

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

Adopted by the MIC Policy Board December 12, 2018

Duluth-Superior



Metropolitan Interstate Council

TITLE VI NON-DISCRIMINATION PROGRAM AND LIMITED-ENGLISH PROFICIENCY PLAN

All questions, comments, or requests for documents and services, or to request this document in an alternate format or in another language, may be directed via phone, e-mail, or in person to:

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Duluth-Superior Metropolitan Interstate Council
A division of the Arrowhead Regional Development Commission
221 West First Street, Duluth MN 55802

This Title VI Plan and other MIC documents, meeting minutes and agendas, and other information may also be obtained on our website at www.dsmic.org.



*Duluth-Superior area communities cooperating in
planning and development through a joint venture of
the Arrowhead Regional Development Commission and
the Northwest Regional Planning Commission*



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The MIC fully complies with the Title VI of the Civil Rights Act of 1964 and related statutes and regulations prohibiting discrimination on the basis of race, color and national origin in all programs and activities. For more information about the MIC's Title VI program or to file a complaint, please see dsmic.org/titlevi-policy, call (218) 529-7506, mail or visit our office in person at 221 West First Street, Duluth, MN, 55802.

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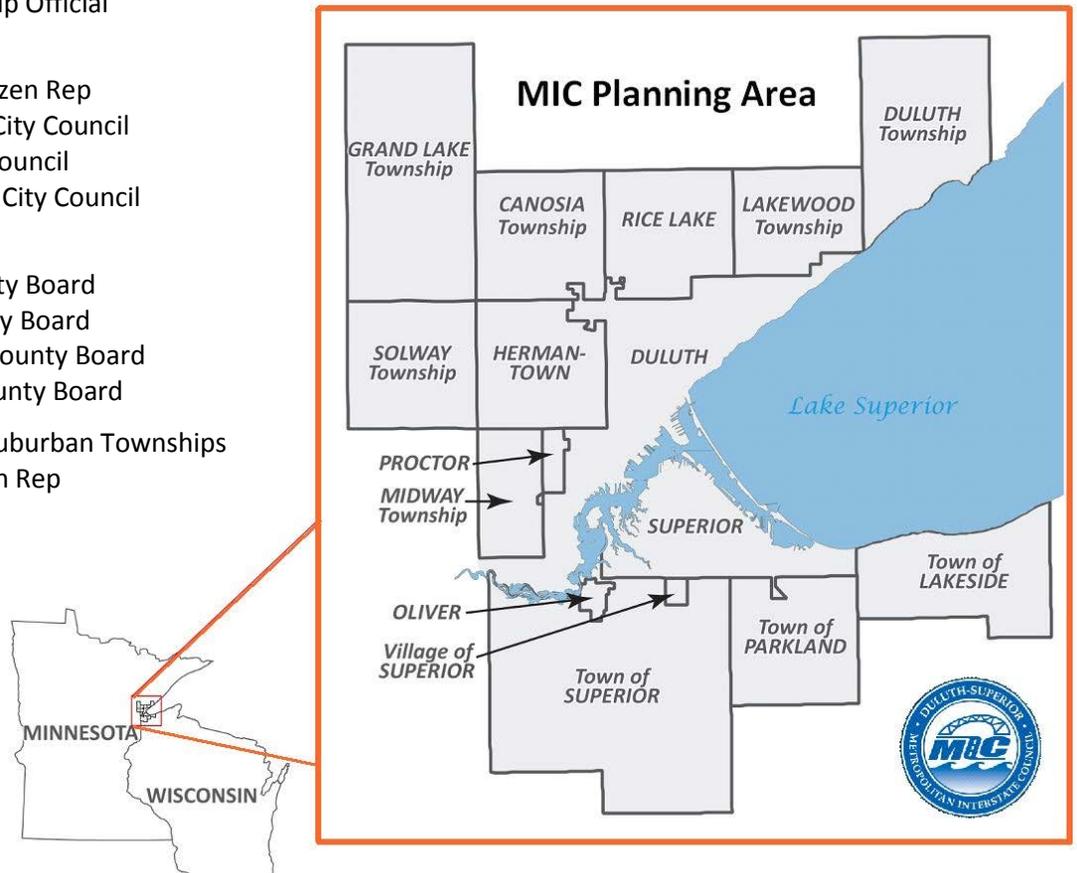


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Title VI Non-Discrimination Program

Introduction

The Duluth-Superior Metropolitan Interstate Council (MIC), a division of the Arrowhead Regional Development Commission (ARDC), is the designated Metropolitan Planning Organization (MPO) for the greater Duluth, MN–Superior, WI metropolitan area.

An MPO is a transportation policy-making organization comprised of representatives from local government and transportation authorities. The Federal Surface Transportation Assistance Act of 1973 requires the formation of an MPO for any urbanized area with a population greater than 50,000. The Act required, as a condition for federal transportation financial assistance, that transportation projects be based upon a continuing and comprehensive planning process undertaken cooperatively by state and local governments. This is known as the “3-C” planning process.

The MIC serves a bi-state area with a 641 square mile planning region that includes two counties, five cities, nine townships and two villages. The MIC is governed by an 18-member Policy Board comprised of elected officials from the cities and counties within the MIC’s planning area. In addition, two citizen members, representing the outer townships in both states, as well as a representative from the Duluth Transit Authority Board, serve on the Policy Board.

As a subrecipient of federal funds administered by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) from the states of Minnesota and Wisconsin, the MIC is required to comply with Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987, in accordance with the U.S. Department of Transportation Title VI regulations (49 CFR part 21) and to integrate into its programs and activities considerations expressed in the Department’s Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (“LEP”) Persons (70 FR 74087, December 14, 2005).

The purpose of these regulations is to assure that no person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity administered by the MIC.

In addition, the MIC will provide meaningful access to services for persons with Limited English Proficiency.

Title VI and Other Nondiscrimination Authorities

Section 601 of Title VI of the Civil Rights Act of 1964 declares it to be the policy of the United States that “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

Consistent with this policy, and in accordance with section 602 of Title VI, codified as amended at 42 U.S.C. § 2000d-1, the Department of Justice promulgated regulations prohibiting recipients of federal funds from “utilizing criteria or methods of administration which have the effect of subjecting individuals to discrimination because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program as respects individuals of a particular race, color, or national origin.” 28 C.F.R. § 42.104(b)(2). The United States Department of Transportation later promulgated nearly identical regulations - See 49 C.F.R. § 21.5(b) (vii) (2)

To further clarify rights protected by Title VI, President William J. Clinton, on August 11, 2000, issued Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency. Executive Order 13166 requires each federal agency to examine its programs and activities and to develop and to implement plans by which LEP persons can meaningfully access those programs and activities. That Executive Order includes the statement below.

“Each Federal Agency shall prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons. Each plan shall be consistent with the standards set forth in the LEP Guidance, and shall include the steps the agency will take to ensure that eligible LEP persons can meaningfully access the agency’s programs and activities.”

The following matrix illustrates and summarizes these laws, policies and considerations:

Title VI of the Civil Rights Act of 1964	Limited English Proficiency Executive Order 13166
Federal Laws and Rules	Federal Policy
Enacted in 1964, 1970, 1973, 1975, 1987, 1990	Promulgated in August 2000
Consider all persons	Considers eligible population
Contain monitoring and oversight compliance review requirements	Contains monitoring and oversight compliance review requirements
Provide protection based on race, color,	Provides protection based on limited English
Focus on eliminating discrimination in federally funded programs	Focuses on providing LEP persons with meaningful access to services using “four factor” criteria

MIC Title VI Policy Statement

The Duluth-Superior Metropolitan Interstate Council (MIC) is committed to compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and all related regulations and statutes. The MIC assures that no person or group(s) of persons shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all program, services, or activities administered by ROCOG, regardless of whether those programs and activities are federally funded or not.

In addition, the MIC will provide meaningful access to services for persons with Limited English Proficiency.

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

The Director of the MIC or his/her designees is responsible for initiating and monitoring Title VI activities, preparing reports and other responsibilities as required by 23 Code of Federal Regulations (CFR) 200 and 49 CFR 21.



Ron Chicka, MIC Director

December 12, 2019

Date



Frank Jewell, Minnesota Co-Chair

December 12, 2019

Date



Nick Baker, Wisconsin Co-Chair

December 12, 2019

Date

Public Notice of Rights Under Title VI

The paragraph below is inserted into all significant publications by the MIC that are distributed to the public, such as the Long Range Transportation Plan and the Transportation Improvement Programs for the Duluth and Superior Metropolitan Areas. The text is available on the MIC's website and is posted in the MIC's office located at 221 West First Street, Duluth, MN 55802. The version below is the preferred text, but where space is limited or in publications where cost is an issue, the abbreviated version can be used in its place.

The Duluth-Superior Metropolitan Interstate Council (MIC) operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes he or she has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the MIC.

For more information on the MIC's Title VI program and the procedures to file a complaint, contact MIC Director Ron Chicka at rchicka@ardc.org, by phone at (218) 529-7506, by mail or by visiting in person at the MIC office, located at 221 West First Street, Duluth, MN 55806. Complaint instructions and forms can also be found in the Title VI Non-Discrimination Program and Limited-English Proficiency Plan online at dsmic.org/titlevi-policy.

If you would like a hard copy of the complaint instructions and/or forms mailed or emailed to you, or if Title VI information is needed in another language or another format, please contact the MIC office.

Abbreviated Title VI Notice to the Public

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

The MIC fully complies with the Title VI of the Civil Rights Act of 1964 and related statutes and regulations prohibiting discrimination on the basis of race, color and national origin in all programs and activities. For more information about the MIC's Title VI program or to file a complaint, please see www.dsmic.org/titlevi-policy, call (218) 529-7506, or mail or visit our office in person at 221 West First Street, Duluth, MN, 55802.

Title VI Discrimination Complaint Procedure

Any person, group or firm that believes it has been discriminated against on the basis of race, color, or national origin by the MIC may file a Title VI complaint.

Scope of Title VI Complaints

The scope of Title VI covers all MIC activities. Adverse impacts resulting in Title VI complaints can arise from many sources, including advertising, bidding, and contracts. Complaints can originate from individuals or firms alleging inability to bid upon or obtain a contract with MIC for the furnishing of goods and/or services. Examples include advertising for bid proposals; prequalification or qualification; bid proposals and awards; selection of contractors, subcontractors, material and equipment suppliers, lessors, vendors, consultants, etc.

Complaints can also originate as a result of project impacts on individuals or groups. Examples of these impacts include social and economic, traffic, noise, air quality, access, accidents, and failure to maintain facilities.

Title VI Formal Complaint Procedure

The MIC's Complaint Procedure is detailed in this document in Appendix B. The MIC's Title VI Complaint Form must be used (Appendix C). The Complaint Procedure and Complaint Form are also posted on the [MIC's website](#) and at the MIC office.

A complaint alleging discrimination must be filed within 180 days of the alleged discrimination.

At the discretion of the party alleging discrimination, the complaint may be filed with the MIC, the Minnesota Department of Transportation, or the U.S. Department of Transportation.

Title VI Investigations, Complaints or Lawsuits

The MIC shall prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin:

- Active investigations conducted by FTA and entities other than FTA Lawsuits and
- Complaints naming the recipient.

This list shall include the date that the Title VI investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient in response, or final findings related to the investigation, lawsuit, or complaint.

As of December 12, 2018, there are no such complaints, lawsuits or active investigations against the Duluth-Superior Metropolitan Interstate Council (MIC).

Promoting Inclusive Public Participation

The MIC pursues meaningful and continued public participation in the three categories of transportation planning listed below in order to determine the region's transportation vision and future goals.

- Implementing policy (i.e. Public Involvement Plan)
- Developing and amending plans and programs (i.e. Long-Range Transportation Plan & Transportation Improvement Programs)
- Conducting general transportation plans and studies (i.e. neighborhood or corridor studies; modal plans such as the area Truck Route Study and Bikeways Plan)

To comply with Federal Policy 23 CFR Section 450.316 and MAP-21 requirements, as well as to provide structure, consistency and accountability in its public involvement processes, the MIC maintains and conducts its planning activities in accordance with a Public Involvement Plan (PIP), available on the MIC website at dsmic.org/study/public-involvement-plan-2018.

The MIC's Title VI Program is integrated into the PIP by reference.

Providing Meaningful Access to Limited-English Proficient (LEP) Persons

See the Limited-English Proficiency Plan later in this document.

Encouraging Minority Representation on Planning and Advisory Bodies

The MIC Policy Board is the sole decision-making body of the Duluth-Superior Metropolitan Interstate Council. The MIC Board is primarily comprised of elected officials who represent each jurisdiction in the MIC planning area, but also includes two citizen representatives who are appointed by elected officials and a member of the Duluth Transit Authority Board. Minority representation is therefore mostly under the control of the electorate. However, when asking jurisdictions to appoint city/county council members or citizen representatives, we encourage them to consider appointing minority members (in addition to having an interest in multimodal transportation planning activities).

All other MIC committees — the Transportation Advisory Committee (TAC), the Harbor Technical Advisory Committee (HTAC), and the Bike-Pedestrian Advisory Committee (BPAC) — serve in an advisory capacity to the Policy Board. Members of the advisory committees are recruited by MIC staff based on their roles as engineers, planners, or administrators for their respective jurisdictions for the TAC; or as mode-focused stakeholders for the HTAC and BPAC. MIC staff also actively encourages participation in the work of these groups by maintaining updated contact information and sending meeting notices to interested individuals and groups, posting notices on the MIC’s website and social media outlets, and other techniques as outlined in the Public Involvement Plan. Contacts are maintained in e-mail distribution lists and mailing address lists.

Minority representation on the MIC Policy Board and its advisory committees is illustrated in Table 1.

Table 1: Minority Composition of MIC Policy Board and Advisory Committees (2018)

Committee	Race						
	Non Hispanic White	Black or African American	American Indian/ Alaska Native	Asian	Native Hawaiian/ Pacific Islander	Hispanic or Latino	Some Other Race
Policy Board	89%	0%	11%	0%	0%	0%	0%
Transportation Advisory Committee	100%	0%	0%	0%	0%	0%	0%
Harbor Technical Advisory Committee	100%	0%	0%	0%	0%	0%	0%
Bicycle and Pedestrian Advisory Committee	100%	0%	0%	0%	0%	0%	0%

Source: Committee Survey (2018)

Planning Process to Identify and Consider the Mobility Needs of Minority and Underserved Populations

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

Public Outreach

Public outreach involves inviting members of minority organizations to participate on our committees and in planning activities (i.e. public input meetings, focus groups). If a particular group of people is not participating as indicated by low turnout at public meetings and other events, we will attempt to evaluate why they are not (timing of meeting, lack of child care, mobility barriers etc.) and develop solutions to bridge those barriers.

The MIC's Public Involvement Plan defines the processes and techniques used to proactively “seek out and consider” the needs and interests of historically underserved people, groups and communities. This includes those people such as the disabled, low income and minorities that have been historically underserved by the transportation system (highway and transit), policies and investments. “Historically underserved” means they have not had comparable transportation access (to employment, recreation,

goods and services to meet local residential needs) as other groups have. The MIC's planning processes seek to avoid excessive negative impacts on these groups.

We have established working relationships with area advocacy groups that work with historically underserved populations, including Community Action Duluth and the Local Initiatives Support Corporation (LISC). Depending on the location and focus of our projects, we will ask these organizations to reach out to the people they work with about our projects, by sending emails and other communications such as meeting invitations and project overview sheets.

Demographic Profile of the Metropolitan Area

The Duluth-Superior metropolitan area is not racially diverse compared to many other metro areas nationwide. As shown in Table 2, below, the area's population is predominately White (92%). There are signs, however, that the Duluth-Superior metro is slowly becoming more racially diverse. For instance, in 2010 and 2015, Whites represented 92% of the population, as opposed to 94% in 2000.

Those identified as Hispanic or Latino represent 1.6% of total population in 2015 (Table 3), which although has slightly increased from 2010 when the Hispanic or Latino population was 1%, is much lower than the US population of 17%, and the 5% and 6% reported for the states of Minnesota and Wisconsin, respectively.

Table 2: MIC-Area Population by Race (2015)

Geographic Area	Total	White	Black or African American	American Indian & Alaska Native	Asian	Native Hawaiian & Pacific Islander	Some other race	Two or more races:
United States	316,515,021	232,943,055	39,908,095	2,569,170	16,235,305	546,255	14,865,258	9,447,883
Minnesota	5,419,171	4,594,367	299,176	56,561	240,786	1,970	82,085	144,226
Wisconsin	5,742,117	4,967,124	360,792	50,449	143,732	1,233	96,057	122,730
St. Louis County, MN	200,506	185,808	3,101	3,831	2,066	81	429	5,190
Douglas County, WI	43,799	40,710	483	709	498	2	116	1,281
MIC Area (MN)	115,719	106,208	2,735	1,709	1,536	57	302	3,172
<i>Duluth city</i>	<i>86,178</i>	<i>78,034</i>	<i>2,321</i>	<i>1,465</i>	<i>1,376</i>	<i>47</i>	<i>159</i>	<i>2,776</i>
<i>Hermantown city</i>	<i>9,627</i>	<i>8,920</i>	<i>331</i>	<i>136</i>	<i>18</i>	<i>0</i>	<i>116</i>	<i>106</i>
<i>Proctor city</i>	<i>3,060</i>	<i>2,958</i>	<i>8</i>	<i>0</i>	<i>69</i>	<i>10</i>	<i>0</i>	<i>15</i>
<i>Rice Lake township</i>	<i>4,119</i>	<i>3,982</i>	<i>15</i>	<i>49</i>	<i>19</i>	<i>0</i>	<i>0</i>	<i>54</i>
<i>Grand Lake township</i>	<i>2,789</i>	<i>2,673</i>	<i>22</i>	<i>10</i>	<i>16</i>	<i>0</i>	<i>8</i>	<i>60</i>
<i>Lakewood township</i>	<i>2,449</i>	<i>2,360</i>	<i>0</i>	<i>22</i>	<i>30</i>	<i>0</i>	<i>5</i>	<i>32</i>
<i>Canosia township</i>	<i>2,213</i>	<i>2,129</i>	<i>16</i>	<i>4</i>	<i>0</i>	<i>0</i>	<i>10</i>	<i>54</i>
<i>Solway township</i>	<i>1,919</i>	<i>1,882</i>	<i>0</i>	<i>11</i>	<i>8</i>	<i>0</i>	<i>0</i>	<i>18</i>
<i>Duluth township</i>	<i>1,872</i>	<i>1,818</i>	<i>22</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>4</i>	<i>28</i>
<i>Midway township</i>	<i>1,493</i>	<i>1,452</i>	<i>0</i>	<i>12</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>29</i>
MIC (WI)	31,822	29,402	441	508	452	0	94	925
<i>Superior city</i>	<i>26,817</i>	<i>24,653</i>	<i>409</i>	<i>379</i>	<i>436</i>	<i>0</i>	<i>85</i>	<i>855</i>
<i>Superior town</i>	<i>2,035</i>	<i>1,959</i>	<i>0</i>	<i>59</i>	<i>0</i>	<i>0</i>	<i>5</i>	<i>12</i>
<i>Parkland town</i>	<i>1,330</i>	<i>1,237</i>	<i>28</i>	<i>54</i>	<i>8</i>	<i>0</i>	<i>0</i>	<i>3</i>
<i>Lakeside town</i>	<i>581</i>	<i>557</i>	<i>2</i>	<i>6</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>16</i>
<i>Superior village</i>	<i>700</i>	<i>678</i>	<i>2</i>	<i>10</i>	<i>4</i>	<i>0</i>	<i>4</i>	<i>2</i>
<i>Oliver village</i>	<i>359</i>	<i>318</i>	<i>0</i>	<i>0</i>	<i>4</i>	<i>0</i>	<i>0</i>	<i>37</i>
Total MIC	147,541	135,610	3,176	2,217	1,988	57	396	4,097
		92%	2%	1.5%	1.3%	>.05%	>.05%	2.8%

Source: American Community Survey (2015).

Language

As presented in Table 3, below, 2% of the MIC area’s population speaks English less than “Very Well” which is markedly lower than the 9% reported nationally in the 2010 Census, and less than the 4% and 3% reported for the states of Minnesota and Wisconsin.

Table 3: Hispanic or Latino Origin; Population Speaking English less than “Very Well” (2015)

Geographic Area	Total	Hispanic or Latino	Population (any ethnicity) speaking English less than “very well”	
United States	316,515,021	54,232,205	17%	9%
Minnesota	5,419,171	270,984	5%	4%
Wisconsin	5,742,117	364,558	6%	3%
St. Louis County, MN	200,506	2,851	1%	1%
Douglas County, WI	43,799	588	1%	1%
Total MIC	147,541	2,493	1.6%	2%

Source: ACS (2015)

Federally-Funded MIC-Area Transportation Projects

GIS analysis is used to identify the locations of minority persons. Map 1 (next page) identifies the high-concentration areas of minority and low-income populations in the Duluth-Superior metropolitan area and shows their location relative to the federally-funded transportation projects that are programmed in the TIP for the next four years.

Transit Investments

Table 4, below, shows the Duluth Transit Authority’s (DTA’s) annual funding levels based on the previous 4-year TIP. When compared with the funding requests shown in Table 5, the DTA’s programmed investments for years 2019-2022 are expected to be higher than historic spending due to commitments from MnDOT. The increase is mainly in the operations and maintenance category.

In addition, a 2-year pilot program funded through MnDOT has allowed the DTA to expand service and introduce several new routes within the Duluth area. The service expansion is programmed in the TIP for 2018 and 2019. Additional funding may be needed to continue providing service to those areas being served during the pilot program.

Table 4: Funding for Transit, 2015-2018 (millions of dollars)

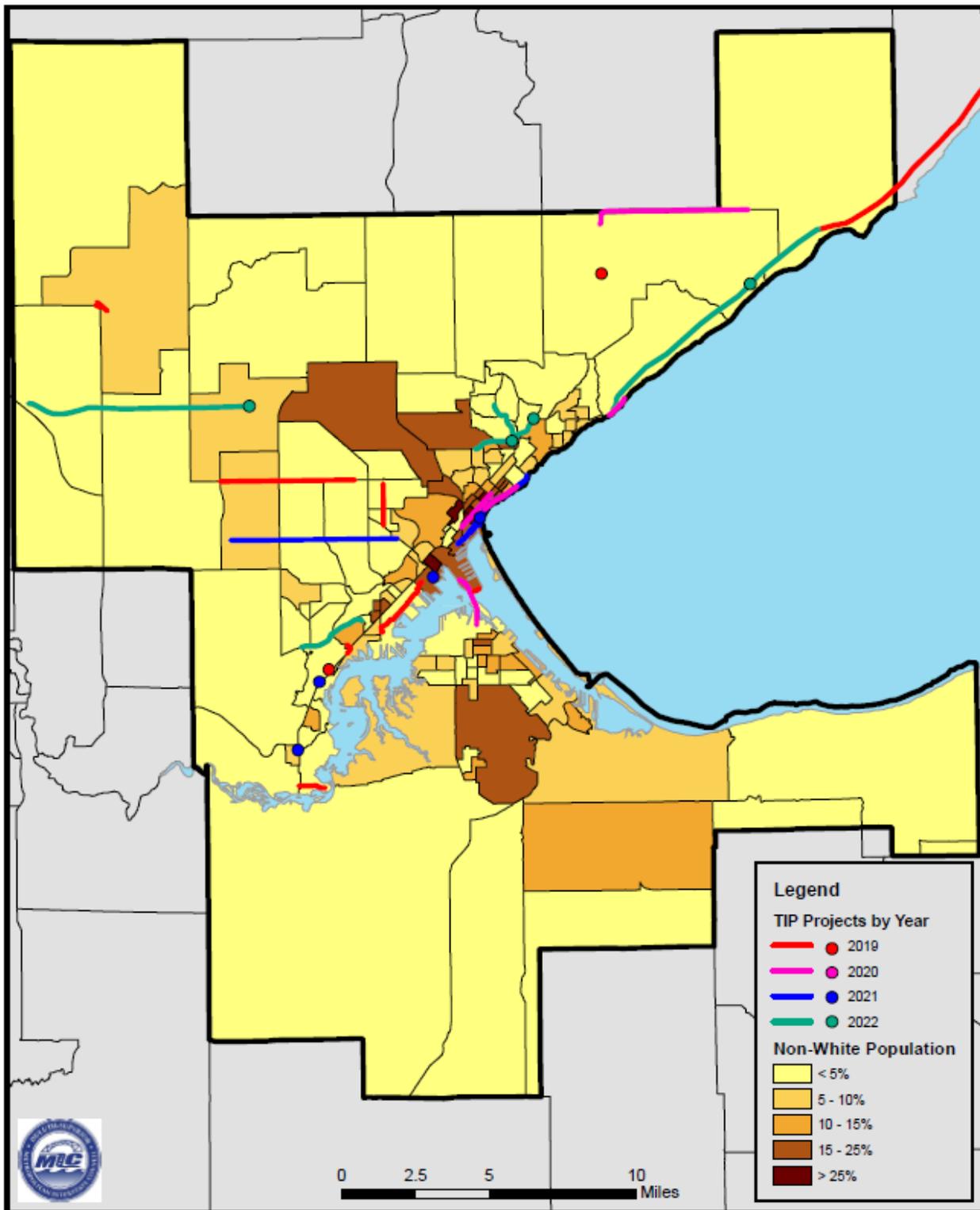
Expenditure	2015	2016	2017	2018	Total
Operations & Maintenance	11.65	11.67	14.7	15.8	53.82
Capital Outlay	0.9	0.88	2.7	3.14	7.62
Bus Purchases	0	4.71	5.7	0.82	11.23
TOTAL	\$12.55	\$17.26	\$23.10	\$19.76	\$72.67

Table 5: Funding for Transit, 2019-2022 Duluth Area TIP (millions of dollars)

Expenditure	2019	2020	2021	2022	Total
Operations & Maintenance	16.06	16.25	16.44	16.63	\$65.38
Capital Outlay	0.9	1.9	0.95	0.45	\$4.20
Bus Purchases	4.6	0	4.7	1.65	\$10.95
TOTAL	\$21.56	\$18.15	\$22.09	\$18.73	\$80.53

Map 1: Federally Funded Transportation Projects 2019-2022

Non-White Population by Census Blocks



Analysis of Impacts of MIC-Area Transportation Projects on Minority Population

Considerations of race, ethnicity, and language are important in the planning and provision of transportation services. These considerations fall under the *Environmental Justice* analysis and *Community Impact Assessment* included in the MIC's annual Transportation Improvement Programs (TIPs) for the Duluth and Superior metropolitan areas, as well as its Long Range Transportation Plan (LRTP), which is updated every five years and has a 20-year outlook.

While it is difficult to make significant improvements to transportation systems without causing impacts of one form or another, the concern is whether proposed projects negatively affect the health or environment of historically disadvantaged (low-income or minority) populations. In the past, the impacts on these groups were often overlooked as potential criteria for project evaluation.

Environmental Justice is the public policy goal of ensuring that minority and low-income populations do not bear disproportionately high level of negative impacts as a result of government activities – which includes federally-funded transportation projects. The MIC also analyzes impacts on people age 65 and older.

The community impact assessment of the projects programmed in the current TIP shows that no projects have a direct or disproportionately negative impact on minority populations.

33 projects are at least partially located in these areas, most of which are basic resurfacing, infrastructure rehabilitation projects, safety, or ITS projects that will have no significant alterations made to the existing road widths and are expected, instead, to benefit those areas.

MnDOT's Twin Ports Interchange project is a multi-year project with a very large investment that is anticipated to have impacts on the adjacent neighborhoods. The current infrastructure is one that has historically had an impact to the economics of the Lincoln Park Business district and poses a continued threat from reconstruction.

When the interstate was built, the Lincoln Park Business District was bypassed with circuitous exit ramps leading into the area. When this happened, the neighborhood lost connections and traffic that was vital to its success. Some areas of the current infrastructures make for an unpleasant environment and has created areas that people consider unsafe. An expected positive impact of the project is ungraded infrastructure that should reduce the number of large freight trucks moving through the commercial district from the Port area. Design, access, and landscaping are also expected to help mitigate some negatives of the project, but details are not known yet. The MIC is strongly recommending continued coordination between MnDOT and the neighborhood to determine mitigation strategies, as well as to review and incorporate recommendations from the MIC's 2016 *Lincoln Park Multimodal Transportation Study*.

The City of Duluth's Cross City Trail project (118-090-019 & 118-090-018) (#4 & #8 on map) - represent the extension or creation of a paved, multi-use trails in West Duluth. As planned, the projects will connect vital gaps in the Cross City Trail and should provide better continuous connections within West Duluth. The project is expected to benefit, rather than hinder, low-income individuals living in the area.

MnDOT's 2022 I-35 reconstruction on Thompson Hill is not expected to have any long term negative impacts.

Limited-English Proficiency Plan

Introduction

This Limited English Proficiency Plan has been prepared to address the Duluth-Superior Metropolitan Interstate Council's (MIC's) responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English proficiency language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq., and its implementing regulations, which state that no person shall be subjected to discrimination on the basis of race, color or national origin.

Executive Order 13166, titled Improving Access to Services for Persons with Limited English Proficiency, indicates that differing treatment based upon a person's inability to speak, read, write or understand English is a type of national origin discrimination. It directs each agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies which receive federal funds, including the MIC.

Plan Summary

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

Meaningful Access: Four Factor Analysis

To prepare this plan, the MIC used the four-factor LEP analysis which considers the following factors:

Factor 1: The number or proportion of LEP persons in the service area who may be served or are likely to require MIC services.

As presented in Table 2, below, only 2% of the MIC area's population speaks English less than "Very Well" which is markedly lower than the 9% reported nationally in the 2010 Census, and less than the 4% and 3% reported for the states of Minnesota and Wisconsin, respectively.

Table 2: Hispanic or Latino Origin; Population Speaking English less than "Very Well" (2015)

Geographic Area	Total	Hispanic or Latino		Population (any ethnicity) speaking English less than "very well" *
United States	316,515,021	54,232,205	17%	9%
Minnesota	5,419,171	270,984	5%	4%
Wisconsin	5,742,117	364,558	6%	3%
St. Louis County, MN	200,506	2,851	1%	1%
Douglas County, WI	43,799	588	1%	1%
Total MIC	147,541	2,493	1.6%	2%

Source: American Community Survey (2015)

Among persons speaking English less than "very well," the most common languages are Spanish (451 individuals); Chinese (328); German (197); Polish (136); and Vietnamese (108).

Factor 2: The frequency with which LEP persons come in contact with MIC services or programs.

The MIC reviewed the frequency with which its staff, Policy Board, and contractors have, or could have, contact with LEP persons in the conduct of MIC-sponsored activities. LEP individuals are most likely to encounter the MIC through public meetings and other general public involvement opportunities, as well as phone inquiries or office visits. Since its inception, MIC staff, Policy Board, and contractors have had no requests for interpreters and no requests for translated program documents in any setting.

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

Involvement in the MIC's planning activities by citizens is voluntary and not considered a vital, immediate, or emergency direct service. The MIC is responsible for metropolitan multimodal transportation planning and programming in the region. It uses a continuous, cooperative and comprehensive planning process that identifies the region's needs and sets priorities for the future, and encourages all members of the public, including LEP individuals, to become involved. The techniques and processes the MIC uses to ensure broad public participation are detailed in the MIC's [Public Involvement Plan](#).

The impacts of federally-funded transportation investments in the Duluth-Superior area are monitored and assessed annually in its Transportation Improvement Programs. As noted in the discussion on page 10, the upcoming four-year program of projects will have no significant or disproportionate negative impacts and are expected, instead, to provide positive transportation improvements for community members in proximity to those projects.

Factor 4: The resources available to MIC and overall cost to provide LEP assistance.

As noted in #1, above, there is no large geographic concentration of any type of LEP individuals in the MIC planning area. The overwhelming majority of the population, 98%, is proficient in English. As a result, there are few social, service, or other organizations within the area that focus on outreach to LEP individuals.

Given the small size of the LEP population and our financial constraints, full multi-language translations of our planning and meeting documents are not warranted at this time, but could be made available on a case by case basis upon request. We will contact local units of government to determine the source of services available for translation or interpretation.

Language Assistance

In order to provide needed language assistance, it is necessary for the MIC to be able to identify LEP persons and to provide reasonable measures to assist those individuals with their language assistance needs. Language assistance can include interpretation, which means oral or spoken transfer of a message from one language into another language, and/or translation, which means the written transfer of a message from one language into another language.

Measures the MIC may use to notify and identify LEP persons include:

- Post a notice in a conspicuous and accessible place in the MIC office of the LEP Plan and of the availability of interpretation or translation services
- Post the LEP on the MIC website
- Greet participants as they arrive at MIC-sponsored informational meetings or events. By informally engaging participants in conversation or by using language identification flashcards (next bullet point), it is possible to gauge each attendee's ability to speak and understand

English. Although translation may not be able to be provided at the event it will help identify the need for future events.

- Make language identification flashcards (see Appendix D) available at public meetings and other community input events.
- Survey MIC staff periodically on their experience concerning any contacts with LEP persons during the previous year.

Language Assistance Measures

Although there is a low percentage of LEP individuals in the MIC area, the MIC will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating in English. The following resources will be available to accommodate LEP persons:

- Interpretive services, within reason, will be provided for public meetings if advance notice is provided to MIC and such services are readily available.
- MIC will make translated versions (or provide for the interpretation of relevant sections) of all documents/publications available upon request, within a reasonable time frame if resources permit.

Staff Training

MIC will take steps to insure staff has appropriate training and resources available to assist LEP individuals. These steps include:

- Provide staff with information on the Title VI Policy and LEP responsibilities
- Provide staff with information on the use of ISPEAK language identification cards
- Train staff on how to document language assistance requests
- Train staff on how to handle potential Title VI/LEP complaints

Contractors/Consultants

All contractors or subcontractors performing work for MIC will be required to follow Title VI/LEP guidelines. Such assurance will be made at the time of establishing the contract.

Translation of Documents

Given the expense of translating documents, the likelihood of frequent changes and other relevant factors, MIC policy is to consider the translation of documents (or portions thereof) on a case by case basis, as requested.

The MIC can utilize Google's Translate program, located at <http://translate.google.com>, to provide users with HTML content in other languages. This resource is an imperfect system, but has a potential to provide enough information for an LEP individual or group to gain an initial understanding of MIC documents in response to an initial contact. Outside of those services, because MIC staff is small and does not possess in-house translation capabilities or expertise, MIC staff can only assist LEP persons, but cannot accurately assess or guarantee the accuracy of translation services provided by others.

Monitoring

The MIC will update the LEP Plan annually with its self-certification procedure per 23 CFR 450.334. An annual review and update will include the following:

- The number of documented LEP person contacts encountered annually
- How the needs of LEP persons have been addressed
- Determination of the current LEP population in the service area
- Determination whether the need for translation services has changed

- Determine whether local language assistance programs have been effective and sufficient to meet the need
- Determine whether The MIC's financial resources are sufficient to fund language assistance resources needed
- Determine whether The MIC fully complies with the goals of this LEP Plan
- Determine whether complaints have been received concerning the agency's failure to meet the needs of LEP individuals
- Maintain a Title VI complaint log, including LEP to determine issues and basis of complaints

Dissemination of the MIC's LEP Plan

The MIC will make good faith efforts to notify the public that a LEP Plan and language assistance is available through the following means:

- Post a notice in a conspicuous and accessible place in the MIC office of the LEP Plan and of the availability of interpretation or translation services
- Post the LEP on the MIC website
- Include as part of public notices and related materials that LEP person needing interpretative service need to contact the MIC:

"The MIC will make a good faith effort to accommodate requests for translation services for meeting proceedings and related materials. Please contact the MIC's Communications Coordinator at (218) 529-7511 at least five days in advance of the meeting if any special accommodations are required for any member of the public to be able to participate in this meeting."

Appendix A: Title VI Assurances

The Duluth-Superior Metropolitan Interstate Council (MIC) HEREBY AGREES THAT, as a condition to receiving any federal financial assistance from the U. S. Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 42 U.S.C. 2000d-4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted Programs of the U.S. Department of Transportation.

The MIC HEREBY GIVES ASSURANCE that it will promptly take any measures necessary to effectuate this agreement, as required by subsection 21.7(a)(1) of the Regulations. In this context, effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations) and other pertinent directives, means that to the end that, in accordance with the Act, Regulations, and other pertinent directives, no person shall, on the grounds of race, color, national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the MIC receives Federal financial assistance through the Minnesota and/or Wisconsin Department of Transportation or the U.S. Department of Transportation, including the Federal Highway Administration and the Federal Transit Administration.

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

1. The MIC agrees that each “program” and each “facility,” as defined in Subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a “program”) conducted, or will be (with regard to a “facility”) operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. The MIC shall insert the following notification in all solicitations for bids for work or material subject to the Regulations made in connection with the Federal-Aid Highway or Transit Programs and, in modified form, in all proposals for negotiated agreements:

The MIC, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, CFR, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation, issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, Disadvantaged Business Enterprises will be afforded full opportunity to submit bids in response to bid solicitations and will not be discriminated against on the grounds of race, color, and national origin in consideration for an award.

3. The MIC shall insert the clauses of Appendix A in every contract subject to the Act and the Regulations.
4. The MIC shall provide for such methods of administration for the program as are found by the Secretary of Transportation, or the official to whom he or she delegates specific authority, to give reasonable guarantee that it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed by or pursuant to the Act, the Regulations, and this assurance.
5. The MIC agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

Appendix A: Title VI Assurances

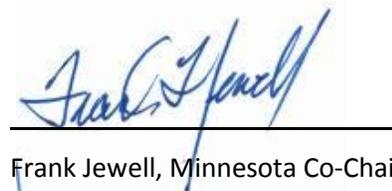
THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all federal grants, loans, contracts, discounts, or other Federal financial assistance extended after the date hereof to the Recipient by the U.S. Department of Transportation under the Federal-Aid Highway or Transit Programs and is binding on it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants in the Federal-Aid Highway or Transit Programs. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.



Ron Chicka, MIC Director

December 12, 2019

Date



Frank Jewell, Minnesota Co-Chair

December 12, 2019

Date



Nick Baker, Wisconsin Co-Chair

December 12, 2019

Date

Appendix B: Title VI Complaint Procedures

The MIC's Title VI Policy assures that no person or groups of persons shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by the MIC, its recipients, subrecipients, and contractors.

The complaint must be filed, in writing, no later than 180 calendar days after the date of the alleged discrimination. The MIC's Title VI Complaint Form (Appendix C) must be used.

The MIC uses the following procedures for prompt processing of all Title VI complaints received directly by it:

1. Any person or groups of persons who believe they have been aggrieved by an unlawful discriminatory practice under Title VI may individually, or through his/her/their representative, make and sign a complaint and file the complaint with the MIC. Allegations received do not have to use the key words "complaint," "civil rights," "discrimination," or their near equivalents. It is sufficient if such allegations imply any form of unequal treatment in one or more of the MIC's programs for it to be considered and processed as an allegation of a discriminatory practice.
2. The complaint may also be filed with the U. S. Department of Transportation, Office of the Secretary, 1200 New Jersey Avenue, SE (S-33), Washington, D.C. 20590. The complaint must be filed, in writing, no later than 180 days after the date of the alleged discrimination, unless the time for filing is extended by the Secretary, U. S. Department of Transportation.
3. Immediately, upon receipt of a Title VI complaint, the MIC will determine the appropriate course of action. Possible courses of action include:
 - a. Title VI complaints filed against MIC are referred to the Minnesota Department of Transportation (MnDOT) or Wisconsin Department of Transportation (WisDOT) for processing. MnDOT or WisDOT notifies the U.S. Department of Transportation Division Office of the complaint.
 - b. Title VI complaints filed against MIC recipients and subrecipients (e.g., contractors, subcontractors, material and equipment suppliers, lessors, vendors, consultants, fee appraisers, universities, etc.) are processed by MIC in accordance with U.S. Department of Transportation approved complaint procedures. MnDOT and/or WisDOT is available to provide assistance.
 1. A copy of the complaint, together with a copy of MIC report of the investigation and recommendations, are forwarded to U.S. Department of Transportation within sixty (60) days of the date the complaint was received by MIC.
 2. A copy of the complaint, together with a copy of MIC report of the investigation and recommendations, are provided to MnDOT or WisDOT's Title VI Coordinator for informational purposes only.
 3. The U.S. Department of Transportation makes the final agency decision.
4. MIC reviews and determines the appropriate action regarding every complaint. MIC will recommend to the U.S. Department of Transportation, with a copy to MnDOT or WisDOT, not to proceed with or continue a complaint investigation if:
 - a. The complaint is, on its face, without merit.
 - b. The same allegations and issues of the complaint have been addressed in a recently closed investigation or by previous federal court decisions.
 - c. The complainant's or injured party's refusal to cooperate (including refusal to give permission to disclose his or her identity) has made it impossible to investigate further.

Appendix B: Title VI Complaint Procedures (continued)

5. If an investigation is to be initiated, MIC determines the method of investigation and who will conduct the investigation.
6. The entire investigation process, including the submission of the final report of the investigation and recommendations to the U.S. Department of Transportation, with a copy to MnDOT or WisDOT, is to be carried out in a period not to exceed sixty (60) calendar days from the date the original complaint was received by MIC.
7. MIC acknowledges receipt of the allegation(s) within ten (10) working days. The complainant will be notified of the proposed action to be taken to process the allegation(s). The notification letter will include:
 - a. The basis for the complaint.
 - b. A brief statement of the allegation(s) over which MIC has jurisdiction;
 - c. A brief statement of MIC jurisdiction over the recipient to investigate the complaint; and
 - d. An indication of when the parties will be contacted.
8. Depending on the nature of the complaint, the complaint will be referred to the following for final decision:
 - a. U.S. Department of Transportation
 - b. U. S. Department of Justice (USDOJ)
9. MIC also notifies U.S. Department of Transportation, with a copy to MnDOT or WisDOT, within ten (10) calendar days of receipt of the allegations. The following information is included in the notification to U.S. Department of Transportation:
 - a. Name, address, and phone number of the complainant.
 - b. Name(s) and address(es) of persons alleged to have been involved in the act.
 - c. Basis of alleged discrimination (i.e., race, color, national origin).
 - d. Date of alleged discriminatory act(s).
 - e. Date complaint was received by MIC.
 - f. A brief statement concerning the nature of the complaint.
 - g. Other agencies (federal, state, or local) with which the complaint has been filed.
 - h. An explanation of the actions MIC proposes to take to resolve the issues raised in the complaint.
10. The investigation consists of an in-depth, personal interview with the complainant(s). Information gathered in this interview includes but is not limited to: identification of each complainant by race, color, or national origin; a complete statement concerning the nature of the complaint, including names, dates, places, and incidents involved in the complaint; the date the complaint was filed; and any other pertinent information the investigator(s) feels is relevant to the complaint. The interview(s) is recorded, either digitally or by an investigator taking notes. The investigator(s) arranges for the complainant to read, make necessary changes to, and sign the interview transcript or interview notes.
11. Following the interviews, the investigator(s) develops a report of the investigation and recommendations based on the facts. The report contains the investigator's(s') findings, conclusions concerning each issue raised in the complaint, and recommendations for corrective action. The report is the last document prepared by the investigator(s). Any other actions taken as a result of the investigator's(s') findings and conclusions are the responsibility of MIC management.

Appendix B: Title VI Complaint Procedures (continued)

12. The complainant receives a letter from MIC detailing the findings and any recommendations for corrective action to be taken based on the facts. All issues in the complaint are addressed. The complainant is informed that the final determination is made by the U.S. Department of Transportation.
13. MIC forwards the report of the investigation and recommendations to the U.S. Department of Transportation, with a copy to MnDOT or WisDOT. Included with the report is a copy of the complaint, copies of all documentation pertaining to the complaint, the date the complaint was filed, the date the investigation was completed, and any other pertinent information.
14. The U.S. Department of Transportation makes the final agency decision.

Appendix C: Title VI Complaint Form

INSTRUCTIONS

1. Under Title VI of the Civil Rights Act of 1964 and the related statutes and regulations, no person or groups(s) of persons shall, on the grounds of race, color, national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by the MIC. Any person or groups(s) of persons who feel they have been discriminated against may file a complaint.
2. Instructions provided within this form are not meant to be all inclusive. Complainants are responsible for all procedural requirements.
3. Complainants must include all required information and must meet all timeframes as defined in the MIC Title VI Complaint Procedure. (NOTE: The complaint must be filed in writing no later than 180 days after the date of the alleged discrimination.)
4. Legible copies of all available pertinent documentation should be attached to this form.
5. All inquiries should be directed to: Ron Chicka, MIC Director, 221 West First Street, Duluth, MN 55802.

PART I: Complete all information in this section.

PART II: Check all boxes that apply indicating the basis for the complaint. The discrimination must be based on at least one of the listed categories.

PART III: State the specific complaint in a manner that clearly identifies the issues upon which the complaint is based.

PART IV: State the minimum remedy acceptable for resolution of this complaint.

PART V: Sign and date this section to verify the information contained in Parts I through IV.

Submit this form either in person or by mail to:

MIC/ARDC
Ron Chicka, Title VI Coordinator
221 W. 1st Street
Duluth, MN 55802

Appendix C: Title VI Complaint Form (continued)

Section I:				
Name:				
Address:				
Telephone (Home):			Telephone (Work):	
Electronic Mail (email) Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
Section II:				
Are you filing this complaint on your own behalf?			Yes*	No
*If you answered "yes" to this question, go to Section III.				
If not, please supply the name and relationship of the person for whom you are complaining:				
Please explain why you have filed for a third party:				
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.			Yes	No
Section III:				
I believe the discrimination I experienced was based on (check all that apply):				
<input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin				
Date of Alleged Discrimination (Month, Day, Year): _____				
<p>Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed please use the back of this form or additional pages.</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>				

Appendix C: Title VI Complaint Form (continued)

Section III, continued		
<hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>		
Section IV		
Have you previously filed a Title VI complaint with this agency?	Yes	No
Section V		
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court? <input type="checkbox"/> Yes <input type="checkbox"/> No		
If yes, check all that apply:		
<input type="checkbox"/> Federal Agency: _____ <input type="checkbox"/> Federal Court: _____		
<input type="checkbox"/> State Agency: _____ <input type="checkbox"/> State Court: _____		
<input type="checkbox"/> Local Agency: _____		
Please provide information about a contact person at the agency/court where the complaint was filed.		
Name: _____ Title: _____		
Agency: _____		
Address: _____		
Telephone: _____		
Section VI		
Name of agency complaint is against: <u>Duluth-Superior Metropolitan Interstate Council</u>		
Contact person: <u>Ron Chicka</u> Title: <u>MIC Director, Title VI Coordinator</u>		
Telephone number: <u>(218) 529-7506</u>		
<hr/>		
Signature _____		Date _____
You may attach any written materials or other information that you think is relevant to your complaint.		

Appendix D: Language Identification Flashcards

To be able to communicate with LEP persons, MIC staff will make the following language identification flashcards at public meetings and other community input events. Developed by the U.S. Census Bureau, these cards have the phrase, “Mark this box if you read or speak ‘name of language’”, translated into 38 languages. They were designed for use by government and nongovernment agencies to identify the primary language of LEP individuals during face-to-face contacts.

Once a language is identified, a relevant point of contact will be notified to assess feasible translation or oral interpretation assistance.

- | | | |
|--------------------------|--|------------------------|
| <input type="checkbox"/> | ضع علامة في هذا المربع إذا كنت تقرأ أو تتحدث العربية. | 1. Arabic |
| <input type="checkbox"/> | Խոսողո՞ւմ ե՞սք նշո՞ւմ կատարե՞ք այս քանակությունը, եթե խոսո՞ւմ կա՞մ կարողո՞ւմ եք հայերեն: | 2. Armenian |
| <input type="checkbox"/> | যদি আপনি বাংলা পড়েন বা বলেন তা হলে এই বাক্সে দাগ দিন। | 3. Bengali |
| <input type="checkbox"/> | ល្អបញ្ជាក់ក្នុងប្រអប់នេះ បើអ្នកអាន ឬនិយាយភាសា ខ្មែរ ។ | 4. Cambodian |
| <input type="checkbox"/> | Motka i kahhon ya yangin ûntûngnu' manaitai pat ûntûngnu' kumentos Chamorro. | 5. Chamorro |
| <input type="checkbox"/> | 如果你能读中文或讲中文，请选择此框。 | 6. Simplified Chinese |
| <input type="checkbox"/> | 如果你能讀中文或講中文，請選擇此框。 | 7. Traditional Chinese |
| <input type="checkbox"/> | Označite ovaj kvadratić ako čitate ili govorite hrvatski jezik. | 8. Croatian |
| <input type="checkbox"/> | Zaškrtněte tuto kolonku, pokud čtete a hovoříte česky. | 9. Czech |
| <input type="checkbox"/> | Kruis dit vakje aan als u Nederlands kunt lezen of spreken. | 10. Dutch |
| <input type="checkbox"/> | Mark this box if you read or speak English. | 11. English |
| <input type="checkbox"/> | اگر خواندن و نوشتن فارسی بلد هستید، این مربع را علامت بزنید. | 12. Farsi |

<input type="checkbox"/>	Cocher ici si vous lisez ou parlez le français.	13. French
<input type="checkbox"/>	Kreuzen Sie dieses Kästchen an, wenn Sie Deutsch lesen oder sprechen.	14. German
<input type="checkbox"/>	Σημειώστε αυτό το πλαίσιο αν διαβάζετε ή μιλάτε Ελληνικά.	15. Greek
<input type="checkbox"/>	Make kazye sa a si ou li oswa ou pale kreyòl ayisyen.	16. Haitian Creole
<input type="checkbox"/>	अगर आप हिन्दी बोलते या पढ़ सकते हैं तो इस बक्स पर चिह्न लगाएँ।	17. Hindi
<input type="checkbox"/>	Kos lub voj no yog koj paub twm thiab hais lus Hmoob.	18. Hmong
<input type="checkbox"/>	Jelölje meg ezt a kockát, ha megérta vagy beszéli a magyar nyelvet.	19. Hungarian
<input type="checkbox"/>	Markaam daytoy nga kahon no makabasa wenno makasaoka iti Ilocano.	20. Ilocano
<input type="checkbox"/>	Marchi questa casella se legge o parla italiano.	21. Italian
<input type="checkbox"/>	日本語を読んだり、話せる場合はここに印を付けてください。	22. Japanese
<input type="checkbox"/>	한국어를 읽거나 말할 수 있으면 이 칸에 표시하십시오.	23. Korean
<input type="checkbox"/>	ໃຫ້ໝາຍໃສ່ຊ່ອງນີ້ ຖ້າທ່ານອ່ານຫຼືປາກພາສາລາວ.	24. Laotian
<input type="checkbox"/>	Prosimy o zaznaczenie tego kwadratu, jeżeli posługuje się Pan/Pani językiem polskim.	25. Polish

<input type="checkbox"/>	Assinale este quadrado se você lê ou fala português.	26. Portuguese
<input type="checkbox"/>	Însemnați această căsuță dacă citiți sau vorbiți românește.	27. Romanian
<input type="checkbox"/>	Пометьте этот квадратик, если вы читаете или говорите по-русски.	28. Russian
<input type="checkbox"/>	Обележите овај квадратик уколико читате или говорите српски језик.	29. Serbian
<input type="checkbox"/>	Označte tento štvorček, ak viete čítať alebo hovoriť po slovensky.	30. Slovak
<input type="checkbox"/>	Marque esta casilla si lee o habla español.	31. Spanish
<input type="checkbox"/>	Markahan itong kuwadrado kung kayo ay marunong magbasa o magsalita ng Tagalog.	32. Tagalog
<input type="checkbox"/>	ให้กาเครื่องหมายลงในช่องถ้าท่านอ่านหรือพูดภาษาไทย.	33. Thai
<input type="checkbox"/>	Maaka 'i he puha ni kapau 'oku ke lau pe lea fakatonga.	34. Tongan
<input type="checkbox"/>	Відмітьте цю клітинку, якщо ви читаете або говорите українською мовою.	35. Ukrainian
<input type="checkbox"/>	اگر آپ اردو پڑھتے یا بولتے ہیں تو اس خانے میں نشان لگائیں۔	36. Urdu
<input type="checkbox"/>	Xin đánh dấu vào ô này nếu quý vị biết đọc và nói được Việt Ngữ.	37. Vietnamese
<input type="checkbox"/>	באצייכנט דעם קעסטל אויב איר לייענט אדער רעדט אידיש.	38. Yiddish

Appendix E: MIC Board Resolution

RESOLUTION 18-25

DULUTH-SUPERIOR METROPOLITAN INTERSTATE COUNCIL

*Adopting the 2018 Update of the Title VI Non-Discrimination Program
and Limited-English Proficiency Plan*

WHEREAS, the Duluth-Superior Metropolitan Interstate Council (MIC) was created by the Arrowhead Regional Development Commission (ARDC) and the Northwest Regional Planning Commission (NWRPC) and recognized by the Governors of Wisconsin and Minnesota as the designated Metropolitan Planning Organization (MPO) for the Duluth-Superior urbanized area; and

WHEREAS, the MIC Policy Board is the body responsible for making transportation policy decisions and for directing the transportation planning and development function within the Duluth-Superior urbanized area; and

WHEREAS, the MIC, as the designated MPO and a division of ARDC, is a sub-recipient of Federal Transit Administration (FTA) and Federal Highway Administration (FHWA) funds administered by the Minnesota Department of Transportation and the Wisconsin Department of Transportation, and

WHEREAS, as a subrecipient of federal funds administered by the FTA, the MIC is required to comply with Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987, in accordance with the U.S. Department of Transportation Title VI regulations (49 CFR part 21) and to integrate into its programs and activities considerations expressed in the Department's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons (70 FR 74087, December 14, 2005); and

WHEREAS, the purpose of these regulations, and the MIC's intent, is to assure that no person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity administered by the MIC, regardless of funding source, and to ensure that the MIC will provide meaningful access to services for persons with Limited English Proficiency; and

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

WHEREAS, all recipients and sub-recipients of FTA funds are required to have a Title VI program documenting compliance with Title VI regulations and in accordance with Title 49 CFR Section 21.9(b) and to update it every three years; and

WHEREAS, the Metropolitan Interstate Council has developed an update to its 2013 Title VI Plan which addresses the requirements for metropolitan planning organizations;

NOW, THEREFORE BE IT RESOLVED, that the Duluth-Superior Metropolitan Interstate Council approves the 2018 Update of its *Title VI Non-Discrimination Program and Limited-English Proficiency Plan*.

ATTEST:



Nick Baker
Wisconsin MIC Co-Chair



Frank Jewell
Minnesota MIC Co-Chair



Ron Chicka
MIC Director

December 12, 2018

Date

February 21, 2018

RESOLUTION

**Adopting the Duluth-Superior Metropolitan Interstate Council's
2018 Update of the *Title VI Non-Discrimination Program and
Limited-English Proficiency Plan***

WHEREAS, discrimination on the basis of race, color, and national origin is prohibited in programs and activities receiving federal financial assistance by Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq., and its implementing regulations 23 CFR 200 and 49 CFR 21, the Civil Rights Restoration Act of 1987, the Federal Aid Highway Act of 1973, Executive Order 12898 and Executive Order 13166; and

WHEREAS, the Arrowhead Regional Development Commission has a long-standing policy that protects persons against discrimination in employment on the basis of race, color and national origin, as well as gender, religion, creed, sexual orientation, disability, age, marital status, membership or activity in a local human rights commission, or status with regard to public assistance; and

WHEREAS, all recipients and sub-recipients of Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) funds are required to have a Title VI program documenting compliance with Title VI regulations and in accordance with Title 49 CFR Section 21.9(b); and

WHEREAS, the Metropolitan Interstate Council, the designated Metropolitan Planning Organization for the Duluth-Superior area and a division of the Arrowhead Regional Development Commission, is a sub-recipient of FWHA and FTA funds through the Minnesota Department of Transportation (MnDOT) and Wisconsin Department of Transportation (WisDOT); and

WHEREAS, the Arrowhead Regional Development Commission adopted the MIC's original Title VI Compliance Plan by Resolution on April 18, 2013; and

WHEREAS, the Metropolitan Interstate Council adopted an update to its 2013 Title VI plan, the *Title VI Non-Discrimination Program and Limited-English Proficiency Plan*, which addresses all current requirements for Metropolitan Planning Organizations, on December 12, 2018;

NOW, THEREFORE BE IT RESOLVED, that the Arrowhead Regional Development Commission adopts the 2018 update of the MIC's *Title VI Non-Discrimination Program and Limited-English Proficiency Plan* for submittal to MnDOT, WisDOT, FHWA and FTA, as required.

ATTEST:



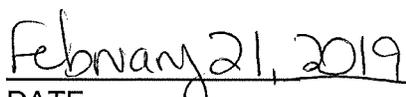
Chair



Director



Officer



DATE

