material escrito relacionado con su queja).

IV. ¿Cómo se pueden resolver este/estos problemas de forma satisfactoria?

V. ¿Cuál es el momento y lugar más conveniente para que nos comuniquemos con usted sobre esta queja?

VI. Si no podemos comunicarnos con usted directamente, proporciónenos el nombre y número de teléfono de una persona que pueda comunicarse con usted y/o proporcionar información sobre su queja:

Nombre: _____

Teléfono: (____)_____

VII. Si tiene un abogado que lo representa con respecto al asunto planteado en esta queja, proporcione lo siguiente:

Nombre del abogado: _____

Dirección: _____

Teléfono: (____)_____

Correo Electrónico: _____

Tu firma

Fecha

Firma del Representante Legal

Fecha

Nota: Las leyes aplicadas por esta agencia prohíben las represalias o la intimidación contra cualquier persona porque el individuo haya tomado medidas o participado en acciones para garantizar los derechos protegidos por estas leyes. Si sufre represalias o intimidación aparte de la discriminación alegada en esta queja o si tiene preguntas sobre cómo completar este formulario, comuníquese con:

Title VI Coordinator
Omaha-Council Bluffs Metropolitan Area Planning Agency
2222 Cuming Street
Omaha, NE 68102
Teléfono: (402) 444-6866
Correo electrónico: civilrights@mapacog.org

Appendix C: Title VI Notice and Accommodation Policy Statements

Title VI Notice

The paragraph below will be inserted into all significant publications that are distributed to the public, such as future versions and updates of the Metropolitan Transportation Plan (MTP), and the Public Participation Plan (PPP). The text is placed permanently in the MAPA lobby and on the agency's website (www.mapacog.org). The version below is the preferred text, but where space is limited or in publications where cost is an issue, an abbreviated version can be used in its place.

Notice to the Public - Rights under Title VI

The Omaha-Council Bluffs Metropolitan Area Planning Agency (MAPA) assures that no person shall on the grounds of race, color, national origin, age, disability, or sex, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (P.L. 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance. MAPA further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

In the event that MAPA distributes Federal aid funds to another entity, MAPA will include Title VI language in all written agreements and will monitor compliance.

MAPA's Title VI Coordinator is responsible for initiating and monitoring Title VI activities, preparing reports, and other responsibilities as required by Title 23 of the Code of Federal Regulations (CFR) 200 and 49 CFR 21.

Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with MAPA. Any such complaint must be in writing and filed with MAPA's Title VI Coordinator within one hundred eighty (180) days following the date of the alleged discriminatory occurrence. For more information, or to obtain a Title VI Discrimination Complaint Form, please see our web site at mapacog.org or contact the Title VI coordinator:

Omaha-Council Bluffs Metropolitan Area Planning Agency
 Title VI Coordinator
 2222 Cuming Street
 Omaha, NE 68102
 Phone: (402) 444-6866
 Email: civilrights@mapacog.org

Si necesita ayuda con la traducción, comuníquese con la oficina de MAPA utilizando la información de contacto a continuación.

Phone/Teléfono: 402-444-6866

Email/Correo electrónico: mapa@mapacog.org

A shortened version of the above paragraph, such as the example below, may be used in publications where space or cost is an issue:

MAPA programs do not discriminate against anyone on the basis of race, color or national origin, age, disability, or sex, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987. To view or file a Title VI complaint, please contact the MAPA office at 402-444-6866 and ask for the Title VI Coordinator or email civilrights@mapacog.org.

Si necesita ayuda con la traducción, comuníquese con la oficina de MAPA utilizando la información de contacto a continuación.

Phone/Teléfono: 402-444-6866

Email/Correo electrónico: mapa@mapacog.org

Accommodation Policy Statement

When distributing a public notice for a public meeting, the statement below will be included to notify the public of the opportunity to request accommodations or translation services. A copy of this statement is maintained in MAPA's Public Participation Plan.

PUBLIC NOTICE ACCOMMODATION POLICY STATEMENT

Public Meetings of the Metropolitan Area Planning Agency and Regional Planning Affiliation 18 are conducted in compliance with the Nebraska and/or Iowa Statutes of the Open Meetings Act.

Auxiliary aids, language assistance, and other services are available when requested at least three (3) working days prior to the meeting so appropriate arrangements can be made.

For inquiries about public facility access, language, hearing and or sight accommodations, please contact the MAPA office using the information below.

To view or file a Title VI or ADA complaint, please contact the MAPA office at 402-444-6866 and ask for the Title VI Coordinator or email civilrights@mapacog.org.

Si necesita ayuda con la traducción, comuníquese con la oficina de MAPA utilizando la información de contacto a continuación.

Phone/Teléfono: 402-444-6866
Email/Correo electrónico: mapa@mapacog.org

Appendix D: Summary of Comments

This draft document was opened for public comment from December 12, 2024 through January 6th, 2025. No comments were received.