

**TITLE VI PROGRAM
TYLER AREA METROPOLITAN PLANNING ORGANIZATION (MPO)**

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Prepared by the
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City of Tyler, Texas

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TITLE VI NONDISCRIMINATION PROGRAM AND ENVIRONMENTAL JUSTICE IMPLEMENTATION STRATEGY

Introduction

The Tyler Area Metropolitan Planning Organization (MPO) is committed to compliance with Title VI of the Civil Rights Act of 1964, 49 CFR, part 21, and all related regulations and directives.¹ The MPO assures that no person shall, on the grounds of race, color, national origin, sex, age, creed, or English proficiency, be excluded from participation, be denied the benefits of, or be subjected to discrimination under any Tyler Area MPO program, activity, or service. The Tyler Area MPO further assures that every effort will be made to ensure non-discrimination in all its programs, activities, and services, whether those programs, activities, and services are federally funded or not.

In the event the Tyler Area MPO distributes Federal aid funds to another entity, the MPO will include Title VI language in all written agreements and will monitor for compliance. The Tyler Area MPO is also committed to ensuring that every effort will be made to prevent discrimination against low-income and minority populations because of any impact of its programs or activities in accordance with Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. In addition, Tyler Area MPO assures that every effort will be made to provide meaningful access to persons who have Limited English Proficiency, in accordance with Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency.

The Tyler Area MPO fosters a planning environment that values diverse perspectives and prioritizes equitable transportation solutions. This commitment extends to ensuring compliance with all Title VI requirements and related federal and state laws, providing meaningful access to transportation programs for limited English proficient populations, and engaging traditionally underserved communities in transportation planning, and addressing complaints, resolving discrimination concerns.

¹Related regulations and directives including the following:

- *Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination based on disability.*
- *Title IX of the Education Amendments Act of 1972, which prohibits discrimination based on sex in education programs or activities.*
- *Age Discrimination Act of 1975, which prohibits discrimination based on age.*
- *U.S. Department of Homeland Security regulation 6 CFR Part 19, which prohibits discrimination based on religion in social service programs.*

Chapter 1: Legal and Policy Framework

Federal Transit Administration (FTA) Title VI Certifications and Assurances

As a recipient of federal funding from the Federal Transit Administration (FTA), the Tyler Area MPO certifies its compliance with all applicable requirements. The MPO pledges the following assurances:

1. Non-discrimination in Transit Programs – No individual is excluded from participation in, denied benefits of, or subjected to discrimination under any MPO-related transit program.
2. Title VI Implementation – The MPO will develop and maintain a Title VI Program that includes policies, procedures, and monitoring mechanisms.
3. Public Participation and LEP Access – The MPO will engage minority and LEP populations in the transportation planning process and provide accessible materials and translation services.
4. Compliance Reporting – The MPO will submit all required reports, data, and analyses to the FTA to demonstrate Title VI compliance.
5. Contract Compliance – All contracts, subcontracts, and agreements contain Title VI assurances and nondiscrimination clauses.
6. Complaint Resolution – The MPO will maintain a process for receiving, investigating, and resolving Title VI complaints related to transit programs.

Federal Highway Administration (FHWA) Title VI Certifications and Assurances

As a recipient of federal highway funding through the Texas Department of Transportation (TxDOT) and the FHWA, the MPO complies with all requirements outlined in Title VI and related federal regulations. The MPO makes the following assurances:

1. Equitable Access to Highway Programs – All individuals have equal access to federally funded highway planning and programs.
2. Title VI Coordination and Oversight – The MPO will designate a Title VI Coordinator to monitor compliance and address concerns.
3. Public Involvement and Environmental Justice – The MPO will integrate environmental justice principles into transportation planning and actively engage underserved communities.
4. Data Collection and Analysis – The MPO will collect demographic data and conduct analyses to identify and address potential disparities in transportation investments.
5. Title VI in Contracting – All contractors and sub-recipients comply with Title VI requirements through contract provisions and monitoring.
6. Complaint Investigation Procedures – The MPO will maintain a process for investigating and resolving Title VI complaints related to highway programs.

The Tyler Area MPO reaffirms its dedication to inclusion in transportation planning. The MPO will continue implementing policies and procedures that promote equity, monitor compliance, and engage diverse communities in shaping the region's transportation future.

Tyler Area MPO Title VI Policy Statement

The Tyler Area Metropolitan Planning Organization (MPO) is committed to compliance with Title VI of the Civil Rights Act of 1964, 49 CFR, part 21, and all related regulations and directives.² The MPO assures that no person shall, on the grounds of race, color, national origin, sex, age, creed, or English proficiency, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any MPO program, activity, or service. The MPO further assures that every effort will be made to ensure non-discrimination in all its programs, activities, and services, whether those programs, activities, and services are federally funded or not. In the event the MPO distributes Federal aid funds to another entity, the MPO will include Title VI language in all written agreements and will monitor for compliance. The MPO is also committed to ensuring that every effort will be made to prevent discrimination against low-income and minority populations because of any impact of its programs or activities in accordance with Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. In addition, Tyler Area MPO assures every effort will be made to provide meaningful access to persons who have Limited English Proficiency, in accordance with Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency.

Retaliation is prohibited under Title VI of the Civil Rights Act of 1964 and related federal and state nondiscrimination authorities. It is the policy of the Tyler Area MPO that people filing a complaint of discrimination should have the right to do so without fear of retaliation, interference, intimidation, coercion, or reprisal.

Specific Forms of Discrimination Prohibited

The Tyler Area MPO efforts to prevent discrimination include, but are not limited to, prohibiting:

- The denial of services, financial aid, or other benefits provided under a program.
- Distinctions in the quality, quantity, or manner in which the benefit is provided.
- Segregation or separation of persons in any part of the program.
- Restriction in the enjoyment of any advantages, privileges, or other benefits provided to others.
 - Different standards or requirements for participation.
- Methods of administration that directly or indirectly, or through contractual relationships, would defeat or impair the accomplishment of effective nondiscrimination.
- Discrimination in any activities or services related to a highway, infrastructure, or facility built or repaired in whole or in part with Federal funds.
- Discrimination in any employment resulting from a program or service, the primary purpose of which is to provide employment.

Tyler Area Metropolitan Planning Organization Programs and Services Covered by Title VI

The Tyler Area MPO's Title VI Plan applies to all the entity's programs, activities, and services, regardless of funding source.

Donald P. Warren, Policy Committee Chair
Tyler Area Metropolitan Planning Organization

Date

² Related regulations and directives including the following:

- *Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination based on disability.*
- *Title IX of the Education Amendments Act of 1972, which prohibits discrimination based on sex in education programs or activities.*
- *Age Discrimination Act of 1975, which prohibits discrimination based on age.*
- *U.S. Department of Homeland Security regulation 6 CFR Part 19, which prohibits discrimination based on religion in social service programs.*

Chapter 2: Organization and Staffing

Effective administration of the Title VI Plan requires clear roles, responsibilities, and coordination among MPO staff, partner agencies, and the public. The Title VI program is administered through a structured framework that includes the MPO's Transportation Policy Committee, Title VI Coordinator, and MPO Staff. Each entity plays a critical role in compliance.

The MPO's Transportation Policy Committee is the governing body responsible for overall policy direction and decision-making. Transportation plans, projects, and funding decisions adhere to Title VI principles. The Committee's responsibilities include approving the Title VI plan and ensuring implementation by reviewing reports and complaints to promote equitable transportation solutions.

Voting Member	Title	Organization
Don Warren	Mayor	City of Tyler
Edward Broussard	City Manager	City of Tyler
Darin Jennings, PE	City Engineer	City of Tyler
Carolyn Caldwell	City Manager	City of Lindale
Leslie Black	City Manager	City of Whitehouse
Dee Roden	City Council Member	City of Winona
Neal Franklin	County Judge	Smith County
Christina Drewry	County Commissioner	Smith County
Frank Davis, PE	County Engineer	Smith County
Gary Halbrooks	Chair	NET RMA
Vernon Webb, PE	District Engineer	TxDOT

The Title VI Coordinator, Michael Howell, reports to the Committee and is responsible for implementing, enforcing Title VI policies, and serving as the primary point of contact for related matters. The coordinator assures compliance by developing, monitoring, and administering the Title VI plan. Coordinator responsibilities include investigating and resolving complaints, conducting training, and collecting and analyzing demographic data. Additionally, the coordinator prepares and submits required reports to the Texas Department of Transportation (TxDOT) and federal agencies.

MPO staff and partner agencies are essential in implementing Title VI requirements. By integrating Title VI principles into transportation planning and project development, the MPO ensures that public participation efforts are accessible to diverse populations. The MPO collaborates with TxDOT, the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), local governments, and community organizations to certify Title VI compliance.

The MPO established monitoring and enforcement mechanisms. Regular evaluation of MPO programs and review of public participation efforts ensure engagement. Concerns are addressed promptly and adhere to Title VI practices.

The Tyler Area MPO fosters a fair and equitable transportation planning process. The MPO will continue to uphold its Title VI responsibilities and ensure that individuals have equal access to transportation programs and services.

Chapter 3: Title VI Program Area Review Procedures

Tyler Area Metropolitan Planning Organization (MPO) reviews programs, policies, and activities to identify and address potential discriminatory impacts and promote equitable service delivery to all populations in compliance with Title VI of the Civil Rights Act of 1964 and related nondiscrimination laws and regulations.

The MPO operates across multiple program areas, including transportation planning, project funding, and public engagement. Each program area must integrate Title VI compliance into its activities to prevent discrimination based on race, color, national origin, sex, age, disability, or income status. The Title VI Coordinator is responsible for overseeing compliance within all program areas.

Staff continuously review Title VI programs, policies, and activities to ensure compliance with Title VI requirements. Collecting demographic data on the populations affected by MPO programs and analyzing data to determine if any group is disproportionately affected by policies or funding decisions.

Meaningful participation is imperative to the MPO process. The MPO agrees to conduct outreach to ensure meaningful participation from all communities, provide materials in multiple languages as Limited English Proficiency (LEP) guidelines require, hold public meetings in accessible locations, and provide accommodations for persons with disabilities.

If a Title VI violation is identified, the Title VI Coordinator develops a corrective action plan with specific measures and timelines to submit to the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) as required. The MPO makes reports available to the public and interested stakeholders to maintain transparency.

Annually, the MPO will review and update the Title VI Program Procedures to ensure continued compliance with changes to federal regulations. By implementing these review procedures, the Tyler Area MPO reaffirms its commitment to providing equitable transportation planning and investment for all residents in the Tyler metropolitan area.

Chapter 4: Subrecipient Review Procedures

The MPO works to prevent discrimination in awarding contracts, subcontracts, and funding decisions. Contracts and procurement activities comply with Title VI of the Civil Rights Act of 1964 and related laws. The MPO follows all applicable federal, state, and local laws and regulations governing contracts, including:

- 49 CFR Part 21 - Title VI compliance in federally funded programs.
- 49 CFR Part 26 - Disadvantaged Business Enterprise (DBE) program
- Executive Order 11246 - Equal employment opportunity in contracts.
- TxDOT's DBE and Small Business Programs

The MPO encourages the adoption of fair and open competitive procurement opportunities, including Requests for Qualifications (RFQs). Procurement decisions are based on objective criteria, ensuring no preferential treatment. Contract selection processes are transparent and documented to prevent bias.

Every contract and subcontract must contain impartiality clauses, ensuring contractors agree to comply with Title VI requirements. Contractors must also certify that they will not engage in discriminatory employment or business practices. Title VI must be incorporated into all contracts and agreements to protect against discriminatory practices.

The MPO, along with the City of Tyler Transit, encourages the participation of Disadvantaged Business Enterprises (DBEs), Minority-Owned Businesses (MBEs), and Women-Owned Businesses (WBEs) in contracting opportunities. Tyler City Transit (ACT) established the DBE participation goals following FTA, FHWA, and TxDOT guidelines. Outreach efforts are conducted for small and minority owned businesses.

The ACT conducts outreach events to engage DBEs and minority-owned businesses in procurement opportunities. Technical assistance and resources are provided to help small companies to navigate the bidding process. Public notices about contracting opportunities are translated into multiple languages when applicable for Limited English Proficiency (LEP) access.

The City of Tyler Transit regularly monitors, evaluates, and reports on its contracting and procurement activities. All contracts are reviewed for compliance with regulations, and subcontracting arrangements are examined to confirm that DBE participation goals are met. Any individual or business that believes they have been subjected to discriminatory practices in the MPO's contracting process may file a Title VI complaint.

Corrective actions are taken if complaints are investigated and discriminatory practices are identified. Data on the demographics of awarded contracts is collected for equitable funding distribution. Periodic reviews assess the effectiveness of the MPO's efforts to ensure equity in funding decisions. The MPO proactively encourages transportation funding to be equitably distributed across communities. Funding decisions are reviewed for potential adverse impacts on historically disadvantaged populations. The MPO prioritizes projects that improve access to transportation services for underserved areas. Funding decisions are documented and publicly accessible. Stakeholders and community representatives are engaged in the funding decision process. The MPO is committed to Title VI compliance and equitable transportation planning by implementing these policies and procedures.

Chapter 5: Data Collection & Analysis Methods

Tyler Area MPO developed procedures to collect and analyze statistical data of the agency's programs and activities. Addressing potential disparities in transportation planning ensures that policies comply with Title VI of the Civil Rights Act of 1964. Data collection and review permit the identification of disproportionate impacts on minority, low-income, and limited English proficiency (LEP) populations.

The MPO collects data related to demographics of the Tyler region, public participation, transportation investments, Transit accessibility, and any Title VI complaints and resolutions. Data collection and reporting efforts align with federal requirements set by the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), and the Texas Department of Transportation (TxDOT).

The MPO employs various methods to collect and analyze data related to Title VI compliance, including U.S. Census Bureau data (Decennial Census, American Community Survey), TxDOT and MPO collected survey data, and local government reports. Demographic data is mapped using Geographic Information System (GIS) tools to identify areas with high concentrations of historically disadvantaged populations.

Data regarding participation is gathered during public meetings. The MPO evaluates how transportation investments affect different communities to prevent disparate impacts. Staff maps transportation project locations relative to minority and low-income populations, compares funding allocations between various demographic groups, assesses transit service coverage to equitable access, and reviews past project selections to identify investment trends. This data is reviewed annually to identify recurring concerns and improve MPO policies.

Executive Order 12898 focuses on environmental justice and requires the MPO to assess whether transportation projects disproportionately impact low-income and minority communities by conducting impact assessments for major projects to identify potential displacement risks. The MPO continuously monitors compliance through performance measures and other indicators. The MPO periodically updates its Title VI Plan based on new census and community survey data and from equity impact analyses, including the four-factor analysis.

Four Factors Analysis

The Four-Factor Analysis is a framework required by the U.S. Department of Transportation (USDOT) to ensure meaningful access to Limited English Proficient (LEP) individuals under Title VI of the Civil Rights Act. For the Tyler Area Metropolitan Planning Organization (MPO), the analysis includes demographic and language data to determine the scope of language assistance needs in its service area.

To enhance its Four-Factor Analysis, the Tyler Area MPO reviewed data from the U.S. Census Bureau's 2020 Census Estimates. This dataset provides detailed insights into the primary languages spoken at home and English proficiency levels of residents within the MPO's service area, specifically Smith County.

These tools guide the MPO's decisions regarding language assistance priorities and outreach strategies.

1. Factor #1: The number or proportion of LEP persons served or encountered in the eligible service population ("served or encountered" includes those persons who would be served or encountered by the grantee if the persons received adequate education and outreach and the grantee provided sufficient language services)
2. Factor #2: The frequency with which LEP persons come into contact with the program
3. Factor #3: The nature and importance of the program, activity, or service provided by the program
4. Factor #4: The resources available and costs to the recipient.

Factor 1: Number or Proportion of LEP Individuals

The Tyler Area MPO evaluates transportation equity using data-driven decision-making. By systematically collecting, analyzing, and reporting data, the MPO enhances accountability and strengthens efforts to eliminate discrimination in transportation planning.

To support its Four-Factor Analysis, the Tyler Area MPO analyzed Limited English Proficient (LEP) population distributions using the U.S. Census Bureau's 2020 Census Estimates and local demographic knowledge.

A summary of language groups and their alignment with the U.S. Department of Transportation's (DOT) Safe Harbor Threshold (i.e., more than 1,000 individuals or 5% of the population) is presented in Exhibit 1: Safe Harbor Languages Table.

Exhibit 1: Safe Harbor Language Table

Only Spanish-speaking individuals who report speaking English "less than very well" currently meet the Safe Harbor threshold in the Tyler Area MPO region.

Language	Estimated LEP Individuals	Percent of Population	Meets Safe Harbor Threshold
Spanish	15,829	6.88%	Yes
Asian and Pacific Island languages	695	0.30%	No
Other Indo-European languages	103	0.04%	No
Other languages	257	0.11%	No

Factor 2: Frequency of Contact with LEP Individuals

The Tyler Area Metropolitan Planning Organization (MPO) periodically reviews its level of interaction with Limited English Proficient (LEP) individuals to assess and improve language access. While the majority of participants engage in English, the MPO recognizes the importance of making its programs and services accessible to all, regardless of language ability.

Public Engagement

To date, the Tyler Area MPO has not received any formal requests for interpreters at public meetings; however, the MPO ensures key outreach materials are made available in Spanish when requested and maintains readiness to accommodate interpretation needs.

Surveys

All public surveys conducted by the MPO are available in English, and translations into other languages are provided upon request. While no LEP-specific survey responses have been submitted to date, the MPO remains committed to expanding accessibility and outreach as needed.

Key Planning Documents

Core MPO documents—including the Metropolitan Transportation Plan (MTP), Transportation Improvement Program (TIP), Public Participation Plan (PPP), and the Annual Listing of Projects—are available for translation into any requested language. As of this report, the MPO has not received any translation requests for these documents but is fully prepared to respond promptly when such needs arise.

Translation and Interpretation Resources

The MPO maintains access to a list of certified translators through the City of Tyler. The City offers bilingual certification pay for individuals who can speak Spanish and keeps a record of those individuals should translation services be necessary.

LEP Interaction Tracking

All interactions related to language access—including translation requests, public inquiries, and outreach responses—are formally logged. These records help the MPO identify trends, monitor gaps in service, and plan for the evolving needs of the region's LEP populations.

Factor 3: Nature and Importance of the Program or Service

The Tyler Area Metropolitan Planning Organization (MPO) plays a critical role in planning and coordinating transportation infrastructure and services across Smith County. For Limited English Proficient (LEP) individuals, MPO services are especially important, as they directly impact access to employment, education, healthcare, and essential community resources.

Importance to LEP Populations

Many LEP individuals rely heavily on public transportation or pedestrian/bicycle infrastructure due to lower rates of vehicle ownership and income. The MPO's planning efforts influence:

- Transit accessibility and routing
- Road safety improvements
- Walkability and ADA compliance
- Funding allocations for underserved communities

If LEP individuals are not engaged or informed, they risk being excluded from decision-making processes that shape the transportation systems they rely on most.

Vital Programs and Documents

Several MPO programs and planning documents are considered vital because they significantly influence transportation policy and project delivery:

- **Metropolitan Transportation Plan (MTP):** A 20+ year strategic blueprint for regional transportation projects. Public input on this plan determines long-term investments.
- **Transportation Improvement Program (TIP):** A short-range (4-year) list of prioritized, funded projects. LEP engagement is essential to ensure equitable distribution of resources.
- **Public Participation Plan (PPP):** Defines how the MPO communicates and engages with the public, including LEP communities.
- **Annual Listing of Projects:** Details where federal transportation funds are spent.
- **Public notices:** Announcements regarding planning meetings, comment periods, and service changes—all of which must be accessible to LEP individuals for meaningful participation. The MPO recognizes that failure to engage LEP individuals can result in inequitable outcomes and missed opportunities for improving transportation equity. Therefore, it prioritizes inclusive practices in outreach, document translation, and planning collaboration.

Factor 4: Resources Available and Costs

The Tyler Area MPO is committed to providing meaningful access to its programs and services for individuals with Limited English Proficiency (LEP). While direct requests for LEP accommodations have been limited, the MPO maintains the capacity to respond effectively to language needs upon request, ensuring that all community members have an opportunity to participate in regional transportation planning.

Budget and Staffing

The MPO allocates a portion of its administrative and outreach resources to support LEP services as part of its broader commitment to inclusive public participation. In addition to internal capabilities, the MPO benefits from shared resources provided by the City of Tyler, including access to contracted translation services and technical support through the City's Communications Department.

To ensure readiness, the MPO:

- Maintains a list of qualified translators through the City of Tyler.
- Coordinates with city and community partners to offer language assistance based on identified needs.

Language Assistance Services

The MPO provides several language support strategies upon request to assist LEP individuals and ensure meaningful access to programs and materials:

- **Translated Documents:** Vital documents—such as public meeting notices, complaint forms, the Title VI Plan, and key planning documents (e.g., TIP, MTP, PPP)—are translated into Spanish or other languages upon request.
- **Interpretation Services:** Interpretation for public meetings and events is made available upon request with reasonable advance notice.

- **Online Accessibility:** The MPO website includes translation tools that allow users to view content in their preferred language upon selection.

Cost Considerations and Ongoing Needs

Although current demand for LEP services is low, the MPO acknowledges that language needs may evolve over time. All LEP-related interactions and service requests are formally tracked to assess usage trends, identify service gaps, and inform future planning. The MPO remains committed to maintaining responsive, cost-effective strategies that uphold meaningful access for all community members when requested.

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Chapter 6: Training Procedures

Upon adopting the Title VI plan, the MPO Director, Michael Howell, shall become the person responsible for implementing and monitoring the plan as the Title VI Coordinator. The duties and responsibilities assigned to that designation shall include but are not limited to the following.

1. Assisting program personnel to correct Title VI problems or discriminatory practices or policies found through self-monitoring and review activities
2. Being the focal point for Title VI implementation and monitoring of programs and/or activities receiving federal financial assistance
3. Ensuring that Title VI requirements are included in policy directives and that the procedures used have built-in safeguards to prevent discrimination
4. Implementation of procedures for processing Title VI external discrimination complaints
5. Attendance at training on Title VI and other nondiscrimination authorities
6. Efforts to coordinate the development and implementation of Title VI and related statutes
7. Developing Title VI information for public dissemination, and where appropriate, in languages other than English.

Tyler Area MPO staff, committee members, and relevant stakeholders shall undergo annual training on rules, regulations, and guidance to implement Title VI and EJ. Training will also be provided to the Technical Advisory Committee and the Transportation Policy Committee. Staff and stakeholders understand and comply with Title VI of the Civil Rights Act of 1964 and related nondiscrimination laws. Training enhances awareness, improves implementation, and promotes equitable service delivery. Specialized training will be provided for employees with direct responsibilities in program compliance, complaint resolution, and community outreach.

Title VI training is held as in-person workshops led by Title VI compliance experts, online training, webinars, and virtual meetings for ongoing learning. Training materials will be updated regularly to reflect changes in laws. The MPO will maintain records of all Title VI training sessions, including attendance logs and training materials. Training participation reports will be submitted to the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) as required. The training program enhances awareness, improves implementation, and promotes equitable service delivery.

Chapter 7: Complaint Procedures

The MPO established a clear and accessible process for receiving, investigating, and resolving Title VI complaints. Under Title VI of the Civil Rights Act of 1964, individuals are guaranteed equal access to transportation programs and services without discrimination.

Any individual or group who believes they have been subjected to discrimination in an MPO program, service, or activity may file a Title VI complaint, available on the MPO website and at public meetings. Alternative formats and language assistance will be provided upon request. Complaints must be submitted in writing and include as much detail as possible to support the allegation.

Individuals who believe they have experienced discrimination may file a Title VI complaint. A representative or advocate on behalf of a discriminated person may submit the complaint. A Complaint form may be submitted by organizations that allege discriminatory practices.

Complaints may be submitted to the Tyler Area MPO Title VI Coordinator by:

Mail: Tyler Area Metropolitan Planning Organization
Attn: Title VI Coordinator
P.O. Box 2039
Tyler, TX 75710
Email: mpo@tylertexas.com
Phone: (903) 531-1039
In-person: Tyler Area MPO Office
423 W. Ferguson Street

Title VI complaints must include the complainant's full name, address, phone number, and email (if available). A description of the alleged discriminatory act must be provided, including the basis of discrimination, date, time, and location. The complainant or advocate should include the names and contact information of witnesses and any supporting documents, if applicable. Complaints should be filed within 180 days of the alleged discriminatory action. The Title VI Complaint Forms may be emailed from the MPO webpage, may be printed and mailed, submitted in person at the MPO Offices, or submitted directly in the form online. The complaint form must be signed and may not be anonymous.

Once a Title VI complaint is received, the MPO follows a structured process to investigate and resolve the issue fairly and promptly. Within 10 business days of receiving a complaint, the Title VI Coordinator will send a written acknowledgment to the complainant, review the complaint for completeness and jurisdiction, and notify the complainant if additional information is required. If the complaint does not fall under Title VI jurisdiction, the complainant will be notified in writing, and the appropriate agency may refer the case.

Conducting a thorough and impartial investigation, the MPO will review relevant policies and procedures, interview the complainant and witnesses, and analyze demographic data to assess potential disparities. Investigations will be completed within 60 calendar days of receiving a complete complaint. Once the investigation is complete, the MPO prepares a report summarizing findings, evidence, and conclusions. The MPO will issue a Letter of Finding to the complainant, stating whether a Title VI violation occurred and outlining corrective actions to be taken.

1. A complaint is received by the MPO:

Complaints submitted by the complainant or their desired representative. If the complainant is unable to complete the form in writing due to disability or limited English proficiency, upon request, reasonable accommodations will be made to ensure the complaint is received and processed in a timely manner. Complainants wishing to file a complaint who do not have access to the Internet or the ability to pick up a form will be mailed a complaint form to complete. The complainant will be notified if the complaint form is incomplete and asked to furnish the missing information.

2. Complaint is logged into the tracking database:

Completed complaint forms will be logged into the complaint tracking database; basic data will be maintained on each complaint received.

3. Determine jurisdiction:

The MPO will complete an initial review of the complaint. The purpose of this review is to determine if the complaint meets the basic criteria. The criteria required for a complete complaint include:

- Basis of alleged discrimination (i.e., race, religion, color, national origin, sex, age, or disability)
- Determination of timeliness will also be made to ensure that the complaint was filed within the 180-day time requirement.
- The program in which the alleged discrimination occurred will be examined to ensure that the complaint was filed with the appropriate agency. During this process, if a determination is made that the program or activity in which the alleged discrimination occurred is not related to an MPO program or activity, every attempt will be made to establish the correct agency. Whenever possible, and assuming consent was granted on the Consent/Release form, the complaint will be forwarded to the appropriate agency.

4. Initial written notice to the complainant:

Within ten (10) working days of the receipt of the complaint, the MPO will send notice to the complainant confirming receipt of the complaint; if needed, the notice will request additional information, notify complainant that the activity is not related to an MPO program or activity, or does not meet the deadline requirement. Conclusions made in step three (3) will determine the appropriate response to the complaint. If any additional information is needed from the complainant, it will be communicated at this point in the process. A copy of the written response, as well as the complaint form, as well as the complaint form, will be forwarded to the Texas Department of Transportation and the Office of Civil Rights.

5. Investigation of the complaint:

The Tyler Area MPO staff will confer with the MPO Director to determine the most appropriate factfinding process to ensure that all available information is collected to reach the most informed conclusion and resolution of the complaint. An investigation may include, but is not limited to:

- Internal meetings with MPO staff and legal counsel
- Consultation with state and federal agencies
- Interviews with complainants
- Review of documentation (i.e., planning, public involvement, and technical program activities)
- Interviews and review of documentation with other agencies involved
- Review of technical analysis methods

- Review of demographic data

6. Determination of investigation:

An investigation must be completed within sixty (60) days of receiving the complete complaint unless the facts and circumstances warrant otherwise. A decision will be made based on the information obtained. The MPO Director and/or designee will render a recommendation for action, including formal and/or informal resolution strategies in a report of findings.

7. Notification of determination:

Within ten (10) days of completion of an investigation, the complainant must be notified by the MPO Director, who makes the final decision. The notification will advise the complainant of his/her appeal rights with state and federal agencies if he/she is dissatisfied with the final decision. A copy of this letter, along with the report of findings, will be forwarded to the Texas Department of Transportation, Office of Civil Rights, Contract Compliance Section, for informational purposes. If the complainant disagrees with the findings, they may request a reconsideration of the case within 30 calendar days of receiving the decision. Appeals must be submitted in writing and include additional information. If the complainant feels unsatisfied with the decision, they may also file a complaint with the following federal agencies within 180 days of the alleged discriminatory act.

Office of Civil Rights: Phone: Website:	Federal Highway Administration (FHWA) Office of Civil Rights 1200 New Jersey Ave, SE (202) 366-0693 https://highways.dot.gov/civil-rights
Federal Transit Administration (FTA) Phone: Website:	Federal Transit Administration (FTA) Office of Civil Rights 1200 New Jersey Ave, SE Washington, DC 20590 (888) 446-4511 https://www.transit.dot.gov/civilrights
Texas Department of Transportation (TxDOT) Phone: Website:	Texas Department of Transportation (TxDOT) Civil Rights Division 125 East 11th Street Austin, TX 78701 (512) 463-8588 https://www.txdot.gov/about/divisions/civil-rights-division.html

The MPO posts the Title VI Complaint Procedures and Complaint Form on its website. The MPO maintains a Title VI Complaint Log that includes the complaint's date and nature, the investigation status, and the final resolution, found in Exhibit 5: Title VI Complaint Log. As part of reporting, an annual summary of complaints and resolutions is submitted to TxDOT, FHWA, and FTA.

By ensuring a prompt and thorough investigation of Title VI concerns, the MPO upholds the commitment to equality in transportation planning and decision-making and maintains a fair, transparent, and accessible complaint resolution process.

Chapter 8: Dissemination of Title VI Information

Methods for disseminating the forms are published in the Public Participation Plan and posted on the MPO webpage. Staff take complaint forms and procedures to all public meetings the MPO hosts. MPO maintains a dedicated Title VI webpage with policy statements, complaint procedures, and contact information for the Title VI Coordinator. Relevant documents are available in multiple languages as required by Limited English Proficiency (LEP) guidelines. The Title VI Complaint Form is Exhibit 2 Civil Rights Complaint Form English; the Title VI Complaint Form in Spanish is Exhibit 3 Formulario de Queja de Derechos Civiles Español.

Title VI nondiscrimination notices will be displayed at MPO offices. The notices include information on how to file a Title VI complaint and where to obtain additional resources. Employees, contractors, and subrecipients will receive Title VI information during onboarding and annual training sessions. The MPO reviews the Title VI dissemination efforts annually to assess effectiveness and make necessary improvements to ensure compliance and accessibility.

Chapter 9: Limited English Proficiency & Environmental Justice

In compliance with regulations, agencies that receive federal funding must ensure meaningful access for individuals with limited English proficiency. The MPO analyzes U.S. Census data, American Community Survey (ACS) reports, and local demographic studies to identify regional LEP populations. Public engagement is essential to developing equitable transportation solutions that meet the needs of all community members, including minority populations, low-income groups, and individuals with limited English proficiency.

The U.S. Department of Transportation (DOT) established its Environmental Justice (EJ) commitment in 1994, requiring all federal agencies to integrate EJ principles into federally funded programs and activities. The current strategy continues to be guided by key legislative and regulatory authorities, including the National Environmental Policy Act of 1969 (NEPA), Title VI of the Civil Rights Act of 1964, relevant provisions of Title 23 and Title 49 of the U.S. Code, and Executive Order 12898, along with subsequent Memorandums of Understanding.

By incorporating EJ and non-discrimination considerations into transportation planning, project development, and environmental reviews, the DOT aims to enhance the quality of life for all individuals, particularly those in historically underserved and overburdened communities. For the Tyler Area Metropolitan Planning Organization (MPO), integrating EJ principles into transportation policies and projects ensures that all residents—regardless of race, income, or national origin—benefit from fair and inclusive transportation decisions.

The Public Participation Plan (PPP) is the foundation for outreach and engagement efforts, ensuring early and continuous public involvement in the planning process. It provides clear and accessible information about transportation plans and projects while employing diverse outreach strategies to engage traditionally underserved populations. The PPP is available on the MPO webpage at [Public Participation Plan | Tyler, TX](#).

The MPO periodically reviews and updates the PPP to enhance engagement strategies and align with Title VI requirements. Public involvement opportunities are designed to be fair and inclusive. Partnering with local organizations, faith-based groups, and advocacy groups expands outreach efforts. The staff also works to identify communities facing barriers to participation.

The MPO utilizes multiple communication methods to reach diverse audiences, including public meetings, multilingual printed and digital materials, social media, and traditional media such as newspapers, radio, and television. Additionally, partnerships with local immigrant and refugee organizations help disseminate information effectively.

All public meetings are accessible to individuals with disabilities and LEP residents. Meetings are scheduled at various times and locations to accommodate different schedules and geographic areas. The MPO provides language interpretation services, translated materials, real-time captioning, and assistive listening devices as needed. To encourage participation beyond public meetings, the MPO distributes surveys in multiple languages —both online and in print — along with interactive mapping tools and comment forms to collect community feedback.

Key documents and flyers are translated into non-English languages, and interpretation services are available at public meetings when requested in advance. Notices on the MPO website and public meeting materials inform individuals of available language assistance services. MPO

staff members receive training in assisting LEP individuals through translation and interpretation services to ensure compliance with federal and state language access requirements.

The MPO regularly evaluates engagement metrics, such as meeting attendance and survey responses, to improve public participation and language access efforts. It also assesses the effectiveness of language assistance services through feedback from LEP populations and adjusts strategies based on community input and best practices.

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Chapter 10: Review of STA Directives

The Tyler Area Metropolitan Planning Organization (MPO) upholds federal laws to ensure fair and equitable access to transportation planning and services. Title VI of the Civil Rights Act of 1964 is the cornerstone of these efforts, prohibiting discrimination in federally funded programs and activities. Additionally, the MPO adheres to other regulations designed to prevent discrimination and promote inclusivity, including:

1. 49 CFR Part 21 – Regulations issued by the U.S. Department of Transportation (USDOT) to enforce Title VI in federally assisted programs.
2. 23 CFR Part 200 – Federal Highway Administration (FHWA) guidelines for implementing Title VI requirements.
3. Executive Order 12898 (Environmental Justice) – Directs agencies to identify and address disproportionately high and adverse effects of programs, policies, and activities on minority and low-income populations.
4. Executive Order 13166 (Limited English Proficiency – (LEP)) – Requires agencies receiving federal funding to provide meaningful access to individuals with limited English proficiency.
5. Americans with Disabilities Act (ADA) of 1990 – Prohibits discrimination against individuals with disabilities and provides equal access to public services.

Chapter 11: Compliance & Enforcement Procedures

Ongoing compliance with Title VI of the Civil Rights Act of 1964 and related regulations. The MPO monitors, evaluates, and updates Title VI policies and procedures to comply with federal and state regulations as needed. Ongoing evaluation and monitoring guarantee that Title VI programs are followed.

The MPO assesses Title VI implementation through quantifiable performance indicators, such as equity in funding allocations, demographics of public participation, Title VI complaints and resolutions, and effectiveness of language access services for LEP individuals.

The Title VI Coordinator conducts periodic internal audits for compliance with MPO policies to identify gaps or areas for improvement. The Title VI Plan is a living document that must reflect changes in federal or state regulations, demographic shifts relevant to transportation equity, feedback from stakeholders, and community advocacy groups.

The Tyler Area MPO remains dedicated to:

1. Ensuring equality in all programs and activities.
2. Regularly evaluating and improving Title VI policies.
3. Engaging diverse communities in the transportation planning process.
4. Maintaining transparency and accountability in compliance efforts.

By implementing these monitoring, reporting, and updating procedures, the MPO upholds its commitment to equity, inclusion, and compliance with Title VI regulations.

Chapter 12 Notice of Title VI Rights

The Tyler Area MPO Notice of Title VI rights is disseminated to the public in English and Spanish on the city's website. The Google Translate Application is available for all other translation needs.

The MPO hereby gives public notice that it is the Agency's policy to ensure 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 shall, on the grounds of race, color, or national origin, be excluded from participating in, be denied the benefits of, or be otherwise subjected to discrimination under any Federal Aid Highway program or other activity for which the Agency 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 Tyler Area Metropolitan Planning Organization. Any such complaint must be filed with the Title VI Coordinator within 180 days following the date of the alleged discriminatory occurrence. Title VI discrimination Complaint Forms may be obtained from the MPO staff, on the webpage www.tylerareampo.org, or emailed to mpo@tylertexas.com. Any questions or comments regarding this plan should be directed to the Tyler Area Metropolitan Planning Organization's Title VI Coordinator:

Michael Howell, MPO Director/Title VI Coordinator
Tyler Area Metropolitan Planning Organization
Physical address: 423 W. Ferguson Street
Tyler, Texas 75702
Mailing Address: P.O. Box 2039
Tyler, TX 75710
Phone: (903) 531-1039
Email: mpo@tylertexas.com

Notice to Beneficiaries of Protection Under Title VI

THE TYLER AREA METROPOLITAN PLANNING ORGANIZATION

- The Tyler Area Metropolitan Planning Organization 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 she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the Tyler Area Metropolitan Planning Organization.
- For more information on the Tyler Area Metropolitan Planning Organization's civil rights program and the procedures to file a complaint, contact (903) 531-1039, email mpo@tylertexas.com or visit our administrative office at 423 W. Ferguson Street, Tyler, Texas 75702. For more information, visit www.tylerareampo.org.
- If information is needed in another language, contact (903) 531-1039.

Aviso a los beneficiarios de la protección en virtud del Título VI

DE TYLER ORGANIZACIÓN DE PLANIFICACIÓN METROPOLITANA

- La Organización de Planificación Metropolitana de Tyler opera sus programas y servicios sin distinción de raza, color, origen nacional, de conformidad con el Título VI de la Ley de Derechos Civiles. Cualquier persona que cree o que ha sido perjudicada por una práctica discriminatoria ilegal bajo el Título VI, puede presentar una queja ante la Organización de Planificación Metropolitana de Tyler.
- Para obtener más información sobre el programa civil del Tyler Organización de Planificación Metropolitana de los derechos y los procedimientos para presentar una queja, comuníquese con (903) 531-1039, correo electrónico mpo@tylertexas.com o visite nuestra oficina administrativa en 423 W. Ferguson Street, Tyler, Texas 75702. Para obtener más información, visite www.tylerareamppo.org.
- Si se necesita información en otro idioma, comuníquese con (903) 531-1039.

Standard Title VI Nondiscrimination Assurances
The United States Department of Transportation (USDOT) Standard Title VI/
Non-Discrimination Assurances DOT Order No. 1050.2A

The Tyler Area 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 (The City of Tyler), 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 based on race, color, and national origin).
- 49 C.P.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.P.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

By 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 the DOT, including the City of Tyler.

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress concerning 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 nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is federally assisted.

Appendix A: Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances concerning its Federally assisted Tyler Area 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.P.R. § 21 will be (regarding an "activity") facilitated or will be (regarding a "facility") operated or will be (regarding a "program") conducted in compliance with all requirements imposed by, or under, 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 Tyler Area Metropolitan Planning Organization and, in adapted form, in all proposals for negotiated agreements regardless of funding source:
3. "The City of Tyler, by the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 US. C. §§ 2000d to 2000d-4) and the Regulations, hereby notify all bidders that it will affirmatively ensure that any contract entered under 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."
4. 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.
5. 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 affecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
6. 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 therewith. 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 outlined 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 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. 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 a program will comply with all requirements imposed or under the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement regarding any matter arising under the Acts, the Regulations, and this Assurance.

By signing this Assurance, the Tyler Area Metropolitan Planning Organization also agrees to comply (and requires any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the Organization's access to records, accounts, documents, facilities, and staff. You also recognize that you must adhere to any program or compliance reviews and/or complaints and investigations conducted by the Tyler Area Metropolitan Planning Organization. You must keep records and reports and submit the material for review upon request to the Tyler Area 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 prescribed by law or detailed in program guidance.

Tyler Area 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 Title VI program. This Assurance is binding on Texas, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors, transferees, successors in interest, and other participants in the Tyler Area Metropolitan Planning Organization. The person(s) signing below is authorized to sign this Assurance on behalf of the Recipient.

(Tyler Area Metropolitan Planning Organization)

By _____
(Signature of Authorized Official)

DATED

Appendix B: Contractor Agreement

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, the City of Tyler, 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, regarding the work performed 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 outlined 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, the contractor will notify each potential subcontractor or supplier of the contractor's obligations under this contract and the Acts and the regulations related 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 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 certify to the Recipient, 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 nondiscrimination provisions of this contract, the Recipient will impose such contract sanctions as it may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued thereto. The contractor will act concerning any subcontract or procurement as the Recipient may enforce 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 any

litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter the litigation to defend the interests of the United States.

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Appendix C: Clauses for Deeds Transferring United States Property

The following clauses will be included in deeds affecting 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 City of Tyler will accept title to the lands and maintain the project constructed thereon in accordance with Federal Transportation Administration and Federal Highway Administration, the Regulations for the Administration of Metropolitan Planning Organization and the policies and procedures prescribed by the City of Tyler and Texas Department of Transportation of 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 City of Tyler 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 City of Tyler 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 real property or structures are used for a purpose for which Federal financial assistance is extended for another purpose involving the provision of similar services or benefits and will be binding on the Tyler Area Metropolitan Planning Organization, its successors, and assigns.

The Recipient, 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 regarding any facility located wholly or in part on, over, or under such lands hereby conveyed, and (2) that the City of Tyler 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, Nondiscrimination 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 abovementioned 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.

Appendix D: Clauses for Transfer of Real Property Acquired or Improved

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered by the Tyler Area Metropolitan Planning Organization and City of Tyler 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:

- a. When 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, City of Tyler 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 Recipient will have the right to enter or re-enter the lands and facilities thereon, and the above-described lands and facilities will thereupon revert to and vest in and become the absolute property of the Recipient 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: Clauses for Construction/Use/Access to Real Property Acquired

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by (Title of Recipient) 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
 - no person on the grounds of race, color, or national origin will be excluded from participation, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities;
 - in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the grounds of race, color, or national origin will be excluded from participation, denied the benefits of, or otherwise be subjected to discrimination; and
 - 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 a breach of any of the above Nondiscrimination covenants, the City of Tyler 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, Recipient will thereupon revert to and vest in and become the absolute property of City of Tyler 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 F: Regulations and Pertinent Authorities

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 nondiscrimination 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 based on race, color, and 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 displaced people 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 based on sex).
- Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794 et seq.), as amended, prohibits discrimination based on disability; and 49 CFR Part 27.
- The Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101 et seq.), prohibits discrimination based on age.
- The Airport and Airway Improvement Act of 1982 (49 USC § 4 71, Section 4 7123), 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 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 based on 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 Nondiscrimination statute (49 U.S.C. § 47123) prohibits discrimination based on race, color, national origin, and sex.
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, ensures 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 people have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100).
- Title IX of the Education Amendments of 1972, as amended, prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

Exhibit: 2 Civil Rights Complaint Form English

**Tyler Area Metropolitan Planning Organization (MPO) Civil Rights Complaint Form If
Information is needed in another language, contact (903) 531-1039.
Atención Sesión Pública Convocatoria Aviso (903) 531-1039 Para Obtener Información –
www.tylerareampo.org**

Tyler Area MPO is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964, as amended. Title VI complaints must be filed within 180 business days, and ADA complaints within 90 business days of the date of the alleged discrimination.

The following information is necessary to assist us in processing your complaint. If you require any assistance in completing this form, please contact the MPO Director by calling (903) 531-1039. The completed form must be returned to:

Tyler Area Metropolitan Planning Organization
Attention: Title VI Coordinator
P.O. Box 2039
Tyler, TX 75710

Section I

Your Name: _____ Home Phone: _____
Street Address: _____ Work Phone: _____
E-Mail Address: _____ City, State, & Zip Code: _____
Do you need this information in an accessible format?
Large Print TDD Audio Tape Other _____

Section II

Are you filing this complaint on your own behalf: Yes* No

*If you answered yes, go to Section III

If no, please supply the name and relationship of the person for whom you are complaining:

Name _____ Relationship _____

Please explain why you have filed a complaint for a third party: _____

Please print and sign your name acknowledging that you have obtained permission to file this complaint on behalf of the third party

Printed Name _____ Signature _____

Section III

I believe the discrimination I experienced was based on (circle all that apply)

Race _____ Color _____ National Origin _____

Date of alleged discrimination (Month, Day, Year): _____

Explain what happened and why you believe that 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.

Section IV

Have you previously filed a Title VI complaint with this agency? Circle the appropriate answer

- Yes No

Section V

Have you filed this complaint with any other Federal, State or local agency or with any Federal or State court? Circle the appropriate answer - Yes No If yes, check all that apply:

☐ Federal Agency:_____ ☐ State Agency:_____

☐ Federal Court:_____ ☐ Local Agency:_____

☐ State Court:_____

Please provide contact information at the agency/court where the complaint was filed:

Name_____ Title_____ Phone Number_____

Agency_____ Address_____

Section VI

Name of agency complaint is against:_____

Contact person:_____ Title:_____

Telephone Number:_____ You may attach
any written materials or other information that you think is relevant to your complaint. Signature
and date required

Print your name.

Sign your name

Date

Please submit this form in person to: Mail this form to:

Tyler Area Metropolitan Planning Organization

Title VI Coordinator

P.O. Box 2039

Tyler, TX 75710

Date Received:_____

Received By:_____

Exhibit 3: Formulario de Queja de Derechos Civiles Español

Tyler Area MPO Formulario de Queja de Derechos Civiles If information is needed in another language, contact (903) 531-1039. Atención Sesión Pública Convocatoria Aviso (903) 531-1039
Para Obtener Información – www.tylerareampo.org

Tyler Area MPO se compromete a garantizar que ninguna persona sea excluida de la participación o se le nieguen los beneficios de sus servicios por motivos de raza, color u origen nacional, según lo dispuesto en el Título VI de la Ley de Derechos Civiles de 1964, según enmendada. Las quejas del Título VI deben presentarse dentro de los 180 días hábiles y las quejas de la ADA dentro de los 90 días hábiles posteriores a la fecha de la presunta discriminación.

La siguiente información es necesaria para ayudarnos a procesar su queja. Si necesita ayuda para completar este formulario, comuníquese con el Director de Tyler Area MPO llamando al (903) 531-1039. El formulario completo debe enviarse a:

Tyler Area Metropolitan Planning Organization
Atención: MPO Director
P.O. Box 2039
Tyler, TX 75710

Sección I

Te llamas: _____ Teléfono de la casa: _____
Dirección: _____ Teléfono del trabajo: _____
Dirección de correo electrónico: _____ Ciudad estado. y código postal: ¿Necesitas
esta información en un formato accesible? _____
Letra grande TDD Cinta de audio Otros _____

Sección II

¿Está presentando esta queja en su propio nombre?: Sí* No

*Si tu respuesta es afirmativa, ve a la Sección III

En caso negativo, indique el nombre y la relación de la persona por la que se queja: Nombre
_____ Relación _____ Explique por qué ha
presentado una queja en nombre de un tercero:

Escriba en letra de imprenta y firme su nombre reconociendo que ha obtenido permiso para
presentar esta queja en nombre del tercero

Nombre impreso _____ Firma _____

Sección III

Creo que la discriminación que experimenté se basó en (marque con un círculo todo lo que
corresponda)

Race _____ Color _____ Nacional Origin _____

Fecha de la presunta discriminación (Mes, Día, Año): _____

Explique lo que sucedió y por qué cree que fue discriminado. Describa a todas las personas que
estuvieron involucradas. Incluya el nombre y la información de contacto de la(s) persona(s) que lo
discriminó (si se conoce), así como los nombres y el contacto

Sección IV

¿Ha presentado previamente una queja del Título VI ante esta agencia? Encierre en un círculo la respuesta apropiada - Sí _____ No _____

Sección V

¿Ha presentado esta queja ante alguna otra agencia federal, estatal o local o ante algún tribunal federal o estatal? Encierre en un círculo la respuesta apropiada - Sí No En caso afirmativo, marque todo lo que corresponda:

☐ Agencia Federal: _____ ☐ Agencia Estatal: _____

☐ Tribunal Federal: _____ ☐ Agencia

Local: _____

☐ Tribunal Estatal: _____

Proporcione información de contacto en la agencia/tribunal donde se presentó la queja:

Nombre _____

Sección VI

Nombre de la queja de la agencia es contra: _____

Persona de contacto: _____ Title: _____

Número de teléfono: _____

Puede adjuntar cualquier material escrito u otra información que considere relevante para su queja. Firma y fecha requeridas

Escriba su

nombre Firme su nombre

Fecha

Envíe este formulario en persona a: Envíe este formulario por correo a:

Tyler Area Metropolitan Planning Organization

Title VI Coordinator

P.O. Box 2039

Tyler, TX 75710

Fecha de recepción:

Recibido por: _____

Exhibit 4: MPO Organizational Chart

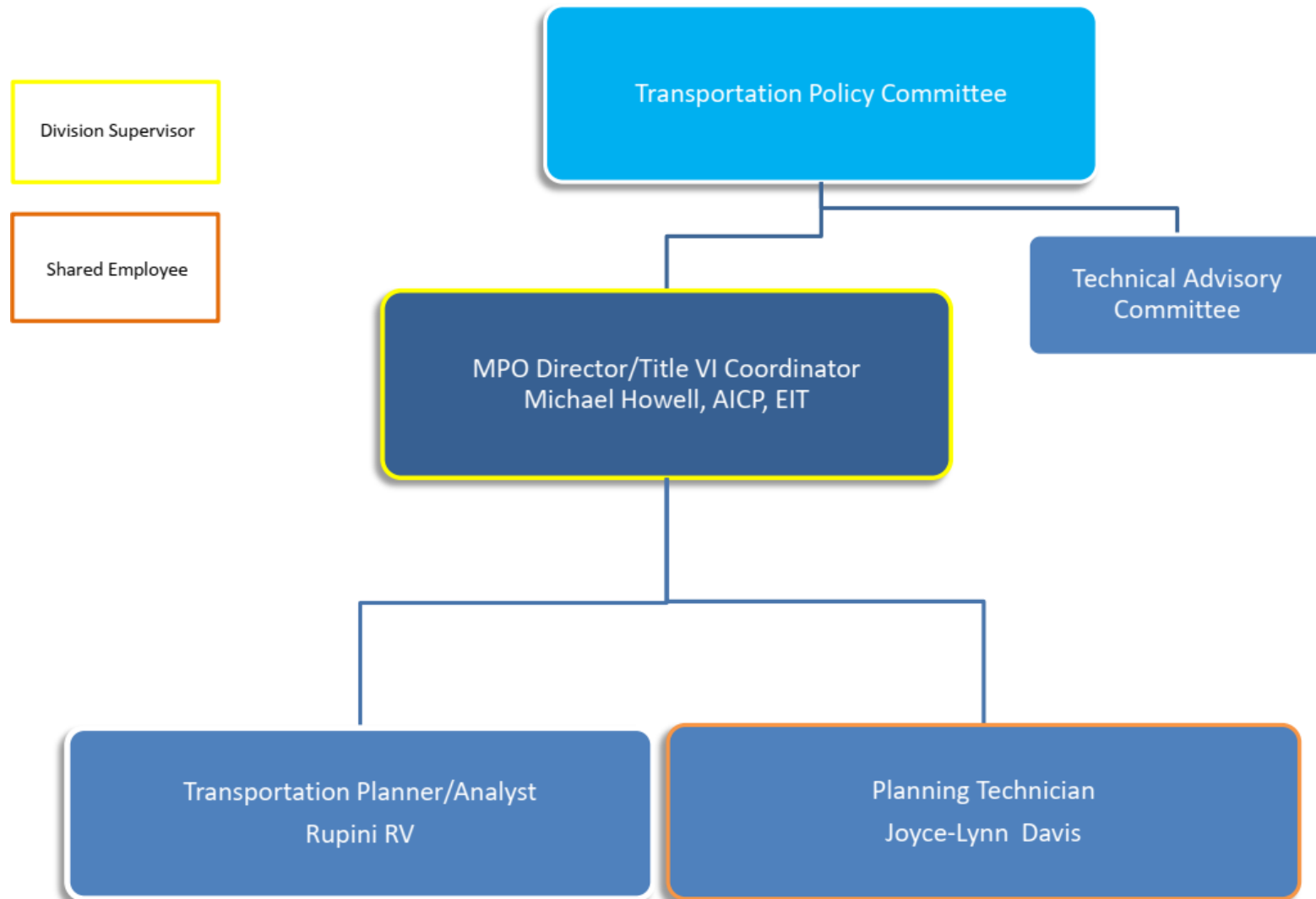


Exhibit 5: Title VI Complaint Log

Title VI Complaints, Investigations and Lawsuits
Annual Report Date: July 1, 2024 – June 30, 2025

Description/Name	Date (MMDDYY)	Funding Source (FHWA or FTA)	Summary (Basis of Complaint)	Status	Actions/Final Findings
Complaints					
1					
2					
3					
Investigations					
1					
2					
3					
Lawsuits					
1					
2					
3					