

CALHOUN AREA METROPOLITAN PLANNING ORGANIZATION

*Administered by the
East Alabama Regional Planning and Development Commission*

TITLE VI PROGRAM

Adopted: 1/28/2026

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Title VI Policy Statement

The Calhoun Area Metropolitan Planning Organization (MPO) ensures compliance with Title VI of the Civil Rights Act of 1964, 49 CFR Part 21, and related statutes and regulations, to the end that no person shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance on the basis of race, color, or national origin.

Title VI Notice to the Public

The MPO has developed a Title VI Notice to inform the public of its rights and the protections afforded under Title VI. The notice is posted on the MPO website and in public areas of the East Alabama Regional Planning and Development Commission (EARPDC) office. Adopted English and Spanish notices are included as attachments.

Title VI Assurances

The MPO fulfills this requirement by executing the U.S. Department of Transportation Standard Title VI/Nondiscrimination Assurances as required by the Federal Highway Administration. The assurances are executed in the name of the MPO and signed by the Executive Director of the EARPDC. (Exhibit A)

Title VI Complaint Procedures

A Title VI complaint may be filed by any individual or class of persons who allege discrimination based on race, color, or national origin in any program or activity administered by the MPO. The MPO has adopted Title VI Nondiscrimination Complaint Procedures, included as Exhibit B.

Complaints related to the Federal-Aid Highway Program will be forwarded directly to the Alabama Department of Transportation for processing in accordance with Alabama Department of Transportation (ALDOT) Title VI procedures. The MPO will not independently investigate Federal-Aid Highway Program complaints unless directed to do so. The MPO maintains both English (Exhibit C) and Spanish (Exhibit D) complaint forms, posted on its website and on the facility's public bulletin board.

Overview of Complaint and Investigation Process

ALDOT will forward Federal-Aid Highway Program complaints to the Federal Highway Administration Headquarters Office of Civil Rights for jurisdictional determination. If FHWA delegates the investigation to ALDOT, ALDOT will complete the investigation and submit a Report of Investigation to FHWA, which retains final disposition authority.

List of Title VI Investigations, Complaints, and Lawsuits

Since the submission of the previous Title VI Program, there have been no Title VI investigations, complaints, or lawsuits. The MPO maintains a Title VI complaint log in accordance with federal requirements.

Public Participation Plan

The MPO is committed to a public participation process that provides early and continuous opportunities for meaningful involvement in the transportation decision-making process by all persons, including minority, low-income, and Limited English Proficiency (LEP) populations. This commitment is implemented through the MPO Public Participation Plan which outlines strategies to ensure inclusive, accessible, and nondiscriminatory public involvement.

The Public Participation Plan is designed to promote an open exchange of information and ideas between the public and transportation decision-makers and to ensure that transportation planning activities are conducted in a nondiscriminatory manner consistent with Title VI of the Civil Rights Act of 1964 and related authorities. The public participation program is ongoing and is reviewed regularly to identify and address the needs of minority, low-income, and LEP communities within the MPO Study Area.

To more fully integrate the perspectives of minority, low-income, and LEP populations into outreach and engagement activities, the MPO public participation program will:

- Continue to coordinate with community-based organizations and stakeholder groups to identify and implement strategies to reach affected minority, low-income, and LEP populations.
- Provide public notices through multiple platforms, including agency websites, physical postings in public offices, and other appropriate public locations.
- Utilize media outlets such as newspapers, radio, television, and online platforms to target minority, low-income, and LEP populations during public involvement efforts.
- Provide opportunities for public participation through methods other than written communication, such as verbal comments, facilitated discussions, or recorded oral statements.
- Hold public meetings at locations, facilities, and times that are convenient, accessible, and compliant with ADA requirements, with consideration given to minority, low-income, and LEP populations.
- Develop and distribute Title VI informational materials in English and make translations available in other languages as needed.
- Make public information available in electronically accessible formats.
- Conduct outreach through participation in community events or by coordinating engagement efforts with regularly scheduled community meetings.
- Utilize interactive and collaborative online tools, including social media and other digital platforms, to broaden public engagement.

- Develop and distribute informational materials such as signs, flyers, or mailers and place them in libraries, community centers, and other public locations.
- Consider non-traditional and community-based media outlets, including neighborhood publications and internet-based platforms.

Summary of Public Outreach and Involvement Activities

Examples of outreach and involvement activities conducted by the MPO include, but are not limited to:

- Participation in and support of community-based transportation and planning initiatives serving disadvantaged populations.
- Conducting public meetings at accessible locations and convenient times.
- Publishing public notices in newspapers and other media outlets that serve minority and underserved populations.
- Attending local meetings and forums to identify community needs and participate as a stakeholder agency.
- Conducting targeted outreach to explain transportation plans, programs, and proposals and to solicit public comment through open houses and workshops.
- Maintaining public notices and information on agency websites and at public-facing office locations.
- Developing Title VI informational materials in English and Spanish.

Limited English Proficiency (LEP)

The Calhoun Area MPO employs a reasonable steps approach to providing meaningful access for individuals with limited English proficiency, consistent with Executive Order 13166.

- **Limited English Proficiency (LEP) and Language Assistance Plan** - As required by Title VI of the Civil Rights Act of 1964, Executive Order 13166 and FTA Circular FTA C4702.1B, October 2012, the MPO has completed a Four Factor Analysis of the MPO Study Area to determine requirements for compliance with the Limited English Proficiency (LEP) provisions. Based on the analysis, the MPO has identified a population within the MPO Study Area that may require MPO assistance in participating in the planning process. A Limited English Proficiency (LEP) Plan has been developed to assist those populations within the MPO Study Area. (Exhibit E)
- According to the U.S. Census Bureau's American Community Survey (ACS) 5-Year Estimates (Table C16001), approximately 1.49% of the population in the Calhoun County Metropolitan Planning Area age 5 and over speaks English less than "very well." Based on this analysis, the MPO has developed and maintains a Limited English Proficiency (LEP) Plan to ensure meaningful access to programs and activities for LEP populations. See Exhibit F for Limited English Proficiency (LEP) Assessment.
- Spanish is the largest representative language spoken by 3.02% of those residing in the MPO Study Area.

- The MPO provides language assistance services upon request and as resources allow through a combination of local academic resources, professional language service providers, and other qualified interpretation and translation services.
- The MPO monitors, evaluates and updates the Plan annually through the update of the PPP and the Unified Planning Work Program (UPWP).
- Training of the MPO staff to provide language assistance is done under guidance of the Alabama Department of Transportation.

The MPO periodically reviews the above steps to ensure that inadvertent discrimination based on national origin is not occurring. In addition to the above actions, the MPO will provide the following:

- Publishing public notices, publications, and other printed materials, in other languages upon written request
- Translation services for meetings or hearings on request, subject to a notice of 48 hours
- Translation services, verbal only, of planning documents, subject to 2-week notice
- Title VI Complaint Form(s) in the secondary language as requested

Safe Harbor Provision

In accordance with the Safe Harbor Provision, the MPO has analyzed language groups within the study area to determine which exceed the threshold of 1,000 persons or five percent of the eligible population, which would warrant proactive translation of vital documents. Based on this analysis, Spanish meets the Safe Harbor threshold within the MPO Study Area. Accordingly, the MPO provides Spanish translations of vital documents, including Title VI notices and complaint materials, and offers additional free language assistance and translation services upon request and as resources allow to ensure meaningful access for LEP populations.

Minority Representation on Planning and Advisory Bodies

The Calhoun Area MPO does not discriminate on the basis of race, color, or national origin in the selection of members for planning and advisory bodies and provides opportunities for public participation consistent with its Public Participation Plan. Membership and participation opportunities are publicized in a manner designed to encourage broad and inclusive representation.

Board Adoption

This Title VI Program was adopted by the Board of Directors of the East Alabama Regional Planning and Development Commission on January 28, 2026. A copy of the authorizing resolution is included as Exhibit G.

***East Alabama Regional Planning and
Development Commission***

1130 Quintard Ave # 300,
Anniston, AL 36201

September 7, 2025

**THE UNITED STATES DEPARTMENT OF TRANSPORTATION (USDOT)
STANDARD TITLE VI / NON-DISCRIMINATION ASSURANCES
DOT ORDER NO. 1050.2A**

The East Alabama Regional Planning and Development Commission (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 Federal Highway Administration (FHWA), 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. § *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 defined 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 Federal Highway Administration.

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.

Modal Operating Administration may include additional General Assurances in this section, or reference an addendum here.

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 programs:

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 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 Regulations made in connection with all *Federal Highway Programs* and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

“The East Alabama Regional Planning and Development Commission 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 received Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to the rights to space on, over, or under such property,

7. That the Recipient will include the clauses as 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 Assurances.
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.

Overview of Complaint and Investigation Process

ALDOT's Compliance and Business Opportunities Bureau staff will forward all Title VI complaints filed against ALDOT or its subrecipients which are related to the Federal-Aid Highway Program (FAHP) to FHWA's Office of Civil Rights (HCR) for processing.

HCR is responsible for processing all complaints related to the FAHP and making determinations to accept, dismiss, or refer such complaints to another agency. HCR will conduct all investigations of ALDOT as a direct recipient of funds under the FAHP. If a complaint is filed against a subrecipient related to the FAHP, HCR may either conduct the investigation itself, or it may delegate the investigation to ALDOT. If HCR chooses to delegate the investigation of a subrecipient to ALDOT, HCR will communicate its acceptance of the complaint and delegation of the investigation to the complainant and ALDOT.

9/7/25

If ALDOT is delegated an investigation from HCR, ALDOT will complete investigations within 60 days of receipt of the delegated complaint from FHWA (unless otherwise approved by HCR). ALDOT will then create a Report of Investigation, which will be sent to HCR. HCR is responsible for the final disposition of all complaints related to the FAHP.

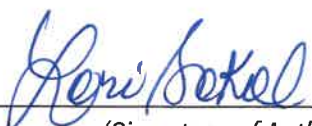
ALDOT's Compliance and Business Opportunities Bureau will process and investigate all complaints related to the federal transit program. If the complaint is against a subrecipient of funds under the federal transit program, ALDOT will complete an investigation within 60 days of receipt of the complaint (unless otherwise approved by FTA). ALDOT will then create a Report of Investigation (ROI), which it will send to the Office of Civil Rights for FTA. If the complaint is against ALDOT, ALDOT will internally investigate and attempt to resolve the claim. If unsuccessful, ALDOT will create a Report of Investigation and send it to the Office of Civil Rights for FTA.

By signing this ASSURANCE, *East Alabama Regional Planning and Development Commission* also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provision governing the FHWA 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 FHWA. You must keep records, reports, and submit the material for review upon request to FHWA, 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.

East Alabama Regional Planning and Development Commission 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 Federal Highway Programs. This ASSURANCE is binding on *East Alabama Regional Planning and Development Commission*, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, and their subcontractors, transferees, successors in interest, and any other participants in its programs. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

East Alabama Regional Planning and Development Commission

(Name of Recipient)

By 
(Signature of Authorized Official)

DATE 9/26/25

Attachments: Appendices A, B, C, D, and E

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, *Federal Highway Administration*, 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. *[/include Modal Operating Administration specific program requirements.]*
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. *[Include Modal Operating Administration specific program requirements.]*
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 *Federal Highway Administration* 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 *Federal Highway Administration*, 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 *Federal Highway Administration* 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 *Federal Highway Administration*) 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 *State of Alabama* will accept title to the lands and maintain the project constructed thereon in accordance with *Title 23, United States Code*, the Regulations for the Administration of *Federal Aid for Highway*, and the policies and procedures prescribed by the *Federal Highway Administration* 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 *State of Alabama* 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 the State of Alabama 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 *State of Alabama*, its successors and assigns.

The State of Alabama, 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 [,] land]* (2) that the *State of Alabama* 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 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].*

9/7/25

(*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 State of Alabama 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, State of Alabama 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 *State of Alabama* 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 State 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 the state of Alabama 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 apart 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 Nondiscrimination covenants, *State of Alabama* 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 breach of any of the above Non-discrimination covenants, (*Title of Recipient*) will there upon revert to and vest in and become the absolute property of (*Title of 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

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 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.*).

CALHOUN AREA METROPOLITAN PLANNING ORGANIZATION

*Administered by the
East Alabama Regional Planning and Development Commission*

TITLE VI NONDISCRIMINATION COMPLAINT PROCEDURES

DATE COMPLETED: 1/28/2026

1130 Quintard Avenue, Suite 300
Anniston, Alabama 36201
256-237-6741
www.earpdc.org

1. General

These Title VI Nondiscrimination Complaint Procedures establish a process by which any person may file a complaint alleging discrimination in a program, activity, or service administered by the East Alabama Regional Planning and Development Commission (EARPDC), including transportation planning activities conducted on behalf of the Calhoun Area Metropolitan Planning Organization (MPO), where such programs, activities, or services receive federal financial assistance.

Title VI of the Civil Rights Act of 1964 provides that no person in the United States shall, on the basis 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.

In addition to Title VI, the MPO administers nondiscrimination obligations under related authorities, as applicable, including:

- Civil Rights Restoration Act of 1987
- 49 CFR Part 21 (USDOT Title VI regulations)
- 23 CFR Part 200 (FHWA Title VI program requirements)
- Executive Order 13166 (Limited English Proficiency)
- Executive Order 12898 (Environmental Justice)
- Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA)

These procedures do not deny a complainant the right to file a complaint with other agencies or to seek private legal counsel.

2. Purpose

The purpose of these procedures is to ensure that Title VI discrimination complaints are handled promptly, consistently, and in compliance with applicable federal and state requirements, including required routing of Federal-aid Highway Program complaints through the Alabama Department of Transportation (ALDOT) and the Federal Highway Administration (FHWA).

3. Jurisdiction and Complaint Routing

Because the MPO transportation planning activities may involve different federal funding sources, complaints are processed according to the program involved.

A. Federal-Aid Highway Program (FAHP) Complaints

If a complaint relates to the Federal-aid Highway Program (FAHP), including FHWA-funded planning activities, projects, or decisions, the complaint is processed by ALDOT and FHWA's Headquarters Office of Civil Rights (HCR).

The MPO does **not** investigate FAHP-related complaints unless FHWA HCR formally delegates the investigation through ALDOT.

B. Federal Transit Administration (FTA) Complaints

If a complaint relates to an FTA-funded program, activity, or service, the complaint may be referred to the appropriate state or federal transit civil rights office for processing, consistent with FTA requirements.

C. Other Title VI Complaints

If a complaint is not FAHP-related and not under another agency's primary jurisdiction, the MPO will process the complaint described in Section 5.3 (General Title VI Complaint Process).

If the funding source is unclear, the MPO will coordinate with ALDOT and/or the appropriate federal agency to determine jurisdiction.

4. How to File a Complaint

A complaint may be filed by the affected person or by an authorized representative. Complaints should be filed as soon as possible and must be submitted within 180 calendar days of the alleged discriminatory act, unless an extension is granted by the reviewing agency.

Complaints must be submitted in writing. Complainants are encouraged to use the Title VI Complaint Form (English – Exhibit C; Spanish – Exhibit D) included at the end of this document; however, a written letter is acceptable if it contains the information listed in Section 6 of these procedures.

Complaints should be submitted to:

Title VI Coordinator
Elizabeth Wright
East Alabama Regional Planning and Development Commission
1130 Quintard Avenue, Suite 300
Anniston, Alabama 36201
Email: elizabeth.wright@earpdc.org

The MPO will provide reasonable accommodations and language assistance, upon request, to assist individuals with filing complaints, consistent with its Language Assistance Plan.

5. Complaint Processing Procedures

5.1 Federal-Aid Highway Program (FAHP) Complaints

Step 1 – Receipt and Referral

If the MPO receives a complaint that appears to relate to the FAHP, the complaint will be promptly forwarded to ALDOT's Compliance and Business Opportunities Bureau. The complainant will be notified that the complaint has been forwarded for jurisdictional review.

Step 2 – FHWA Jurisdiction Determination

ALDOT will forward the complaint to FHWA Headquarters Office of Civil Rights (HCR), which will determine whether to accept, dismiss, or refer the complaint.

Step 3 – Investigation and Disposition

FHWA HCR may investigate the complaint directly or may delegate the investigation to ALDOT. If delegated, ALDOT will conduct the investigation and prepare a Report of Investigation (ROI) for FHWA HCR. FHWA HCR is responsible for the final disposition of all FAHP-related complaints.

FAHP complaints may also be submitted directly to:

Alabama Department of Transportation
Compliance and Business Opportunities Bureau
1409 Coliseum Boulevard
Montgomery, Alabama 36110
Fax: (334) 242-6101
Email: TitleVI@dot.state.al.us
Website: <https://www.dot.state.al.us/programs/TitleVI.html>

5.2 Federal Transit Administration (FTA) Complaints

If a complaint involves an FTA-funded program, activity, or service, the MPO will coordinate referral and processing consistent with FTA requirements and will notify the complainant of the appropriate reviewing agency.

5.3 General Title VI Complaint Process (Non-FAHP)**Step 1 – Intake and Acknowledgement**

The Title VI Coordinator will log the complaint and acknowledge receipt in writing within ten (10) business days, unless the complaint is immediately forwarded to another agency for jurisdictional review.

Step 2 – Preliminary Review

The complaint will be reviewed for completeness and jurisdiction. If additional information is required, the complainant will be contacted and given a reasonable opportunity to supplement the complaint.

Step 3 – Investigation

If the MPO has jurisdiction, the Title VI Coordinator will conduct an impartial investigation, which may include document review, interviews, and coordination with relevant staff or partner agencies.

Step 4 – Written Determination

A written determination will be issued to the complainant describing the findings and any corrective actions, as appropriate. The MPO will make reasonable efforts to complete the investigation within sixty (60) calendar days of receiving a complete complaint. If additional time is required, the complainant will be notified.

Step 5 – Appeal or Escalation

If the complainant is dissatisfied with the determination, the complaint may be referred to ALDOT or the appropriate federal agency for further review, depending on the funding source.

6. Required Complaint Information

A complaint should include:

- Complainant's name, mailing address, telephone number, and email address (if available)
- Basis of the complaint (race, color, national origin, and/or other protected status)
- Description of the alleged discriminatory act(s), including date(s) and location(s)
- Identification of the agency, department, or individual(s) involved
- Names and contact information of witnesses, if available
- Any supporting documentation, if available
- Whether the alleged discrimination is ongoing

Anonymous complaints will be processed only to the extent permitted by the reviewing agency and where sufficient information is provided.

7. Recordkeeping

EARPDC shall maintain a Title VI complaint log that includes:

- Date the complaint was received
- Complainant name (or "anonymous," if applicable)
- Basis and summary of allegations
- Jurisdiction and routing
- Key actions and dates
- Current status and final disposition

Records will be retained in accordance with applicable records retention requirements and confidentiality provisions.

Title VI Notice

Notifying the Public of Rights Under Title VI

Calhoun Area Metropolitan Planning Organization (MPO)

- The MPO 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 MPO.
- For more information on the MPO's civil rights program, and the procedures to file a complaint, contact (256) 237-6741, extension 153; email elizabeth.wright@earpdc.org; or visit the MPO office at 1130 Quintard Ave., Suite 300, Anniston, AL 36201 or for more information, visit <https://earpdc.org/calhoun-area-metropolitan-planning-organization/>
- A complaint may be directly filed with the Federal Transit Administration at the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590
- If information is needed in another language, please write to Title VI Complaint, Calhoun Area MPO, P.O. Box 2186, Anniston, AL 36202.
- Si necesita información en otro idioma, por favor escriba a título VI denuncia, MPO de área de Calhoun, PO Box 2186, Anniston, AL 36202.

The MPO's Title VI notice is posted on the Calhoun Area Metropolitan Planning Organization's website at <https://earpdc.org/calhoun-area-metropolitan-planning-organization/> and a bulletin board in the lobby of the East Alabama Regional Planning and Development Commission (1130 Quintard Ave., Suite 300, Anniston, AL).

Title VI Complaint Form
Calhoun Area Metropolitan Planning Organization (MPO)

Part 1

Name: _____

Address: _____

Telephone (Home): _____ Telephone (Work): _____

E-mail Address: _____

Circle accessible format requirements: Large Print Audio Tape TDD
Other _____

Part 2

Are you filing this complaint on your own behalf? Yes No (Circle One)

If you answered "Yes" to this question, go to Part 3.

If not, please supply the name and relationship of the person for whom you are complaining:

Please explain why you have filed for a third party:

Have you obtained permission of the third party to file this complaint? Yes No (Circle One)

Part 3

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

Race

Color

National Origin

Date(s) of alleged discrimination (Month, day, year): _____

Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please attach addition pages.

Part 4

Have you previously filed a Title VI complaint with the MPO? Yes No (Circle One)

Part 5

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court? Yes No (Circle One)

If yes, list all agencies and courts; include the contact person, agency name, address, and telephone number.

Part 6

Name of agency complaint is against: _____

Contact person: _____

Title: _____

Telephone number: _____

Please attach any written materials or other information that you think is relevant to your complaint. _____

Signature: _____ Date: _____

Please submit this form to:

Title VI Complaint
Calhoun Area MPO
P.O. Box 2186
Anniston, AL 35265

EXHIBIT D – SPANISH TITLE VI COMPLAINT FORM

Aviso del Título VI

Notificación al Público sobre los Derechos bajo el Título VI

Organización de Planificación Metropolitana del Área de Calhoun (MPO)

- La MPO opera sus programas y servicios sin distinción de raza, color o nacionalidad de origen, de conformidad con el Título VI de la Ley de Derechos Civiles. Cualquier persona que considere que ha sido agraviada por una práctica discriminatoria ilegal bajo el Título VI puede presentar una queja ante la MPO.
- Para obtener más información sobre el programa de derechos civiles de la MPO y los procedimientos para presentar una queja, comuníquese al (256) 237-6741, extensión 153; correo electrónico elizabeth.wright@earpdc.org; o visite la oficina de la MPO en 1130 Quintard Ave., Suite 300, Anniston, AL 36201. Para más información, también puede visitar: <https://earpdc.org/calhoun-area-metropolitan-planning-organization/>
- Una queja también puede presentarse directamente ante la Administración Federal de Tránsito en la Oficina de Derechos Civiles, Atención: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590
- Si necesita información en otro idioma, por favor escriba a título VI denuncia, MPO de área de Calhoun, PO Box 2186, Anniston, AL 36202.

La notificación del Título VI de la MPO está publicada en el sitio web de la Organización de Planificación Metropolitana del Área de Calhoun en: <https://earpdc.org/calhoun-area-metropolitan-planning-organization/> y en el tablón de anuncios del vestíbulo de la Comisión Regional de Planificación y Desarrollo del Este de Alabama (1130 Quintard Ave., Suite 300, Anniston, AL).

Formulario de Queja del Título VI

Organización de Planificación Metropolitana del Área de Calhoun (MPO)

Parte 1

Nombre: _____

Dirección: _____

Teléfono (Casa): _____ Teléfono (Trabajo): _____

Dirección de correo electrónico: _____

Marque los requisitos de formato accesible: Letra Grande Cinta de Audio TDD
Otro _____

Parte 2

¿Presenta usted esta queja en su propio nombre? Sí No (Marque uno)

Si respondió “Sí”, continúe a la Parte 3.

Si no, por favor proporcione el nombre y la relación de la persona por quien presenta la queja:

Explique por qué presenta esta queja en nombre de un tercero:

¿Ha obtenido el permiso del tercero para presentar esta queja? Yes No (Marque uno)

Parte 3

Creo que la discriminación que experimenté se basó en (Marque todas las que apliquen):

Raza

Color

Origen Nacional

Fecha(s) de la supuesta discriminación (Mes, día, año): _____

Explique con la mayor claridad posible lo que ocurrió y por qué cree que fue discriminado. Describa a todas las personas que estuvieron involucradas. Incluya el nombre e información de contacto de la(s) persona(s) que lo discriminaron (si se conocen), así como los nombres e información de contacto de cualquier testigo. Si necesita más espacio, adjunte páginas adicionales.

Parte 4

¿Ha presentado previamente una queja del Título VI ante la MPO? Sí No (Marque uno)

Parte 5

¿Ha presentado esta queja ante alguna otra agencia federal, estatal o local, o ante algún tribunal federal o estatal? Sí No (Marque uno)

En caso afirmativo, enumere todas las agencias y tribunales; incluya el nombre de la persona de contacto, nombre de la agencia, dirección y número de teléfono.

Parte 6

Nombre de la agencia contra la cual es la queja: _____

Persona de contacto: _____

Cargo: _____

Número de teléfono: _____

Adjunte cualquier material escrito u otra información que considere relevante para su queja. _____

Firma: _____ Fecha: _____

Por favor envíe este formulario a:

Title VI Complaint
Calhoun Area MPO
P.O. Box 2186
Anniston, AL 35265

EXHIBIT E – LIMITED ENGLISH PROFICIENCY (LEP) PLAN

CALHOUN AREA

METROPOLITAN PLANNING ORGANIZATION

*Administered by the
East Alabama Regional Planning and Development Commission*

Limited English Proficiency (LEP) Plan

DATE COMPLETED: August 15, 2013

UPDATED: 2015, 2026

1130 Quintard Avenue, Suite 300
Anniston, Alabama 36201
256-237-6741
www.earpdc.org

1.0 Introduction

1.1 Purpose

The purpose of this plan is to document how the Calhoun Area Metropolitan Planning Organization (MPO) integrates people with Limited English Proficiency (LEP) into the transportation planning process. The MPO coordinates and carries out the federally required metropolitan transportation planning process in the Calhoun County urbanized area. This plan includes an assessment of the Limited English Proficiency (LEP) population and how the MPO will address the potential needs of this population.

1.2 Laws and Regulations

Entities that receive federal funding must follow Section 601 of Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d. The Act states that no person 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." To strengthen Title VI, Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, was issued on August 11, 2000. The order requires federal agencies that distribute financial assistance to non-federal entities to publish guidance detailing how the non-federal entities can provide meaningful access to LEP persons. The U.S. Department of Transportation released their LEP guidance on December 14, 2005.

1.3 Public Involvement

The Calhoun Area MPO Policy Committee originally adopted the Limited English Proficiency (LEP) Plan as part of its 2013 Public Participation Plan (PPP) update at the August 15, 2013 meeting. Prior to adoption, the availability of the draft plan was advertised through news releases to local media and to agencies and organizations serving minority, low-income, persons with disabilities, and elderly populations. The draft plan was published on the East Alabama Regional Planning and Development Commission website in early July 2013, made available at the MPO office, and provided by mail upon request. The draft plan was discussed at MPO committee meetings held in July and August 2013, and public comments were accepted from July 1, 2013 through August 14, 2013 via in-person submission, postal mail, email, fax, and telephone.

This LEP Plan was updated in 2026 to reflect current demographic information, updated federal guidance, and revisions to the MPO's Title VI Program and Public Participation practices. The 2026 update clarifies language assistance measures, aligns terminology and geographic references with current MPO planning documents, and incorporates the findings of the MPO's most recent LEP Assessment.

2.0 Limited English Proficiency (LEP) Assessment

The U.S. Department of Justice, in their Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, published a four-factor assessment to determine a federal funding recipient's obligation to provide LEP services. The four factors are:

- 1) The number or proportion of LEP persons served or encountered in the eligible service population
- 2) The frequency with which LEP individuals come in contact with the program
- 3) The nature and importance of the program, activity, or service provided by the program
- 4) The resources available to the recipient and costs.

The Department of Justice indicated that the analysis is intended to balance meaningful access for LEP people against imposing undue burdens on small local governments. This LEP Plan is supported by the MPO's Limited English Proficiency (LEP) Assessment (2026), which documents current demographic data and Safe Harbor determinations.

2.1 Number or Proportion of LEP Persons Served or Encountered in the Eligible Service Population

The 2019-2023 American Community Survey 5-year estimates (Table C16001) indicate that there were 4,074 people in the Anniston/Oxford Metro Area who speak a language other than English at home. Of this group, 2,803 spoke Spanish at home. Of those that spoke Spanish at home 1,323 were reported to speak English less than very well. The other most common non-English languages spoken at home were German (264), Korean (265), and Other Indo-European Languages (157). ACS data are presented at the Anniston–Oxford Metropolitan Statistical Area level, which closely aligns with the MPO planning area.

Language Spoken at Home	Estimated Number of People	Estimated Number Who Speak English Less Than Very Well
Spanish	2803	1323
German	264	31
Korean	219	69
Other Indo-European Languages	157	63

U.S. Census Bureau, U.S. Department of Commerce. "Language Spoken at Home for the Population 5 Years and Over." *American Community Survey, 2023 ACS 5-Year Estimates Detailed Tables, Table C16001*, <https://data.census.gov>

Anniston/Oxford, AL Metro Area

Because Spanish-speaking LEP individuals exceed the Safe Harbor threshold of 1,000 persons, the MPO proactively translates vital documents into Spanish, including Title VI notices and complaint materials.

2.2 The Frequency of Contact with Limited English Proficiency (LEP) People

Requests for language assistance have historically been infrequent; however, the MPO plans proactively for LEP needs based on demographic analysis.

2.3 The Importance of the Program to Limited English Proficiency (LEP) People

The MPO coordinates the metropolitan transportation planning process for the urbanized area of the county, which influences how federal transportation funds are programmed and invested. Transportation planning affects access to essential services, employment, education, and community resources. While the MPO does not provide direct, immediate, or emergency services—such as medical treatment, meals, or shelter—participation in the transportation planning process remains important to ensuring equitable and informed decision-making. Involvement in the MPO’s transportation planning process is voluntary.

2.4 Resources Available to the MPO Recipient and the Costs of Limited English

Proficiency (LEP) Services

The Calhoun Area MPO is considered a small MPO by state and national standards. Currently, the MPO has one (1) full-time equivalent employee. Less than 5 percent of the MPO's annual work program budget is available for non-staff related charges. The cost of providing interpretation and translation services varies greatly depending on the frequency and volume of work as well as the methods used. Despite its financial limitations, the MPO is committed to maintaining an open and inclusive planning process that allows LEP people to participate. The MPO, working within its budget, will implement the most cost-effective methods for interpretation and translation work based on requests and expected demand.

3.0 Limited English Proficiency (LEP) Program

3.1 Identification of Limited English Proficiency (LEP) People

According to the 2019-2023 ACS 5 year estimates (Table C16001) for the Anniston/Oxford Metro Area, approximately 3.72 percent of the population do not speak English at home. Spanish is by far the largest language of this group, representing 2.56 percent of the population. The other language groups in the top four (German, Korean, and Other Indo-European Languages) make up less than one percent of the population. If necessary, the MPO will use the U.S. Census Bureau's "Language Identification Flashcard" document at MPO committee and public meetings, and with walk-in requests to identify LEP individuals. Identified LEP people will

be given the option to be added to the MPO's news release mailing list. Encounters with LEP people will be tracked in a spreadsheet that will be updated after each event. The spreadsheet will list the type of service provided and any other relevant information. This spreadsheet is available upon request.

3.2 Language Assistance Measures

3.2.1 Types of Language Services Available

If requested, the MPO will provide interpreters and translation service as their budget allows. The MPO may utilize free translation tools for informal communication, while professional interpretation or translation services will be used for vital documents and formal interactions when required.

3.2.2 Sources of Interpretation and Translation Services

The MPO staff will maintain a list of local interpreters (volunteer and for-pay) and a list of acceptable telephone interpretation companies. The staff will also maintain a list of websites and programs that translate text and documents. The MPO staff will refer to the lists as needed. The lists are available upon request.

3.2.3 Responses to LEP Callers

The MPO staff will refer LEP callers to the MPO's website where instructions will be available to translate the website into their language. On the website will also be instructions on how to request free language support from the MPO.

3.2.4 Responses to Written Communication from LEP People

The MPO staff will use free translation tools to respond to written communication from LEP people. If the translation tools fail to translate correctly, the MPO staff will consult with local or telephone interpreters to ensure proper communication.

3.2.5 Responses to In-person contact with LEP People

The MPO will use the U.S. Census Bureau's "Language Identification Flashcard" document at MPO committee and public meetings, and with walk-in requests. The MPO staff will use an interpretation service (telephone or local) or a free online written translation website to determine the needs of the LEP individual and to explain the transportation planning process or to respond to any questions. Any comments provided by the LEP individual will be documented and provided to the MPO committees for their review and action.

3.2.6 Determining Competency of Interpreters and Translation Services

After an interpretation or translation service is provided, the MPO staff will ask the LEP individual if they understood the interchange and if they require additional or a different language service. If additional service is required, the MPO will change interpretation or translation providers. When feasible, the MPO will use certified interpreters and translation services.

3.3 Staff Training

The MPO staff will review the LEP Plan every year to ensure that they understand their responsibilities. During the annual review, the staff will verify contact lists interpretation and translation services.

3.4 Notices to Limited English Proficiency (LEP) People

The MPO will do the following to notify LEP people of the availability of language services:

- Post a sign at the reception desk in the second most common languages (Spanish)
- Add a statement to the MPO website in the second most common language
- If requested, provide handouts at all MPO meetings in the second most common language

3.5 Monitoring and Updating the Limited English Proficiency (LEP) Plan

The MPO staff will monitor the MPO's interaction with LEP people. If problems with the LEP Plan are discovered, the MPO staff will recommend that the document be amended. The MPO Policy Committee can amend the plan after the public is given an opportunity to review and comment on the proposed amendment. The MPO will update the LEP Plan every five years. The update will involve the following elements:

- Verification of the LEP population in the MPO study area
- Counting past encounters with LEP people
- Determination of any changes to MPO activities that might affect LEP people
- Research of new sources and methods of interpretation and translation services
- Verification of current sources and methods of interpretation and translation services
- Reviewing past interaction with LEP people to determine if changes are warranted
- Staff review of LEP plan responsibilities

CALHOUN AREA METROPOLITAN PLANNING ORGANIZATION

*Administered by the
East Alabama Regional Planning and Development Commission*

Limited English Proficiency (LEP) Assessment

DATE COMPLETED: January 25, 2026

1130 Quintard Avenue, Suite 300
Anniston, Alabama 36201
256-237-6741
www.earpdc.org

1. Purpose

This Limited English Proficiency (LEP) Assessment documents the Calhoun Area Metropolitan Planning Organization's (MPO) evaluation of language needs within the MPO Study Area in accordance with Title VI of the Civil Rights Act of 1964, Executive Order 13166, and applicable U.S. Department of Transportation (USDOT), Federal Highway Administration (FHWA), and Federal Transit Administration (FTA) guidance. The assessment supports the MPO's Language Assistance Plan and demonstrates compliance with requirements to provide meaningful access to programs and activities for individuals with Limited English Proficiency (LEP).

2. Legal and Policy Framework

Federal guidance requires recipients of federal financial assistance to take reasonable steps to ensure meaningful access for LEP individuals. This assessment is conducted consistent with:

- Title VI of the Civil Rights Act of 1964
- Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency*
- USDOT LEP Guidance
- FHWA Order 1050.2A
- FTA Circular 4702.1B

USDOT guidance recommends a Four-Factor Analysis to evaluate LEP needs and determine appropriate language assistance measures.

3. Four-Factor Analysis

Factor 1: Number or Proportion of LEP Persons Served

The MPO evaluated LEP populations within the Metropolitan Planning Area using the U.S. Census Bureau's 2019-2023 American Community Survey (ACS) 5-Year Estimates, Table C16001 (Language Spoken at Home for the Population 5 Years and Over).

Language Spoken at Home	Estimated Number of People	Estimated Number Who Speak English Less Than Very Well
Spanish	2803	1323
German	264	31
Korean	219	69
Other Indo-European Languages	157	63

U.S. Census Bureau, U.S. Department of Commerce. "Language Spoken at Home for the Population 5 Years and Over." *American Community Survey, 2023 ACS 5-Year Estimates Detailed Tables, Table C16001*, <https://data.census.gov>

Anniston/Oxford, AL Metro Area

ACS data are presented at the Anniston–Oxford Metropolitan Statistical Area level, which closely aligns with the MPO Study Area.

The analysis indicates that an estimated 1,323 Spanish-speaking individuals within the MPO Study Area report speaking English less than “very well.” Spanish is the most prevalent non-English language spoken in the region. Other non-English language groups are present in significantly smaller numbers and do not meet Safe Harbor thresholds.

Because the number of Spanish-speaking LEP individuals exceeds the Safe Harbor threshold of 1,000 LEP persons or five percent of the eligible population, Spanish meets the Safe Harbor threshold for proactive translation of vital documents.

Factor 2: Frequency of Contact with LEP Individuals

The MPO’s primary functions include transportation planning, public involvement, coordination with local governments, and dissemination of planning information. While most public interactions occur in English, the MPO periodically engages LEP individuals through:

- Public meetings and hearings
- Public notices and outreach materials
- Title VI complaint processes
- Requests for information related to transportation plans and programs

Based on past experience, requests for Spanish language assistance occur infrequently but consistently enough to warrant proactive planning and availability of services.

Factor 3: Nature and Importance of the Program

Transportation planning activities conducted by the MPO affect mobility, access to employment, education, healthcare, and other essential services. Public participation is a

core component of the metropolitan transportation planning process, and meaningful access to information is critical to ensuring equitable participation.

Because Title VI complaint procedures, public notices, and opportunities for public involvement are essential to safeguarding civil rights, these materials are considered vital documents under USDOT guidance.

Factor 4: Resources Available and Costs

The MPO is a small metropolitan planning organization with limited staffing and financial resources. Language assistance services are provided using a combination of internal coordination and external resources, including:

- Translation and interpretation services provided upon request
- Assistance through local academic and professional language resources
- Use of translated written materials for vital documents

The MPO balances the need for meaningful access with available resources and prioritizes translation of vital documents where Safe Harbor thresholds are met.

4. Safe Harbor Determination

Based on the Four-Factor Analysis, Spanish meets the Safe Harbor threshold within the MPO Study Area due to the number of LEP individuals exceeding 1,000 persons. Other language groups do not meet Safe Harbor thresholds at this time.

Accordingly, the MPO proactively translates vital documents into Spanish and provides additional language assistance upon request and as resources allow.

5. Language Assistance Measures

The MPO's language assistance measures include, but are not limited to:

- Spanish translations of vital documents, including:
 - Title VI Notice to the Public
 - Title VI Complaint Procedures
 - Title VI Complaint Forms
- Interpretation services for public meetings or hearings upon request with reasonable advance notice
- Verbal translation of planning documents upon request
- Notices informing the public that language assistance is available at no cost

These measures are designed to ensure meaningful access while remaining proportionate to demonstrated needs.

6. Monitoring and Updates

The MPO will monitor LEP populations and language assistance needs on an ongoing basis and will update this LEP Assessment periodically, including during updates to the Public Participation Plan and the Unified Planning Work Program (UPWP). ACS data will be reviewed to identify changes in LEP populations that may affect Safe Harbor determinations or language assistance strategies.

7. Conclusion

This LEP Assessment demonstrates that the MPO has evaluated language needs within the MPO Study Area, identified Spanish as meeting Safe Harbor thresholds, and implemented reasonable and appropriate language assistance measures to ensure meaningful access for LEP populations. The MPO remains committed to nondiscriminatory public involvement and compliance with Title VI and related authorities.