

13. Establish procedures to promptly resolve identified Title VI deficiencies.
14. Document remedial actions agreed to be necessary. Provide remedial actions within 90 days of identification of a deficiency.

RAPID CITY AREA MPO TITLE VI COMPLAINT PROCEDURE

SCOPE OF TITLE VI COMPLAINTS

The scope of Title VI covers all external Rapid City Area MPO activities. Adverse impacts resulting in Title VI complaints can arise from many sources, including advertising, bidding, and contracts.

Complaints can originate from individuals or firms alleging inability to bid upon or obtain a contract with the Rapid City Area MPO for the furnishing of goods and/or services. Examples include advertising for bid proposals; prequalification or qualification; bid proposals and awards; selection of contractors, subcontractors, material and equipment suppliers, lessors, vendors, consultants, fee appraisers, universities, etc.

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

The Rapid City Area MPO policies and procedures have been designed and implemented in accordance with applicable federal and state nondiscrimination statutes and regulations. The following process has been established to provide for the orderly and timely resolution of any complaints alleging discrimination by the Rapid City Area MPO.

The Title VI Coordinator will make him/her known to all participating agencies within the Rapid City Area MPO and, with the assistance of the agency representatives, will attempt to resolve all civil rights complaints arising from the Rapid City Area MPO activities. In addition, the Title VI Coordinator will make periodic visits to any locations and/or areas determined to be problematic in an attempt to alleviate any problems in advance of a complaint.

FORMAL TITLE VI COMPLAINT PROCEDURE

The Rapid City Area MPO Title VI Policy assures that no person or groups of persons shall, on the grounds of race, color, sex, age, national origin, and disability or handicap, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by the Rapid City Area MPO, its recipients, subrecipients, and contractors. In addition, Executive Order 12898 (Environmental Justice) prohibits discrimination based on

income status. (Appendix H – Executive Order 12898)

The Rapid City Area MPO policies and procedures have been designed and implemented in accordance with applicable federal and state nondiscrimination states and regulations. The following process has been established to provide for the orderly and timely resolution of any complaints alleging discrimination.

Rapid City Area MPO Title VI Coordinator will make him/her known to all participating agencies and will attempt to resolve all civil rights complaints arising from Rapid City Area MPO activities.

In addition, the Title VI Coordinator will make periodic visits to any locations and/or areas determined to be problematic in an attempt to alleviate any problems in advance of a complaint.

The following complaint procedures are applicable to all Rapid City Area MPO activities:

1. Any person or group claiming to be aggrieved by an unlawful discriminatory practice based on race, color, national origin, sex, age or disability any by himself/herself or through his/her legally authorized representative, make and sign a complaint and should file such complaint with the Rapid City Area MPO within 180 calendar days following the date of the alleged discriminatory action. All complaints will be filed with the Rapid City Area MPO Title VI Coordinator who will evaluate the complaint, gather additional information from the complainant if necessary, and refer the complaint to the appropriate participating agency. The participating agency will make every reasonable effort to resolve the complaint as quickly as possible. (Appendix I – Title VI Complaint Form and Instructions)
2. All complaints that cannot be quickly (within 30 calendar days) resolved by the participating agency will be reviewed by a committee consisting of the Rapid City Area MPO Chair, the Title VI Coordinator, the SDDOT Civil Rights Compliance Officer and the participating agency involved. The committee will hold an informal hearing with the complainant seeking resolution and will render a decision regarding the complaint within 15 working days of the hearing.
3. When the Rapid City Area MPO arrives upon a final decision regarding the complaint filed with the Rapid City Area MPO, it will notify the complainant in writing of the decision and of the complainant's rights, if dissatisfied with the decision, to bring the matter to the attention of the appropriate federal agency, typically the Federal Highway Administration (FHWA) or the Federal Transit Administration (FTA). The Rapid City Area MPO will advise the complainant of the name and address of the agency and/or individual to contact.
4. The Rapid City Area MPO will provide the federal agency with a copy of the complaint along with any investigatory report within 60 calendar days of the filing of the complaint. The Rapid City Area MPO will also furnish the federal agency a

report indicating final disposition of the complaint within 5 working days of advising the complainant of the disposition.

The Rapid City Area MPO, acting through the Title VI Coordinator, will expedite all discrimination complaints filed by individuals, businesses, groups or institutions. Information regarding the complaint process will be provided through Rapid City Area MPO publications, Rapid City Area MPO activities, and individual personal contact with persons affected by the Rapid City Area MPO activities.

INFORMAL TITLE VI COMPLAINT PROCEDURE

1. Title VI complaints may be resolved by informal means. When informal means are used, the complainant is informed of his or her right to file a formal written complaint, with a description of the action to be taken.
2. Title VI Coordinator will investigate and resolve informal complaint issues, and develop procedures, if necessary, to prevent in the future.
3. Title VI Coordinator will prepare a summary of issues, how to address identified issues, and any procedural changes, as necessary.
4. Any complaint received in writing is considered to be a formal complaint and is handled under the formal complaint procedure outlined above.
5. The Rapid City Area MPO periodically informs SDDOT of the status of all informal complaints.
6. When a complaint has been directly filed with another federal or state agency, the Rapid City Area MPO is to be informed by the agency where the complaint has been filed and is to take whatever action is needed to resolve the complaint.

*Title VI of the Civil Rights Act of 1964 governs race, color, and national origin. Related Nondiscrimination Authorities govern sex, 23 U.S.C. 324; age, 42 U.S.C. 6101; disability/handicap, 29 U.S.C. 790; and low income, E.O. 12898.

RAPID CITY AREA MPO LIMITED ENGLISH PROFICIENCY PLAN

INTRODUCTION

This *Limited English Proficiency Plan* has been prepared to address the Rapid City Area Metropolitan Planning Organization's responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English proficiency language skills. The assessment and strategies have been prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq., and its implementing