

Title VI Program Guidance

“The Flint Hills Metropolitan Planning Organization assures that no person shall, on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity.”



Adopted August 20, 2025

Title VI Note

The Flint Hills Metropolitan Planning Organization (MPO) hereby gives public notice that it is the policy of the agency to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and related statutes and regulations in all programs and activities. Title VI requires that no person in the United States of America shall, on the grounds of race, color, sex, or national origin, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the MPO receives federal financial assistance. 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 the MPO. Any such complaint must be in writing and filed with the MPO's Title VI Coordinator within one hundred and eighty (180) days following the date of the alleged discriminatory occurrence. For more information, or to obtain a Title VI Discriminatory Complaint Form, please see our website at www.FlintHillsMPO.org.

Disclaimer

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

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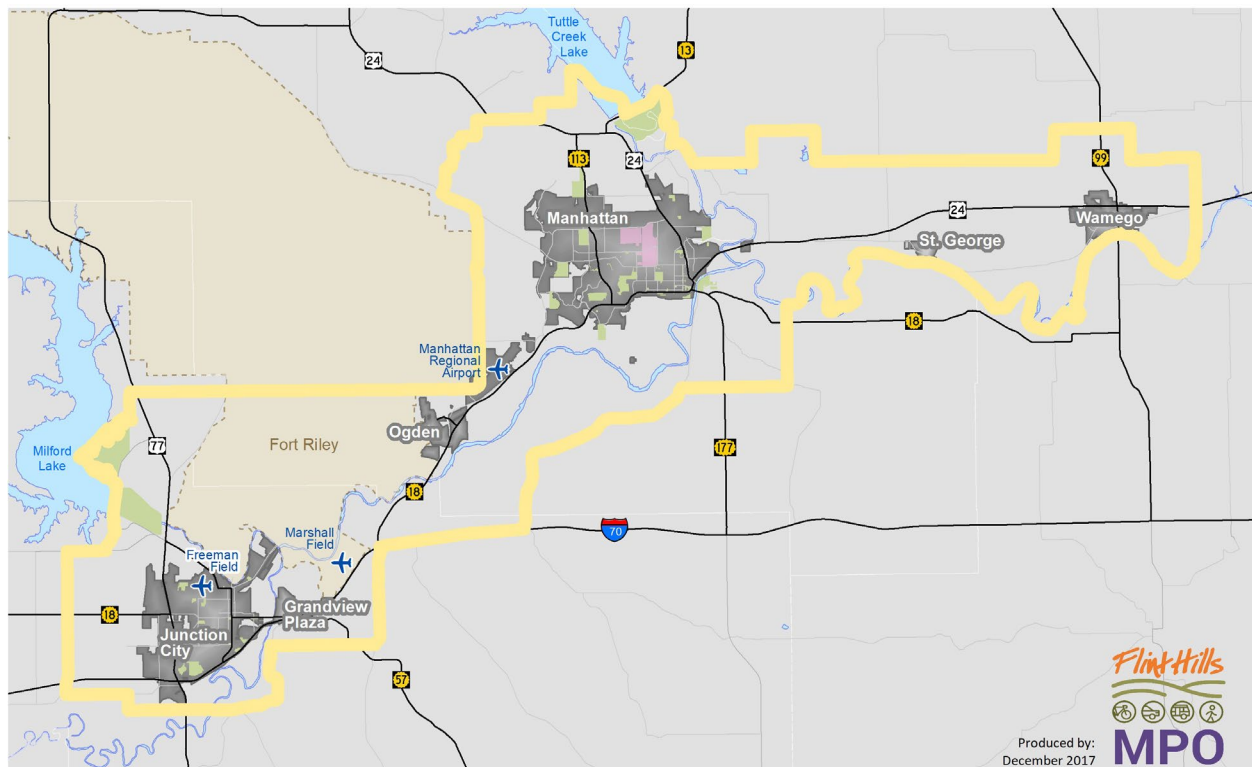
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Introduction

Metropolitan Planning Organizations (MPOs) are responsible for carrying out the regional transportation planning process for urbanized areas with a population of 50,000 or more people. MPOs serve as the liaison between local communities, their citizens, and the state and federal departments of transportation.

The Flint Hills Metropolitan Planning Organization was designated as the Metropolitan Planning Organization (MPO) for the Manhattan, Kansas Urbanized Area in February of 2013. The MPO boundary includes portions of three counties, six municipalities, Kansas State University, and the southern portion of Fort Riley Military Installation. A map of the MPO planning boundary is shown in Figure 1. The MPO is governed by the Policy Board comprised of local elected officials and a Kansas Department of Transportation (KDOT) representative.

Figure 1: Flint Hills MPO Planning Boundary



As a federally funded organization, and the responsible party for the development of several key documents that guide the transportation planning and decision-making process, the MPO has an inherent responsibility to ensure all people, regardless of race, color, or national origin, are provided the opportunity to share in the benefits of all transportation programs and processes. This document provides an overview of the MPO's responsibilities and procedures to ensure that no person is discriminated against.

MPO Title VI Program Assurance

The Flint Hills Metropolitan Planning Organization (MPO) assures that no person shall, on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The MPO further assures that every effort will be made to ensure nondiscrimination in all MPO programs and activities, regardless of whether those activities are federally funded. In the event the MPO distributes federal funds to another governmental entity, the MPO will include Title VI language in all written agreements and will monitor programs and activities for compliance.

What is Title VI?

As a recipient of federal funds, the MPO must comply with Title VI of the 1964 Civil Rights Act, the Civil Rights Restoration Act of 1987, and all relevant Executive Orders.

Title VI of the Civil Rights Act of 1964

Title VI of the Civil Rights Act of 1964 provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance (refer to 23 CFR 200.9 and 49 CFR 21).

Civil Rights Restoration Act of 1987

The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of the terms “program or activity” to include all programs or activities of federal aid recipients, sub-recipients, contractors, and consultants, whether such programs and activities are federally assisted (Public Law 100259 [S. 557] March 22, 1988).

The MPO’s LEP Plan outlines the steps that are taken to assure all persons, regardless of language, can fully participate and benefit from the processes and activities undertaken by the Flint Hills MPO.

Title VI Program Responsibilities

The MPO Title VI Program includes responsibilities and activities of the agency to ensure compliance with Title VI provisions. The Title VI Coordinator, with involvement from other members of MPO staff, is responsible for ensuring elements of the plan are appropriately implemented and maintained.

Title VI Coordinator

The Flint Hills MPO has only two full-time employees and no administrative staff. Per the Policy Board Bylaws and MPO Operations Manual, the KDOT Policy Board representative serves as the MPO's Title VI Coordinator, responsible for overseeing the Title VI Complaint Process.

Administrative Activities

Title VI Notification

In compliance with 49 CFR Section 21.9(d), the MPO and its sub-recipients, consultants, and contractors will provide information to the public regarding Title VI obligations and apprise the public of the protections against discrimination afforded to them by Title VI. The MPO fulfills this compliance through the following actions:

1. Posting the agency's Title VI Policy Statement on the MPO website.
2. The Title VI Complaint Procedures and Complaint Form are available on the MPO website. Hard copies are available at the MPO office (address below), or can be requested by emailing FHMPO@FlintHillsMPO.org, or sending a request to:

Flint Hills MPO

2805 Claflin Rd. Ste. 100

Manhattan, KS 66502

3. A notice to the public certifying the MPO's compliance with Title VI is included in all significant public documents. This notice is also included on all Policy Board and Technical Advisory Committee (TAC) meeting agendas, as well as posted on the office's general information board. See *Attachment D*.
4. Monitoring sub-recipients and consultants/contractors for compliance.

Addressing and Resolving Complaints

The MPO has established a process to allow for any individual to exercise his or her right to file a complaint with the MPO if that individual believes that he or she has been subjected to unequal treatment, excluded from or denied the benefits of, or subjected to discrimination by the MPO on the grounds of race, color, or national origin. This applies to any program or activity administered by the MPO or its consultants/contractors. The Title VI Complaint Procedure and Complaint Form can be found on the MPO's website, the general information board at the MPO office, or in *Attachment B and C*, respectively. The MPO will make a concerted effort to resolve complaints as stated in the Title VI Complaint Procedure.

The option of informal 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 specifically requested relief and settlement opportunities.

Title VI Investigations, Complaints, or Lawsuits

The MPO maintains a list of complaints filed alleging discrimination based on race, color, or national origin. This list includes the date the investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken in response to the investigation, lawsuit, or complaint.

To date, no Title VI investigations, complaints, or lawsuits have been filed against the MPO.

Compliance Reviews

The MPO underwent a Title VI compliance review in the Spring of 2016. There were several recommendations made that have been addressed within this document. There were no significant findings.

Annual Reports

An Annual Report is to be submitted by September 1st of each year to the Kansas Department of Transportation (KDOT). This report is required by KDOT of all MPOs in Kansas and will include:

- A summary of the previous year's Title VI-related activities and efforts, including accomplishments and program changes;
- An update on Title VI-related goals and objectives for the upcoming year;
- A summary on the training MPO staff provided or received regarding Title VI, or Limited English Proficiency (LEP);
- A list of Title VI complaints received and how they were addressed; and
- An inventory of public meetings held, community outreach efforts, and data collected at each.

Limited English Proficiency
Individuals having a limited ability to read, write, speak, or understand English

Construction Projects and Sub-recipients

The MPO does not have any construction projects or sub-recipients.

Limited English Proficiency Plan Implementation

The MPO promotes a positive and cooperative understanding of the importance of language access to federally conducted and assisted programs. While most individuals in the United States read, write, speak, and understand English, there are many individuals who do not. 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 they may be entitled to language assistance with respect to a particular type of service, benefit, or encounter. Federal law requires that people who are LEP have meaningful access to federally conducted and federally funded programs and activities. The MPO's Limited English Proficiency

Plan is available on the MPO website, www.FlintHillsMPO.org, under the “Data & Resources” tab and “Public Involvement” dropdown.

The MPO has not received any requests for translated materials or for interpretation services. Although the proportion of people with a limited ability to speak English in the MPO region is relatively low, the MPO has developed an LEP Implementation Plan to outline the strategies identified to engage LEP individuals in the MPO process. The LEP Plan has more information regarding these strategies and the current LEP data.

The MPO implements the LEP Plan through the following key elements:

- **Identifying the LEP individuals served by the MPO planning process**—the Census Bureau’s I-SPEAK cards are available at all public meetings and on the MPO website for attendees to identify their primary language.
- **Language Assistance**—the MPO provides reasonable verbal and written language translation services for LEP individuals upon request.
- **MPO Staff Training**—current staff members and incoming staff members will be briefed on the MPO LEP Plan, how to assist LEP persons, and will be encouraged to attend any relevant training offered. New staff members will also be instructed to keep a record of language assistance requests so that needs may be accurately assessed in the future.

Planning Process Activities

The MPO receives federal funds to carry out the multi-modal transportation planning process for the three-county region. The MPO is responsible for preparing several core documents. Two of the most important products in regard to the planning process are a long-range transportation plan, *Connect 2040* (*Connect 2050 will be adopted in late 2025*), and the Transportation Improvement Program (TIP), which implements *Connect 2040*.

Demographic Data Collection

The MPO maintains statistical data on the people residing within the MPO planning area; including, race, color, national origin, language spoken, and income level. This information is updated and used during the development of *Connect 2040* to determine the best strategies for ensuring all individuals, including low-income and minority populations, are being provided access to the benefits, services, and information on the agency’s programs and activities. Attachment F includes a demographic profile of the region. To better understand the demographics participating in the planning process, the MPO collects information at public meetings by asking attendees to sign in and allowing them the option to disclose their race and/or gender on the sign-in sheet.

As part of the transportation planning process, the MPO assesses the impacts of all major surface transportation projects planned within the MPO planning boundary. These projects are identified in the Transportation Improvement Program (TIP) and the Flint Hills Transportation Plan (FHTP). As part of the FHTP and TIP development, the MPO will analyze where federal investments are distributed around the region, what types of projects are being implemented, and how the implementation of these projects impacts on all populations. The MPO's goal is to have adequate public involvement from minority and low-income populations in the transportation planning process, and to help ensure these populations are receiving a proportionate share of federal transportation investment benefits.

Engaging Low-income, LEP, and Minority Populations

The MPO's transportation planning process identifies the needs of low-income, LEP, and minority populations primarily through public engagement efforts. The MPO's Public Participation Plan (PPP) is designed to ensure a regional public involvement process that:

- Increases public awareness and understanding;
- Offers complete information and timely public notice;
- Supports early and continued involvement of the public and stakeholders; and
- Provides opportunities for meaningful involvement and citizen feedback.

The most current copy of the PPP, including a list of public involvement techniques used by the MPO, can be found on the MPO's website at www.FlintHillsMPO.org.

Connect 2040 – Long Range Transportation Plan

The MPO develops a new long-range transportation plan every five years to establish a regional vision and planning framework to guide the growth and development of the region's transportation system. The first plan was adopted in February 2016, with its successor, *Connect 2040*, adopted in late 2020. The development of *Connect 2050*, with planned adoption in December 2025, is under development. The MPO is committed to creating a transportation planning process that is accessible to all users and allows every individual an equal opportunity to be involved. A complete list of public involvement techniques and activities are available in the long-range plan documents. The MPO will continue to analyze and refine the most effective measures for including a large representation of interests in the planning process.

Transportation Improvement Program (TIP)

The Transportation Improvement Program (TIP) is a short-range planning document that implements the goals and objectives of the long-range plan. The TIP includes a list of regionally significant and/or federally funded projects that are to be implemented over the next four years. A new TIP is developed every two years; however, it is amended quarterly between updates. While the projects identified in the FHTP are evaluated for any impacts on low-income populations, projects are also reviewed during the development of a new TIP. Starting in 2016, the TIP includes an analysis of projects based on the dispersion of investments and the location of various types of projects. This information and corresponding tables are updated with each TIP amendment. For

more information on the MPO's public involvement process with the TIP, please see the Public Participation Plan. The MPO's TIP can be found at www.FlintHillsMPO.org.

Figure 2:Manhattan Area FHTP Fiscally Constrained Projects

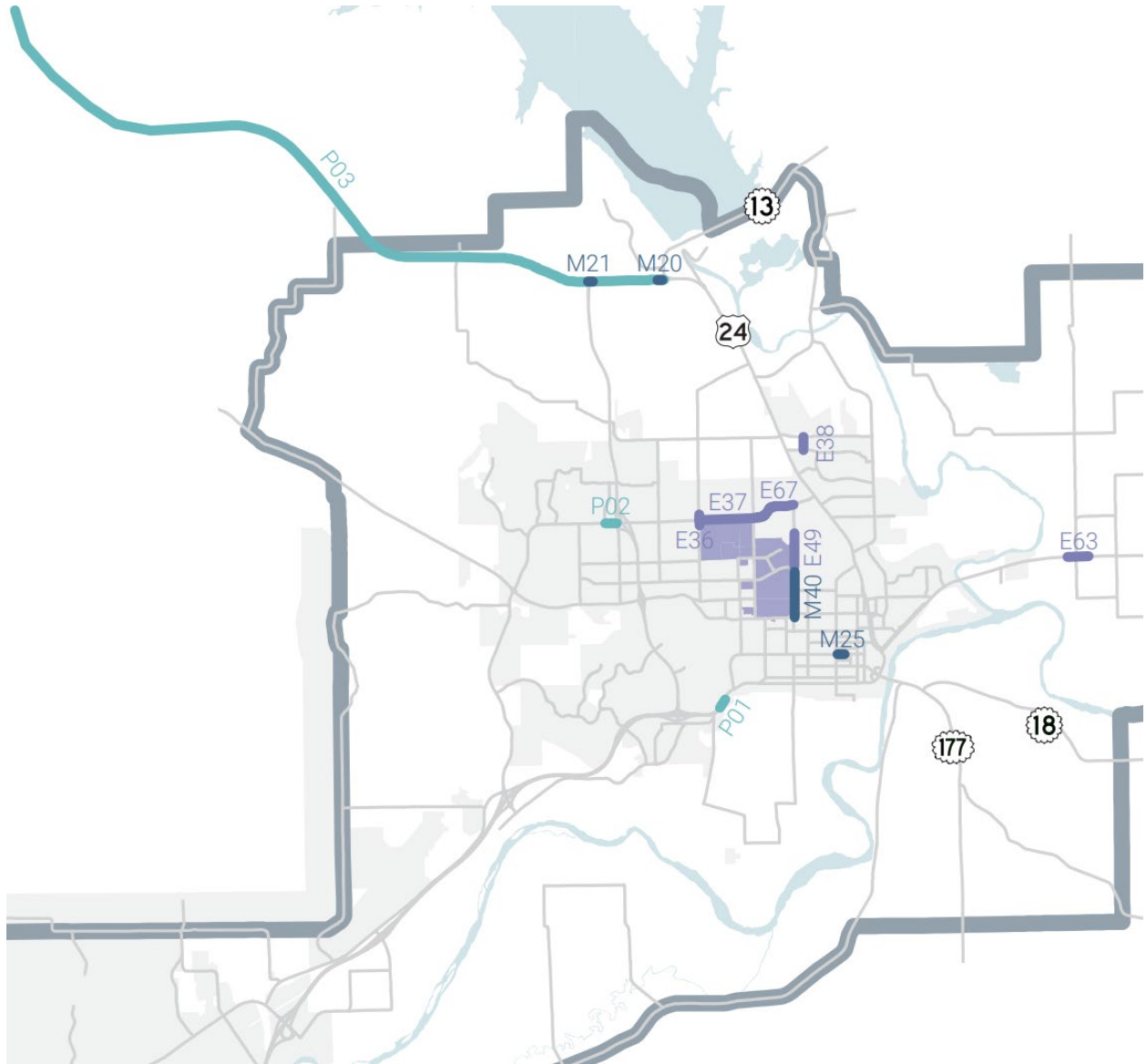


Figure 3: Junction City Area Fiscally Constrained Projects

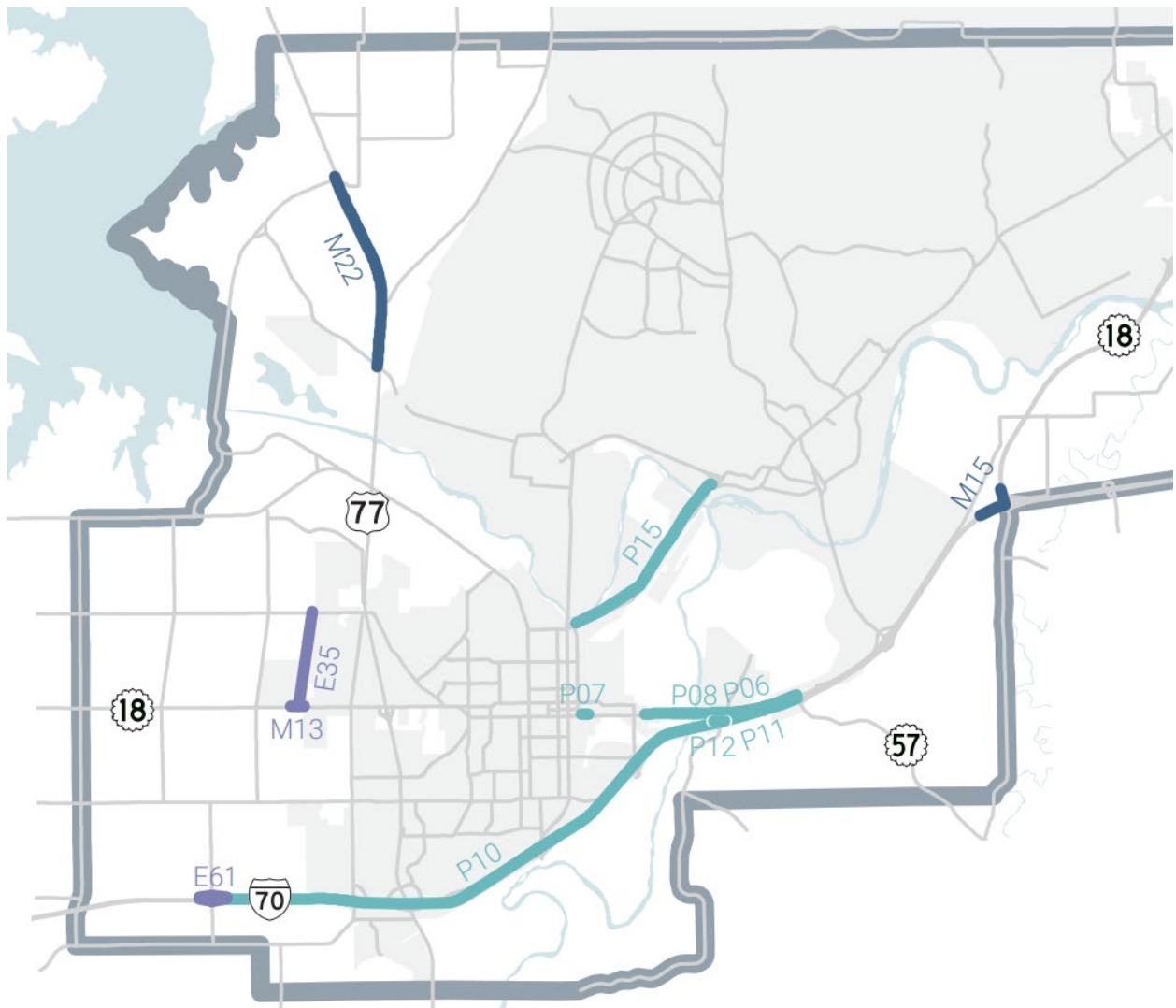


Figure 4: Pottawatomie & Wamego Fiscally Constrained Projects



Figure 6: Manhattan Area Fixed-Route Transit

MHK Fixed Routes Map & Timings

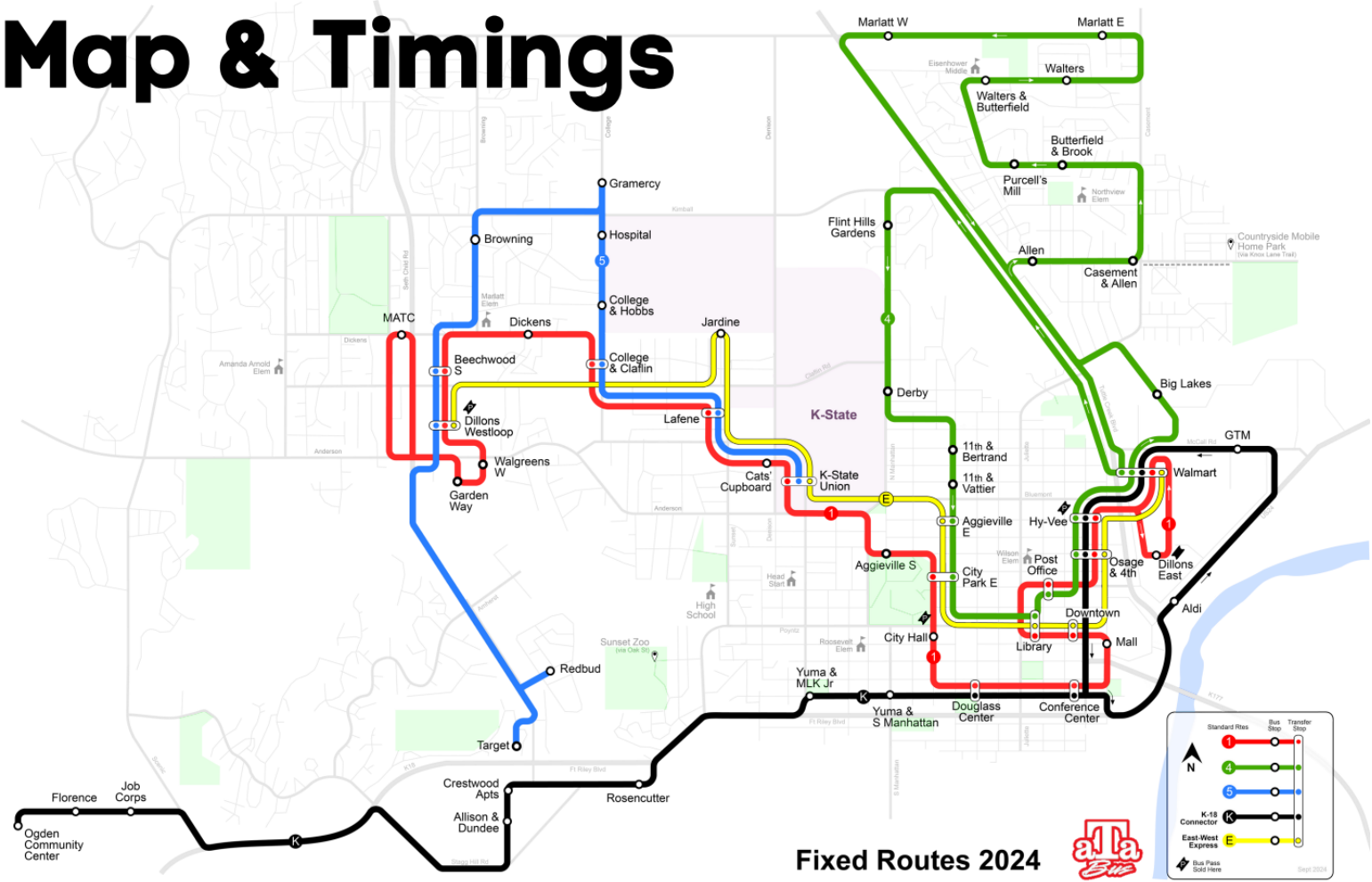
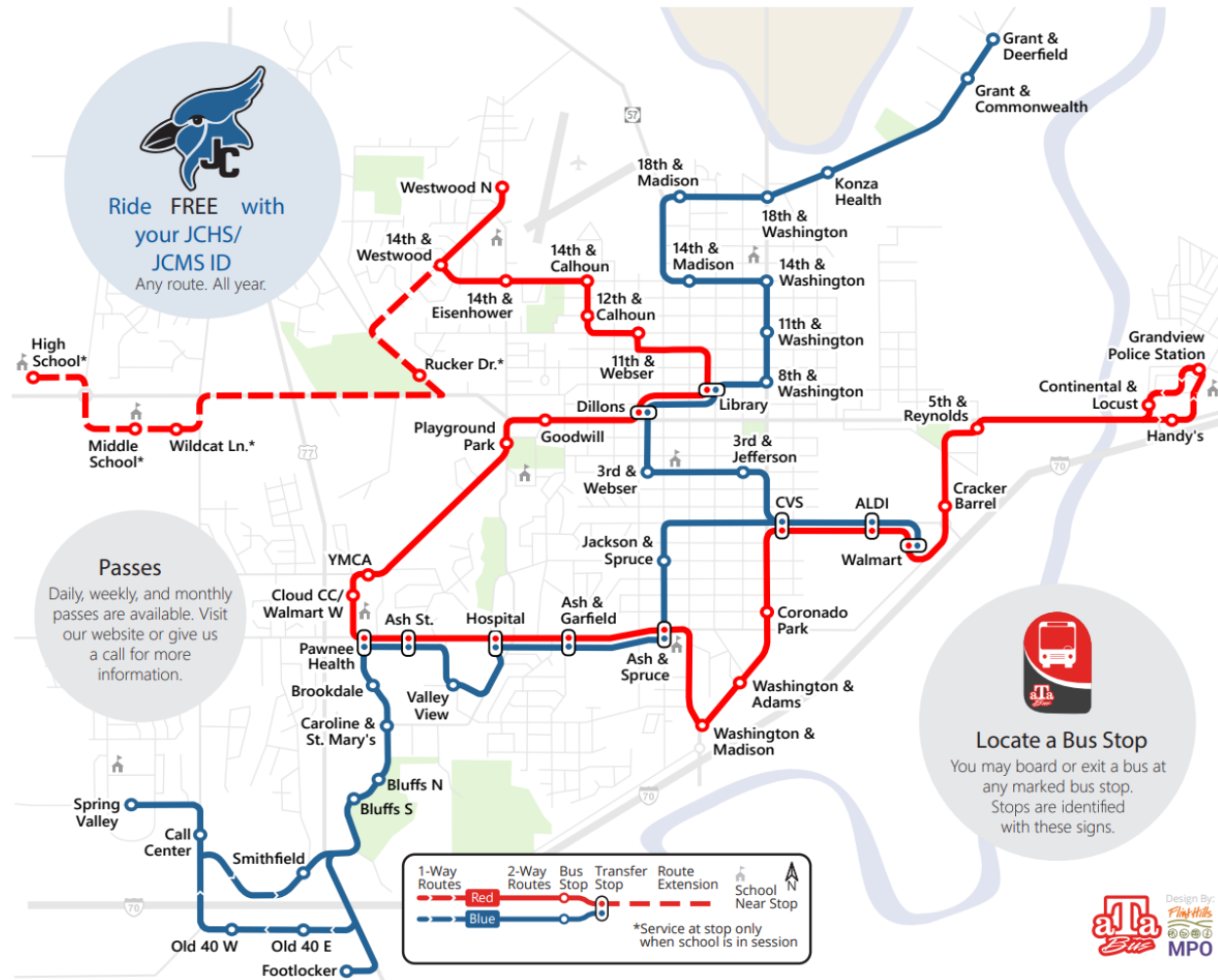


Figure 7: Junction City Fixed-Route Transit



Attachment A: Title VI Assurances

The United States Department of Transportation (USDOT) Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

The Flint Hills Metropolitan Planning Organization (herein referred to as the "Recipient"), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through Transportation Planning Manager, is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled Non-discrimination In Federally-Assisted Programs Of The Department Of Transportation-Effectuation Of Title VI Of The Civil Rights Act Of 1964);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, "for which the Recipient receives Federal financial assistance from DOT, including the Transportation Planning Manager.

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted Flint Hills Metropolitan Planning Organization:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23(b) and 21.23(e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all Flint Hills Metropolitan Planning Organization and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The Flint Hills Metropolitan Planning Organization, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
 - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give

reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.

10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, Flint Hills Metropolitan Planning Organization also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the Flint Hills Metropolitan Planning Organization access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the Flint Hills Metropolitan Planning Organization. You must keep records, reports, and submit the material for review upon request to Flint Hills Metropolitan Planning Organization, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

Flint Hills Metropolitan Planning Organization gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the Flint Hills Metropolitan Planning Organization. This ASSURANCE is binding on the State of Kansas, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors, transferees, successors in interest, and any other participants in the Flint Hills Metropolitan Planning Organization. The persons signing below are authorized to sign this ASSURANCE on behalf of the Recipient.

Policy Board Chairperson

Jared Tremblay
Interim Director

DATE _____

DATE _____

APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Transportation Planning Manager, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Transportation Planning Manager to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the Transportation Planning Manager, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Transportation Planning Manager may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the Transportation Planning Manager may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the Flint Hills Metropolitan Planning Organization (MPO) Flint Hills Metropolitan Planning Organization will accept title to the lands and maintain the project constructed thereon in accordance with the fixing America's Surface Transportation "FAST ACT" Section 1105; 23 U.S.C. 11, the Regulations for the Administration of the Flint Hills Metropolitan Planning Organization, and the policies and procedures prescribed by the Flint Hills Metropolitan Planning Organization the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the Flint Hills Metropolitan Planning Organization all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto Flint Hills Metropolitan Planning Organization and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the Flint Hills Metropolitan Planning Organization, its successors and assigns.

The Flint Hills Metropolitan Planning Organization, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will 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 with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the Flint Hills Metropolitan Planning Organization will use the lands and interests in lands and interests in lands so conveyed, in compliance with 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, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended [, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

APPENDIX C

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the Flint Hills Metropolitan Planning Organization pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:
 - 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, Flint Hills Metropolitan Planning Organization will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the Flint Hills Metropolitan Planning Organization will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the Flint Hills Metropolitan Planning Organization and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX D

CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by Flint Hills Metropolitan Planning Organization pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, Flint Hills Metropolitan Planning Organization will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*
- C. With respect to deeds, in the event of a breach of any of the above Non-discrimination covenants, Flint Hills Metropolitan Planning Organization will thereupon revert to and vest in and become the absolute property of Flint Hills Metropolitan Planning Organization and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures Non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of Limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq)

Attachment B: Title VI Complaint Procedure

The following pertains only to Title VI complaints regarding the programs of the Flint Hills MPO.

Title VI, 42 U.S.C. §2000d et seq., was enacted as part of the Civil Rights Act of 1964. At the heart of the regulation is the statement 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.

The MPO has in place a Title VI Complaint Procedure, which outlines a process for local disposition of Title VI complaints and is consistent with guidelines found in Chapter VII of the Federal Transit Administration Circular 4702.1B, dated May 26, 1988. If you believe the MPO's programs have discriminated your civil rights on the basis of race, color, or national origin, you may file a written complaint by following the procedure outlined below.

Title VI Complaint Procedure:

1. **Submission of Complaint:** Any person who feels that he or she, individually or as a member of any class of persons, on the basis of race, color, or national origin has been excluded from or denied the benefits of or subjected to discrimination caused by the MPO may file a written complaint with the Title VI Coordinator within 180 calendar days after the date the discrimination occurred. A sample complaint form is available on the MPO's website, in *Appendix C* of the Title VI Program Guidance, or by contacting the Title VI Coordinator. (NOTE: Upon request, assistance will be provided to any person(s) unable to read or write.)

Flint Hills MPO
Attn: Title VI Coordinator
2805 Claflin Rd, Suite 100
Manhattan, KS 66502
785-620-3070

2. **Referral to Review Officer:** Upon receipt of the complaint, the Title VI Coordinator will call an Executive Session with the Policy Board and appoint one or more staff review officers or Policy Board Members to investigate the complaint, in consultation with the MPO attorney, as appropriate. The review officer(s) will make a recommendation about the merit of the complaint and, if so, what will be done to address it. The review officers will complete their review no later than 45 calendar days after the date the Title VI Coordinator receives the complaint. If more time is required, the Title VI Coordinator will notify the complainant of the estimated timeframe for completing the review. Upon completion of

the review, the staff review officers will make a recommendation regarding the merit of the complaint and whether remedial actions are available to provide redress. The review officers will forward their recommendations to the Title VI Coordinator for review. If the Title VI Coordinator concurs, a written response will be issued to the complainant. (NOTE: Upon receipt of a complaint, the MPO shall forward a copy of this complaint and the resulting written response to the appropriate KDOT, FHWA, and FTA- Region 7 contacts).

3. **Request for Reconsideration:** If the complainant disagrees with the Title VI Coordinator's response, he or she may request reconsideration by submitting the request in writing to the MPO Policy Board Chairperson within 10 calendar days after receiving the Title VI Coordinator's response. The request for reconsideration shall be sufficiently detailed to contain any items the complainant feels were not fully understood by the Title VI Coordinator. The MPO Policy Board Chairperson will notify the complainant of his or her decision either to accept or reject the request for reconsideration within 10 calendar days. In cases where the MPO Policy Board Chairperson agrees to reconsider, the matter shall be returned to the Title VI Coordinator to reevaluate in accordance with Paragraph 2 above.
4. **Appeal:** If the request for reconsideration is denied, the complainant may appeal the MPO Policy Board Chairperson's response by submitting a written appeal to the MPO Policy Board no later than 10 calendar days after receipt of the Policy Board Chairperson's written decision rejecting reconsideration.
5. **Submission of Complaint to the Kansas Department of Transportation and Federal Transit Administration:** If the complainant is dissatisfied with the MPO's resolution of the complaint, he or she may submit a written complaint within 180 days after the alleged date of discrimination to the Kansas Department of Transportation or the Federal Transit Administration for investigation.

Kansas Department of Transportation
Office of Contract Compliance
700 S.W. Harrison St.
Topeka, KS 66503

Federal Transit Administration
Office of Civil Rights
1200 New Jersey Ave, SE
Washington, DC 20590

Attachment C: Title VI Complaint Form

The purpose of this form is to assist you in filing a complaint with the MPO. You are not required to use this form; a letter containing the same information will be sufficient. It is important, however, to include all information related to items marked with a star (*), whether or not the form is used. A fillable form is available on the MPO website at FlintHillsMPO.org.

Title VI Discriminatory Complaint Form

The purpose of this form is to assist you in filing a complaint with the FHMPD. You are not required to use this form; a letter containing the same information will be sufficient. It is important, however, to include all information related to items marked with a star (*), whether or not the form is used.

1.* State your name and address

Name: _____

Address: _____

Telephone Number: _____

Home: (____) _____ Work: (____) _____

2.* Person discriminated against if different from above:

Name: _____

Address: _____

Telephone Number: _____

Home: (____) _____ Work: (____) _____

Please explain your relationship to this person(s):

3.* Agency, organization, or program that discriminated:

Name: _____

Any individual (if known): _____

Address: _____

Telephone Number: (____) _____

4A.* Non-Employment: Does your complaint concern discrimination in the delivery of services or in other discriminatory actions of the FHMPO in its treatment of you or others? If so, please indicate below the base(s) on which you believe these discriminatory actions were taken (e.g., "Race: African American" or "Sex: Female).

☐ Race/Color: _____

☐ National Origin: _____

☐ Sex: _____

☐ Religion: _____

☐ Age: _____

☐ Disability: _____

4B.* Employment: Does your complaint concern discrimination in employment by the FHMPO? If so, please indicate below the base(s) on which you believe these discriminatory actions were taken (e.g., "Race: African American" or "National Origin: Canadian").

☐ Race/Color: _____

☐ National Origin: _____

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

6. If we will not be able to reach you directly, you may wish to give us the name and phone number of a person who can tell us how to reach you and/or provide information about your complaint:

Name: _____

Telephone Number: (____) _____

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

Name of attorney: _____

Address of attorney: _____

Telephone number of attorney: (____) _____

8.* To your best recollection, on what date(s) did the alleged discrimination take place?

Earliest date of discrimination: _____

Most recent date of discrimination: _____

9.* Please explain as clearly as possible what happened, why you believe it happened, and how you were discriminated against. Please indicate who was involved. Be sure to include how other persons were treated differently from you. (Please use additional sheets if necessary and attach a copy of written materials pertaining to your case).

10. The laws we enforce prohibit recipients of federal funds programmed through the FHMPO from intimidating or retaliating against anyone because he or she has either taken action or participated in action to secure rights protected by these laws. If you believe that you have been retaliated against (separate from the discrimination alleged in #9), please explain the circumstances below. Be sure to explain what actions you took which you believe were the basis for the alleged retaliation.

11. Please list below any persons (witnesses, fellow employees, supervisors, or others), if known, whom we may contact for additional information to support or clarify your complaint.

Name, Address, Telephone Number (with area code)

12. Do you have any other information that you think is relevant to our investigation of your allegations?

13. What remedy are you seeking for the alleged discrimination?

14. Have you (or the person discriminated against) filed the same or any other complaints with other agencies such as the KDOT Office of Civil rights, etc.?

If so, please provide the complaint number?

Against what agency and department or program was it filed?

Address: _____

Telephone Number: (____) _____

Date of filing: _____ Agency: _____

Briefly, what was the complaint about?

What was the result?

15. Have you filed or do you intend to file a charge or complaint concerning the matters raised in this complaint with any of the following?

- ☐ U.S. Equal Employment Opportunity Commission
- ☐ Federal or State Court
- ☐ Your State Equal Opportunity Office and/or local Office of Human Rights

16. If you have already filed a charge or complaint with an agency indicated in #15 above, please provide the following information (attach additional pages if necessary):

Agency: _____

Date Filed: _____

Case or Docket Number: _____

Date of Trial/Hearing: _____

Location of Agency/Court: _____

Name of Investigator: _____

Status of Case: _____

Comments:

17. How did you learn that you could file this complaint?

18.* We cannot accept a complaint if it has not been signed. Please sign and date this complaint form below.

_____	_____
(Signature)	(Date)

Please feel free to add additional sheets to explain the present situation to us.

Please mail the completed and signed Title VI Discrimination Complaint Form (make one copy for your records) to:

Flint Hills MPO
Title VI Coordinator
2805 Claflin Rd, Suite 100
Manhattan, KS 66502
785.620.3070



Attachment D: Notice to the Public

The paragraph below will be inserted into all significant publications that are distributed to the public. The text will be placed permanently on the MPO's website (www.FlintHillsMPO.org).

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 Flint Hills Metropolitan Planning Organization (MPO) hereby gives public notice that it is the policy of the agency to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice, and related statutes and regulations in all programs and activities. Title VI requires that no person in the United States of America shall, on the grounds of race, color, sex, or national origin, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the MPO receives federal financial assistance. 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 the MPO. Any such complaint must be in writing and filed with the MPO's Title VI Coordinator within one hundred and eighty (180) days following the date of the alleged discriminatory occurrence. For more information, or to obtain a Title VI Discriminatory Complaint Form, please see our website at www.FlintHillsMPO.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:

MPO programs do not discriminate against anyone on the basis of race, color or national origin, according to Title VI of the Civil Rights Act of 1964. For more information, or to obtain a Title VI Complaint Form, visit www.FlintHillsMPO.org or call 855-785-3472.

Attachment E: Record of Policy Board Adoption

One of the Title VI requirements is to include the meeting minutes for the policy decisions when this Title VI Program Guidance was last reviewed and/or approved. The MPO Policy Board agendas and minutes may be found on the MPO website at www.FlintHillsMPO.org. For reference, the 2018 Title VI Program Guidance was adopted by the Policy Board at the August 15, 2018 meeting.

Attachment F: Demographic Data

2023 Demographic Profile Data	Geary County		Pottawatomie		Riley County		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
SEX & AGE								
Total population	35,895	100.0%	25,808	100.0%	71,402	100%	133,105	100.0%
14 years and under	10,114	28.2%	6,241	24.2%	9,934	13.9%	26,289	19.8%
15 to 24 years	6,194	17.3%	3,101	12.0%	26,072	36.5%	35,367	26.6%
25 to 34 years	7,658	21.3%	3,026	11.7%	10,373	14.5%	21,057	15.8%
35 to 44 years	4,391	12.2%	3,570	13.8%	7,287	10.2%	15,248	11.5%
45 to 54 years	2,348	6.5%	2,852	11.1%	4,654	6.5%	9,854	7.4%
55 to 64 years	2,082	5.8%	3,129	12.1%	4,656	6.5%	9,867	7.4%
65 to 74 years	1,831	5.1%	2,371	9.2%	5,409	7.6%	9,611	7.2%
75 to 84 years	761	2.1%	988	3.8%	2,277	3.2%	4,026	3.0%
85 years and over	516	1.4%	516	2.0%	516	0.7%	1,548	1.2%
Median age (years)	27.1		36.2		24.9			
Male population	18,876	52.6%	12,940	50.1%	38,564	54.0%	70,380	52.9%
Female population	17,019	47.4%	12,868	49.9%	32,838	46.0%	62,725	47.1%
RACE*								
Total populations	36,739	100.0%	25,348	100.0%	71,959	100.0%	134,046	100.0%
White	19,957	54.3%	22,065	87.0%	51,807	72.0%	93,829	70.0%
Hispanic or Latino	5,776	15.7%	1,429	5.6%	7,470	10.4%	14,675	10.9%
Black or African	6,062	16.5%	271	1.1%	4,759	6.6%	11,092	8.3%
American Indian and Alaska Native	207	0.6%	109	0.4%	305	0.4%	621	0.5%
Asian	1,183	3.2%	194	0.8%	3,325	4.6%	4,702	3.5%
Native Hawaiian and Other Pacific Islander	452	1.2%	27	0.1%	224	0.3%	703	0.5%
Other	189	0.5%	70	0.3%	413	0.6%	672	0.5%
Two or more races	2,913	7.9%	1,183	4.7%	3,656	5.1%	7,752	5.8%
HOUSEHOLD BY TYPE								
Total households	13,787		9,084		27,875		50,746	
Average household size	2.66		2.79		2.58		2.64	
* Race data is taken from the 2020 census, whereas Sex & Age data as it is taken from the 2023 ACS update								