



**Maui Metropolitan
Planning Organization**

Title VI Plan

Approved by Maui MPO Policy Board May 29, 2020

Updated Executive Director Signatures for FHWA June 18, 2021

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Equal Employment Opportunity Employer - The Maui Metropolitan Planning Organization does not discriminate on the basis of age, race, sex, color, national origin, religion or disability in access to, or operation of its programs, services, and activities or in its hiring or employment practices. ADA and Title VI inquiries should be forwarded to: Lauren Armstrong, Maui Metropolitan Planning Organization, 200 South High Street, Wailuku, HI 96793, Phone (808) 270-8216.

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I. Executive Summary

The Maui Metropolitan Planning Organization (Maui MPO) is a government agency formed per federal regulations in 2016¹ by the State of Hawaii and County of Maui to facilitate comprehensive planning for federally-funded or regionally significant transportation systems on the island of Maui. The MPO and its partner agencies develop plans and programs for a multimodal transportation system that facilitates the movement of people and goods. Maui MPO does not construct projects or implement these programs directly.

The Maui MPO vision is for Maui communities to be connected by a safe, efficient, and sustainable transportation system. The Maui MPO facilitates regional and local surface transportation planning by serving as a forum for collaboration among local communities and government agencies. Using a data-driven approach, the MPO strives to direct federal funds toward projects that increase access to opportunity and prosperity, while promoting the health and wellness of Maui's people and environment through improved multimodal pedestrian, bicycle and transit options.

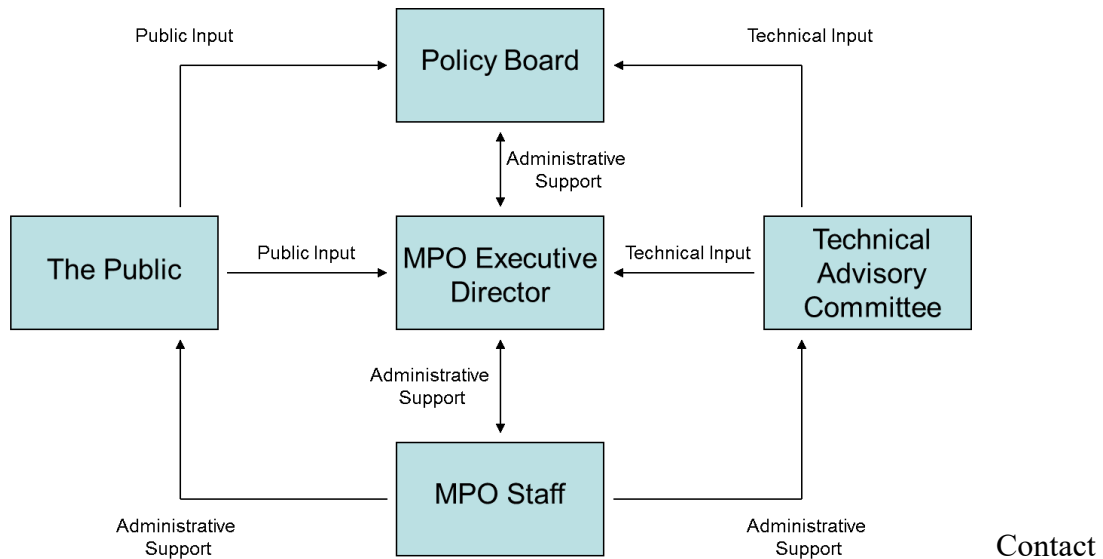
This Title VI and Environmental Justice (T6/EJ) Program Plan for Maui MPO outlines how the Maui MPO will provide equal access to the transportation planning process and ensure its policies and programs are non-discriminatory and do not negatively impact minority and low-income individuals. The Plan was completed in close consultation with the Hawaii Department of Transportation Office of Civil Rights (HDOT OCR) which has oversight over Maui MPO on T6/EJ program implementation pursuant to Federal Highways Administration and Federal Transit Administration regulations and oversight. This MPO T6/EJ Plan was designed to comply with requirements of the United States Department of Transportation - Federal Highway Administration (FHWA) and Federal Transit Administration (FTA).

The Maui MPO has been an FTA and FHWA sub-recipient since 2017.

¹ 49 CFR 21, as detailed in FTA Circular 4702.1B.

II. Organizational Chart

Figure 1. Maui MPO Organizational Structure



The Executive Director will be Maui MPO’s designated Title VI Coordinator and Title VI Complaint Officer. This position will lead in the administration of the Title VI program and is invested with the authority to sign official documents on behalf of Maui MPO. This position will ensure that there will be adequate resources, including qualified staff, to implement Title VI. Staff members will support the implementation and reporting based on their job descriptions and as may be assigned by the Executive Director. Maui MPO staff positions are approved through the Maui MPO Unified Planning Work Program (UPWP).

Information: Maui MPO, 200 South High Street, Wailuku HI 96793 Phone: 808-270-8216

Email: lauren@mauimpo.org

III. Non-Discrimination Policy Statement

The Maui MPO policy assures full compliance with Title VI of the Civil Rights Act of 1964, the Restoration Act of 1987, and related statutes and regulations in all programs and activities. Title VI states that “no person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination” under any the Maui MPO sponsored program or activity. There is no distinction between the sources of funding.

The Maui MPO also assures that every effort will be made to provide programs, services and activities in a nondiscriminatory manner to minority and low-income populations. Furthermore, the Maui MPO will take reasonable steps to provide meaningful access to services for persons with Limited English Proficiency (LEP).

When the Maui MPO distributes Federal-aid funds to another entity/person, the **Maui MPO** will ensure all sub-recipients fully comply with the Maui MPO Title VI Nondiscrimination Program requirements. The Maui MPO has delegated the authority to Maui MPO Title VI Program Coordinator Lauren Armstrong, to oversee and implement FHWA and FTA Title VI requirements.



Lauren Armstrong
Maui MPO Executive Director

6/18/21

Date

IV. Non Discrimination Notice to the Public

Notification of Rights Under Title VI

Maui Metropolitan Planning Organization

The Maui MPO operates its programs and services without regard to race, color, or national origin in accordance with Title VI of the Civil Rights Act of 1964, and related nondiscrimination authorities, any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the Maui MPO.

For more information on the Maui MPO Title VI Program, and/or discrimination complaint procedures, contact Lauren Armstrong, 808-270-8216, lauren@mauimpo.org ; or visit our administrative office at 2145 Wells Street, Wailuku HI.

A complainant may file a complaint directly with the State of Hawaii Department of Transportation (HDOT) Office of Civil Rights, ATTN: Title VI Specialist, 200 Rodgers Boulevard, Honolulu, HI 96819 or the Federal Transit Administration (FTA) ATTN: Title VI Program Coordinator, East Building, 5th Floor-TCR 1200 New Jersey Ave., SE Washington DC 20590.

If information is needed in another language, contact Maui MPO Executive Director Lauren Armstrong at lauren@mauimpo.org or 808-270-8216

V. List of Locations Where Title VI Notice Is Posted

The Title VI Non-Discrimination Notice to the public is currently posted at the following locations:

Location Name	Address	City
Maui MPO office	2145 Wells Street, Suite 102A	Wailuku
Maui MPO website	www.mauimpo.org	n/a

VI. Discrimination Complaint Procedures

These procedures provide guidance for all complaints filed under Title VI of the Civil Rights Act of 1964, as they relate to any program or activity that is administered by the Maui MPO, or its consultants, contractors and vendors. In addition to these procedures, complainants have the right to file a formal complaint with other State or Federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to resolve complaints at the lowest possible level.

- (1) Any person who believes they have been discriminated against on the basis of race, color, or national origin, may file a discrimination complaint by completing and submitting the agency's Title VI Complaint Form.
- (2) Formal complaints must be filed within one-hundred eighty (180) calendar days of the latest incident of alleged discrimination, or the date when the alleged discrimination became known to the complainant(s), or where there has been a continuing course of conduct, the date on which the conduct was discontinued or the latest instance of the conduct.
- (3) Complaints must be in writing and signed by the complainant(s) and must include the complainant(s) name, address and phone number.
- (4) Allegations received by fax or e-mail will be acknowledged and processed, once the identity of the complainant(s) and the intent to proceed with the complaint have been established. For this, the complainant(s) is required to mail the signed, original of the fax or email transmittal for the complaint to be processed.
- (5) Allegations received by telephone will be reduced to writing and provided to the complainant(s) for confirmation or revision before processing. A complaint form will be forwarded to the complainant(s) to complete, sign and return for processing.
- (6) Once submitted Maui MPO will review the complaint form to determine jurisdiction. All complainants will receive an acknowledgement letter informing them of whether the complaint will be investigated by the Maui MPO or submitted to the State or Federal authority for processing.

- (7) The Maui MPO will notify the Hawaii Department of Transportation Office of Civil Rights (HDOT OCR) of **all** discrimination complaints within seventy-two (72) hours via telephone at (808) 831-7912 or email at hdot-titlevi@hawaii.gov. In the event of a Title VI complaint related to a program funded via FHWA funding, the complaint will be routed to FHWA Office of Civil Rights, located in Washington, D.C., for review, processing, and determination of jurisdiction.
- (8) The Maui MPO has ninety (90) days to investigate the complaint. If more information is needed to resolve the case, the Authority may contact the complainant(s). The complainant(s) has no later than one-hundred ten (110) business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant(s) or does not receive the additional information within one-hundred ten (110) business days, the Authority can administratively close the case. A case can be administratively closed also if the complainant(s) no longer wishes to pursue their case.
- (9) After the investigation is completed, an investigative report will be drafted, and the parties will be notified of the outcome. A letter shall be issued summarizing the investigative findings, and whether or not there was a violation of the Agency's nondiscrimination policy. In instances where there was no finding, the parties will be informed of such and that the case is closed. In cases where there appeared to be a violation, the parties shall be informed that appropriate action shall be taken to ensure that the alleged act(s) of discrimination stops. Complainants shall be notified of their right to pursue other avenues of recourse.
- (10) A copy of the investigative report and the notification letter shall be submitted to HDOT within seventy-two (72) hours of being issued to the parties.
- (11) For FTA-funded program complaints, a complainant dissatisfied with the Maui MPO decision may file a complaint with the Hawaii Department of Transportation, Office of Civil Rights, Attention Title VI Specialist, 200 Rodgers Boulevard, Honolulu, HI 96819 or the Federal Transit Administration, Attention Title VI Program Coordinator, East Building, 5th Floor-TCR 1200 New Jersey Ave., SE Washington DC 20590. For FHWA-funded program complaints, a complainant dissatisfied with the Maui MPO decision may file a complaint with the HDOT OCR address noted above or with the Federal Highways Administration Office of Civil Rights, 1200 New Jersey Avenue, SE, 8th Floor E81-105, Washington, DC 20590.

A copy of these procedures for filing with HDOT OCR can be found online at HDOT OCR:

<http://hidot.hawaii.gov/administration/ocr/title-vi-program/>

If information is needed in another language, contact the Maui MPO Executive Director Lauren Armstrong at lauren@mauimpo.org or 808-270-8216.

VII. Discrimination Complaint Form

Section I:		
Name:		
Address:		
Telephone (Home):	Telephone (Work):	
Electronic Mail Address:		
Accessible Format Requirements?	Large Print <input type="checkbox"/>	Audio Tape <input type="checkbox"/>
	TDD <input type="checkbox"/>	Other <input type="checkbox"/>
Section II:		
Are you filing this complaint on your own behalf?	Yes* <input type="checkbox"/>	No <input type="checkbox"/>
<i>*If you answered "yes" to this question, go to Section III.</i>		
If not, please supply the name and relationship of the person for whom you are complaining.		
Please explain why you have filed for a third party:		
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Section III:		
I believe the discrimination I experienced was based on (check all that apply):		
Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin <input type="checkbox"/>		
Date 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 need, please use the back of this form.		
Section VI:		
Have you previously filed a discrimination complaint with this agency?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, please provide any reference information regarding your previous complaint.		

<p>Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, name all that apply:</p> <p>Federal Agency:</p> <p>Federal Court:</p> <p>State Court:</p> <p>State Agency:</p> <p>Local Agency:</p>
Please provide information about a contact person at the agency/court where the complaint was filed.
Name:
Title:
Agency:
Address:
Telephone:
Section VI:
Name of agency complaint is against:
Name of person complaint is against:
Title:
Location:
Telephone Number (if available):

You may attach any written materials or other information that you think is relevant to your Complaint. Your signature and date are required below:

Signature

Date

Please submit this form in person at the address below, or mail this form to:

Maui MPO
2145 Wells Street Suite 102A
Wailuku HI 96793

Contact Person: Lauren Armstrong, Executive Director, 808-270-8216, lauren@mauimpo.org
A copy of this form can be found online at: www.mauimpo.org

VIII. Discrimination Investigations, Complaints and Lawsuits

The Maui MPO has not had any Title VI discrimination complaints, investigations, or lawsuits in 2016, 2017, 2018 or 2019.

Description/Name	Date (Month/ Day/ Year)	Summary (include the basis of complaint: race, color, national origin, disability)	Status	Action (s) Taken (Final findings?)
INVESTIGATIONS				
1) None				
2)				
LAWSUITS				
1) None				
2)				
COMPLAINTS				
1) None				
2)				

IX. Public Participation

The Maui MPO engages the public in its planning and decision-making processes, as well as its marketing and outreach activities. Maui MPO seeks to engage people of all ages and abilities from across the island and focuses on connecting with traditionally underrepresented and hard-to-reach populations. The Maui MPO Policy Board adopted a *Public Participation Plan* on May 22, 2017. The *Public Participation Plan* can be viewed at www.mauimpo.org/maui-mpo-public-participation-plan.

Examples of public outreach through workshops, surveys and pop-up planning events are summarized in the Maui Transportation Improvement Program (TIP) 2019-2022 and Long Range Transportation Plan 2040, which can be accessed at www.mauimpo.org.

- ***Multi-generational housing*** is commonplace in Hawaii, particularly in the communities of Kahului and Lahaina, which contain large numbers of working residents.
- Maui is attracting a ***rooted millennial*** demographic that seeks to work and play in the same neighborhoods in which they live. Access to multimodal and non-driving options is important to them for lifestyle, economic, and environmental reasons.
- ***Traditionally underserved populations***, which may include certain geographic areas of Maui or particular populations, are a critical constituency.
- ***Low income populations (as well as immigrant and refugee populations)*** often rely on transit, walking, and biking to get to jobs, school, and recreation. Affordable, safe, and reliable access to non-driving modes is a critical part of daily life for low-income families.
- The community of ***people with disabilities*** has historically relied upon public transportation services for access to work, recreation, and medical care.
- ***Youth*** are frequent users of a non-drive-alone transportation system, especially in the middle and high school years. Nearly a quarter of Maui's population is under the age of 18, which indicates a need for safe and accessible walking, biking, and transit options for young people.
- As Maui's population ages—and the number of visitors continues to grow—there will be increasing support for the opportunity to “age in place” and the need to provide age-friendly transportation options. The MPO can anticipate that transportation options will have to shift to accommodate the needs of a ***growing older population and baby boomers*** that are choosing to stay in their familiar neighborhoods.
- ***Families and individuals who have multiple travel options*** at their disposal are an important group to attract to the conversation to ensure that the Maui MPO addresses the needs of those who can choose among a range of transport options.
- ***Community-minded neighbors, advocates, and activists*** represent a group of people that is often very easy to engage as well as a group that can help to make connections with the broader community and specific constituencies.

X. Limited English Proficiency and Language Access Plan

The Maui MPO has developed the following LEP Plan to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to the Maui MPO programs, services, or activities as required by Executive Order 13166 and §321C, Hawaii Revised Statutes. An LEP person is one who does not speak English as their primary language, and who has a limited ability to read, speak, write, or understand English.

This plan details procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training to staff, notification to LEP persons that assistance is available, and information for future plan updates.

1. The Maui MPO Executive Director will be designated as Maui MPO's Language Access Coordinator.
2. The Maui MPO is committed to providing oral language services in a timely and competent manner as well and to offer written translation of vital documents into the primary language of LEP persons.
3. To determine the Maui MPO extent of obligation to provide LEP services, the Maui MPO will undertake a four-factor LEP analysis which considers the following:
 - a. The number or proportion of LEP persons eligible in the Maui MPO service area who may be served or likely to encounter by the Maui MPO program, activities, or services.

Approximately 21% of Maui residents aged 5 and older spoke a language other than English at home in the 2010-2014 period, and 10% spoke English less than "very well". In Kahului, 38% of residents spoke a language other than English at home, and 23% spoke English less than "very well". Ilocano, Tagalog, and Japanese were the top three most common non-English languages spoken at home in Hawai'i."²

LEP persons interact with the Maui MPO when they wish to provide input about federal-aid transportation investments on Maui, primarily through the Transportation Improvement Program (TIP) and Long Range Transportation Plan (LRTP). Public outreach for the TIP and LRTP includes visual information to encourage and enable participation by persons with limited English proficiency. In areas with a high percentage of LEP persons, Maui MPO will work with a community-based organization such as the Filipino Community Center in Kahului, to ensure that outreach efforts are effective for LEP populations.

- b. The frequency with which LEP individuals come in contract with the Maui MPO services.

² State of Hawai'i Department of Business, Economic Development and Tourism (DBEDT). *Non-English Speaking Population in Hawai'i*. April 2016

Based on the 2010-2014 American Community Survey, public workshops or information provided in Central or West Maui are most likely to reach areas where 20% or more of the population speak English less than “Very Well”. Maui MPO conducts public outreach activities continuously throughout the year, on a monthly basis.

- c. The nature and importance of the program, activities or services provided by the Maui MPO to the LEP population.

Maui MPO provides an opportunity for LEP populations to engage in the transportation planning process for Maui. The projects prioritized through the Long Range Transportation Plan and programmed through the Transportation Improvement Program are analyzed to determine their potential impact on LEP populations.

- d. The resources available to the Maui MPO and overall costs to provide LEP assistance.

4. *Informing the public about their rights.* The Maui MPO will be responsible for informing the public of the right to free language assistance in their spoken language. Language identification cards or posting signs in public areas can be used to provide such notice.
5. *Training and capacity building.* All staff members with direct roles in implementing all or any part of this Plan shall be trained. The Language Access Coordinator shall facilitate needed training in coordination with the State Office of Language Access, the HDOT and/or the FHWA. Implementation procedures and protocols shall also be developed and updated to ensure that standards of language assistance need are consistently met.
6. *Accountability and reporting.* Language access will be monitored and reported on as part of regular Title VI compliance review. The Plan will be reviewed annually as part of Maui MPO’s Title VI Plan updating.

Every effort will be made to provide vital information to LEP individuals in the language requested. Efforts may include:

- Translate documents and web content on key initiatives
- Include information on meeting notices on how to request translation assistance
- Develop list of on-call translators for meetings
- Have translators available at meetings as requested or in predominantly non-English speaking areas
- Translate news releases and outreach to alternative language media, such as radio, television, newspapers and social media
- Collaborate with agencies that regularly provide services to LEP populations
- Ensure that Maui MPO website provides translation to the greatest extent possible.

Safe Harbor Provision

The Maui MPO complies with the Safe Harbor Provision, as evidenced by the inclusion of information on how to request language assistance at Maui MPO meetings. The following Title VI information will be made available in alternative languages as needed.

- (1) Title VI Notice
- (2) Complaint Procedures
- (3) Complaint Form

In addition, we will conduct our marketing (including using translated materials) in a manner that reaches each LEP group. Vital Documents include the following:

- (1) Notices of free language assistance for persons with LEP
- (2) Notice of Non-Discrimination and Reasonable Accommodation
- (3) Outreach Materials
- (4) Public Hearings

Sample LEP assistance offered on Maui MPO agendas:

AGENDA ITEMS ARE SUBJECT TO CANCELLATION. For a confirmation of the meeting date and time, please contact the Maui MPO, 200 S. High Street, Wailuku, HI 96793, (808) 270-8216, (808) 270-7505 (fax).

ORAL OR WRITTEN TESTIMONY on any agenda item will be accepted at the beginning of the meeting and shall be limited to three (3) minutes. TESTIMONY MUST BE LIMITED TO ITEMS ON THE AGENDA. If written testimony is submitted at the meeting, 15 copies are requested. INDIVIDUALS WHO INTEND TO ATTEND THE MEETING AND WHO HAVE DISABILITIES OR LIMITED ENGLISH PROFICIENCY REQUIRING SPECIAL ASSISTANCE should call the Maui MPO at (808) 270-8216 at least five (5) working days before the meeting.

XI. Non-Elected Committees Membership Table

The Maui MPO does NOT select the membership of any transit-related committees, planning boards, or advisory councils.

XII. Monitoring for MPO Sub-Recipient Title VI Compliance

HDOT will monitor MPO sub-recipients' compliance with FTA Title VI requirements. Oversight includes periodic on-site visits, review of submitted Title VI Plans, review of Title VI training programs and sub-recipient's agency-conducted surveys etc.

Maui MPO

1. Submits its Title VI Plan every three (3) years.
2. Submits its Title VI Plan which has been approved by a governing entity or highest Authority of the agency.
3. Conducts Title VI Training for all employees. Documents its training program (date, attendance, topic(s) covered, number of hours per topic per session, lecture, video lesson etc.).

4. Conducts Title VI Training for all FTA defined Safety-Sensitive Employees. Documents its training program. (date, attendance, topic(s) covered, number of hours per topic per session, lecture, video lesson etc.).
5. Posts its Notice of Rights under Title VI Notices in FTA-funded vehicles.
6. Posts its Notice of Rights under Title VI Notices in office and other publicly accessible places, including group meetings and other informational gatherings for its clients, and general public.
7. Posts its Notice of Rights under Title VI Notices on agency website, brochures, bulletins, etc.
8. Describes how it monitors Title VI compliance by its officers, and employees.
9. Keeps records of discrimination complaints, and resolutions, etc.
10. Conducts surveys of clients, community, coordinated services to assess the level and effectiveness of ensuring non-discrimination.
11. Submits an annual report to HDOT to note Title VI-related accomplishments.

XIII. Title VI Training

Pursuant with an Administrative Agreement with the County of Maui Department of Transportation (MDOT), MDOT will assist in the coordination of Title VI Training for the Maui MPO.

Pursuant to the State of Hawai‘i Department of Transportation’s Federal Transit Administration Title VI Program Plan FFY2016-2019, the State’s Title VI Coordinator will conduct training and provide guidance to subrecipient transit agencies. MDOT is a subrecipient transit agency.

Maui MPO staff attended Title VI breakout sessions, which included Title VI and Environmental Justice peer to peer training, at the Association of Metropolitan Planning Organizations (AMPO) Conference in 2017, 2018 and 2019.

XIV. Title VI Equity Analysis

The Maui MPO is not planning to acquire land upon which to construct a facility or plans to construct a facility and as such, no equity analysis is required.

XV. Program Areas

Maui MPO will be responsible for the following specific areas:

a. Data collection

Data will be collected and analyzed using the U.S. Bureau of Census and other sources to determine low-income and disadvantaged populations. The types and analysis will be in line with

HDOT's data collection as outlined in latter's own Title VI Plan Attachment D³. Maui MPO will also continue to rely on its database of Title VI and Environmental Justice (T6/EJ) populations on Maui for assessing the impacts of the various plans and transportation projects that receive federal funds on those populations. Maui MPO intends to update the database after every census to accurately reflect the latest conditions.

Maui MPO will continue to use a GIS-based T6/EJ analysis tool that was developed to initially screen the potential impacts of the Hele Mai Maui 2040 Long Range Transportation Plan and Transportation Improvement Program projects on those populations. This data tool identifies the concentration of T6/EJ groups per block group, mapping a "Transportation Equity Index" based on combined densities of people below 200% of the federal poverty level, adults aged 65 and over, youth between the ages of 10 to 17, households without access to a vehicle, people with a disability, people with limited English proficiency, and people who self-identify as not white/Caucasian. Maui MPO's Transportation Equity Index is found in the Hele Mai Maui 2040 Plan, Appendix A, page 21.

Acknowledging the rapid technological development in data analytics, Maui MPO will continue to explore additional T6/EJ analysis tool and make professional recommendations to either continue to maintain the existing analysis tool, add or switch to others. Maui MPO acknowledges that beyond the GIS-based tool, project-specific equity impacts must also be analyzed through the planning process.

Maui MPO will explore ways to improve measurements of equity and environmental justice implications of projects and investments. It will also engage in primary data gathering (e.g. project- and event-specific surveys or evaluation) as needed.

b. Hele Mai Maui 2040 Long Range Transportation Plan ("LRTP")

This is the long-range, comprehensive plan that will identify projects, programs, and policies to meet the transportation needs of Maui. This plan looks at a 20-year period. Using various data collected by Maui MPO, the LRTP can estimate growth patterns of disadvantaged populations and address the benefits and burdens that future transportation projects might have. Maui MPO actions will include:

- Developing demographic profile maps that project growth in disadvantaged populations over at least a 20-year planning horizon;
- Allowing all populations the opportunity to provide input into project identification;
- Assessing the effects that future land use decisions and transportation projects might have on neighborhoods, the environment, and the economy;
- Ensuring that the benefits and impacts of future transportation systems are equally distributed among all areas covered by Maui MPO planning;
- Articulating performance targets for equity.

³ See page 40 of HDOT Plan, <https://hidot.hawaii.gov/administration/files/2019/02/FHWA-2019-TITLEVI-PROGRAM-PLAN.pdf>

A performance-based project Evaluation Framework is found in Appendix B of Hele Mai Maui. One of the plan's five main goals is to "Connect and Strengthen Communities to Improve Quality of Life". Desired outcomes are to improve access to and resilience for town centers, schools, jobs, parks and basic life needs; invest in disadvantaged areas; and provide mobility benefits to vulnerable populations. To operationalize this goal in the planning process, Hele Mai Maui applies the following GIS-based evaluation criteria to score transportation projects, assigning a point each for the following: Projects that intersect job centers OR higher educational institutions; Projects located within 1 mile of an elementary school OR within 2 miles of a middle or high school; Projects within ½ mile of a designated Directed Growth Area; and Projects that intersect census tracts with an Equity Index of 26 or greater (out of 35).

c. Unified Planning Work Program ("UPWP")

The UPWP is a program of annual work and budget that Maui MPO will carry out, including those that will be completed with the help of other agencies and consultants. Maui MPO actions will include:

- Identification of planning activities that will encourage involvement by all populations.
- Analysis of the benefits and impacts that planning studies might have on low income and minority populations.
- Guidance and monitoring of Maui MPO's subrecipient agreements and work progress reports, if any, including elements that are relevant in helping the Maui MPO meet its overall T6/EJ program requirement.
- Use of project scoping and agreements to motivate subrecipients' cooperation.

d. Transportation Improvement Program ("TIP")

This is a four-year program of projects that are expected to be designed, engineered, and constructed. The program is revisited during said years for program revisions. Maui MPO actions will include:

- Working with the entities to identify transportation projects that serve areas with low income and minority populations;
- Provide the opportunity for all populations to give input into project identification;
- Use the performance-based project screening tool developed through Hele Mai Maui 2040 Long Range Transportation Plan to identify projects that serve Title VI populations.

The Maui MPO Executive Director will spearhead implementation and monitoring, including any need to address deficiencies in current Maui MPO policies and procedures.

XVI. Title VI Assurances

Maui MPO's Title VI Plan applies to all of its programs, activities, and services, regardless of funding source. As a recipient of federal transportation planning funds from the United States Department of Transportation, Maui MPO acknowledges the relevant authorities guiding the use

of federal funds and signs on to several general and specific assurances that are required by the U.S. Department of Transportation of MPOs. The signed set of Assurances is presented in Attachment 1.

XVII. Plan Update and Submission

This Plan will be reviewed and renewed on an annual basis. Maui MPO will submit the annual update for HDOT and FHWA approval no later than September 30. At the minimum, when there are no changes, Maui MPO will renew signatures on the policy statement and assurances document. The annual compliance report will also be submitted at the same time.

XVIII. Demographic Profile

Maui County Demographics (2016 ACS 5-Year Estimates) Note: Maui MPO serves the island of Maui.

Population	166,260
	Growth since 2010: 10%
Age	Median: 40 years
	Age Under 18: 22%
	Age 65+: 15%
Income	Median family: \$77,899
	Median per capita: \$30,599
Racial Distribution	35% White
	28% Asian
	24% Two or More Races
	11% Native Hawaiian and Other Pacific Islander
	1% Other
	0.5% Black or African American
	0.2% American Indian or Alaska Native
Gender	50% male / 50% female
Education	92% have a high school degree or higher
	26% have a bachelor's degree or higher
Poverty	10% live below the federal poverty level (\$23,850 for a family of four)
	12% of Maui's children live in poverty
Country of Birth	19% of Maui's population was born outside the United States; 70% are from Asia
Language Spoken at Home	77% English only
	18% Asian and Pacific Island languages
	3% Spanish
	1% Other Indo-European languages
People with Disabilities	10.6% of population
Household Vehicle Access	5.2% None
	32.3% One vehicle
	38.3% Two vehicles
	24.2% Three or more vehicles

XIX. Mobility Needs of Minorities

Having transportation options is especially critical for individuals who are not able to own or operate a personal vehicle, or who are cost-burdened by doing so. The Maui Bus is important to Maui's economy. It connects workers to jobs. Over 75% of the passengers are employed. About 54% use Maui Bus to get to work. The Maui Bus provides options to low income people to get to work and appointments. Twenty-one percent of the passengers reported a household income of less than \$15,000 per year.

Individuals with disabilities rely on safe, connected ADA-compliant facilities like curb ramps, sidewalks and para-transit service. The Maui Wheelers, an advocacy organization for people in wheelchairs, noted that safe facilities are especially important in the civic core of Wailuku and commercial core of Kahului, so they can reach key destinations and appointments safely.

Maui MPO strives to balance the needs of all residents when programming federal transportation funds. System preservation projects often include multimodal safety improvements where possible. By travelling to various parts of Maui and gathering feedback online, the MPO sought out diverse viewpoints on the needs and opportunities in the transportation system.

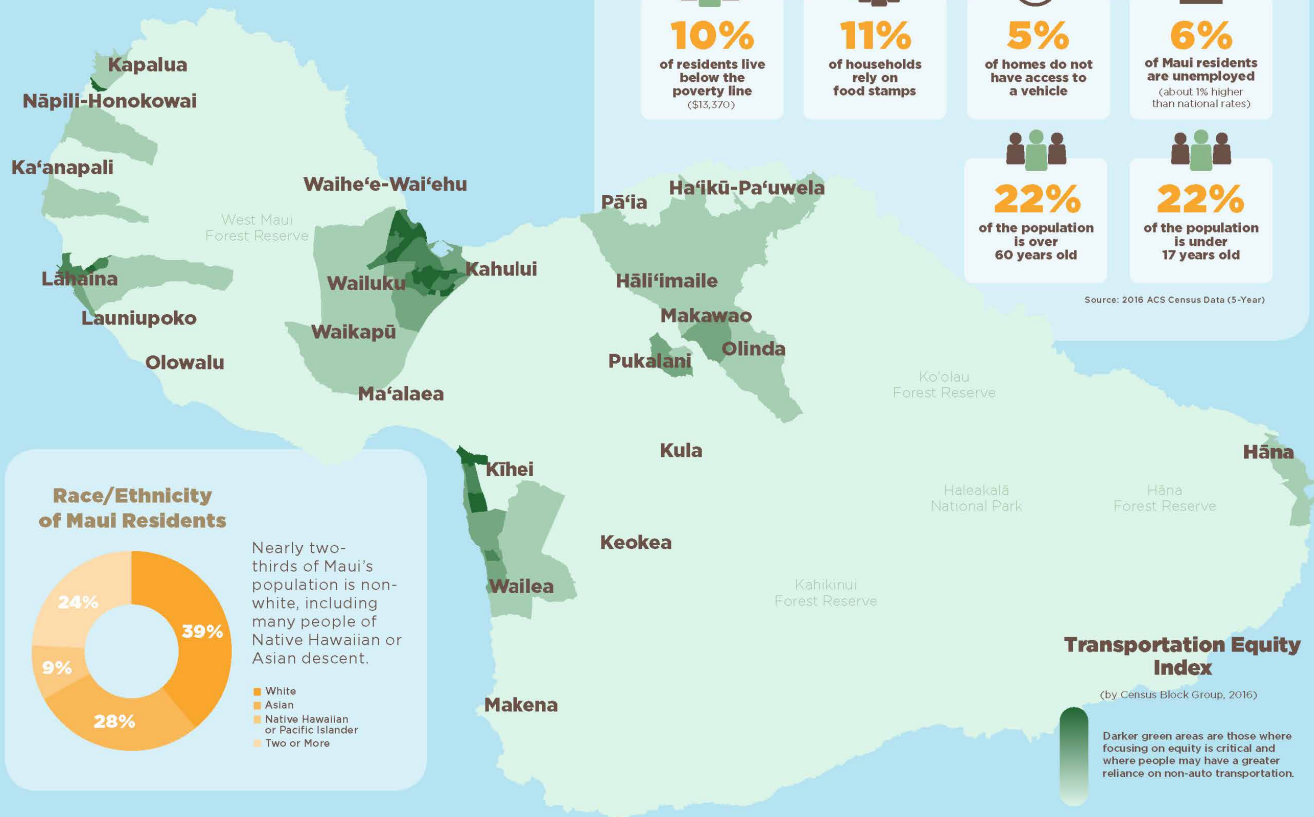
XX. Demographic Map

Focusing on Equity

Equity is an important tool to analyze people's access to transportation and to plan future investments. Planning within an equity framework empowers decision-makers to invest in places where transportation projects and programs can support historically underrepresented communities that may have fewer transportation options.

Communities identified in darker shades of green may have a higher reliance on non-auto forms of transportation and are likely to benefit the most from multimodal investments in the transportation system.

The transportation equity index is based on combined densities of people below 200% of the federal poverty level, adults aged 65 and over, youth between the ages of 10 to 17, households without access to a vehicle, people with a disability, people with limited English proficiency, and people who self-identify as not white/Caucasian.



XXI. Analysis of Impacts

Maui MPO utilized available Geographic Information System (GIS) data to analyze the potential impact of Transportation Improvement Program (TIP) 2019-2022 federal-aid projects on minority, low income, and vulnerable populations. The majority of TIP projects involve preservation of existing transportation facilities. These projects will not substantially change the “footprint” of the facility or its scale. As with any capital project there are bound to be interruptions in service, detours, etc. These are considered temporary in nature and are mitigated on-site during project implementation and through communication with the public. The impact analysis on special populations or resources did not identify significant adverse or unequal impacts resulting from the distribution and location of any TIP projects.

Maui MPO hosted a set of five public TIP workshops in February 2018 at ADA-accessible community centers in Pā‘ia, Lāhainā, Pukalani, Kīhei and Kahului to gather public input on the priority of transportation projects proposed for federal funding in the 2019-2022 TIP. Meeting at various locations within Maui Bus operating hours helped ensure fair access to the decision-making process for all potentially affected communities, consistent with the Environmental Justice program outlined in the *Maui MPO Public Participation Plan*. Staff from HDOT, DPW, Planning and MDOT, as well as County Council members attended as representatives of the Maui MPO TAC and Policy Board. The MPO held a set of follow up workshops in April 2018 to share the financially constrained draft.

The Hele Mai Maui 2040 Long Range Transportation Plan notes the following related to potential equity impacts of recommended projects and programs:

- The Hele Mai Maui recommended project list identifies projects that: Add new connections where they are most critical to provide access to and from communities, to improve daily travel options, and to build a more resilient transportation system; Target key corridors to support safe, multimodal connections within communities and to important destinations by foot, bike, bus, or car; Prioritize critical maintenance projects to keep our roadways and bridges in a state of good repair; and Prioritize investments that are distributed across Maui’s community planning districts.
- Transit-oriented development reduces dependence on driving and allows residents to live, work, and play in the same area, or at least without relying on a car. Constructing affordable and workforce housing connected to good transportation options provides enhanced mobility for those who need it most.
- A multimodal transportation system focuses on building new and upgrading existing transportation facilities to support different modes of travel. Projects include complete streets improvements that provide safe spaces for people to walk and bike, transit corridors and increased bus service, and new sidewalks. By providing infrastructure for many modes and new ways to get around Maui, this could help to improve safety and health and create transportation options for people. In terms of equity, this scenario could have the most positive impact for people with limited income or access to a vehicle.

XXII. Board Approval for the Title VI Program

Approved by the Maui MPO Policy Board on May 29, 2020.

Updated Executive Director Signatures for FHWA on June 18, 2021.

Attachment 1

Title VI Standard Assurances

The Maui Metropolitan Planning Organization, (herein referred to as the “Maui MPO”), HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (USDOT), through the *Hawaii Department of Transportation (HDOT)*, is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled *Nondiscrimination 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 Maui Metropolitan Planning Organization (Maui MPO) hereby assures that it will promptly take any measures necessary to ensure that:

“No person in the United States shall, on the grounds of race, color, national origin, English language proficiency, religion, gender and sexual orientation, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity,” for which the Maui MPO receives federal financial assistance from US Department of Transportation (USDOT), through the Hawaii Department of Transportation (HDOT).

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 Recipients, so long as any portion of the program is Federally-assisted.

Specific Assurances

More specifically, and without limiting the above general Assurances, the Maui Metropolitan Planning Organization agrees with and gives the following Assurances with respect to its Federally-assisted programs and activities.

1. The Maui MPO agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Maui MPO 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 Federal-Aid Highway Program and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The Maui MPO 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 Maui MPO 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 Maui MPO 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 Maui MPO 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 Maui MPO 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 Maui MPO will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Maui MPO 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 Maui MPO 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 Maui MPO, 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 Maui MPO retains ownership or possession of the property.
9. The Maui MPO will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Maui MPO agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, the Maui MPO also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the USDOT 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 USDOT. You must keep records, reports, and submit the material for review upon request to USDOT, 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.

The Maui MPO 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 USDOT Federal Highway Administration or Federal Transit Administration. This ASSURANCE is binding on the Maui MPO, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors, transferees, successors in interest, and any other participants in the *Federal-Aid Highway Program and Federal Transit Administration*. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Maui MPO.

FOR MAUI METROPOLITAN PLANNING ORGANIZATION

A handwritten signature in black ink, appearing to read "Lori Arty". The signature is fluid and cursive, with the first name "Lori" and last name "Arty" clearly distinguishable.

Executive Director

June 18, 2021

Attachment 1 - 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 Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, the 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. **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Nondiscrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the 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.

Attachment 1 - 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 Maui MPO will accept title to the lands and maintain the project constructed thereon in accordance with the Regulations for the Administration of the State of Hawaii HDOT, FHWA, Maui MPO, *and* the Regulations for the Administration of the Federal-Aid Highway Program 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, Nondiscrimination 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 Maui MPO 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 Maui MPO 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 Maui MPO, its successors and assigns.

The Maui MPO in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the Maui MPO 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].*

(*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.)

Attachment 1 -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 Maui MPO 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 Nondiscrimination covenants, the Maui MPO 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 Nondiscrimination covenants, the Maui MPO 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 Maui MPO 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.)

Attachment 1- 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 *Maui MPO* pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Nondiscrimination covenants, the Maui MPO 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, the Maui MPO will there upon revert to and vest in and become the absolute property of the Maui MPO 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.)

Attachment 1 –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 nondiscrimination statutes and authorities; including but not limited to:

Pertinent Nondiscrimination 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).