

TITLE VI PROGRAM PLAN

July 1, 2025 to June 30, 2026

Waylon Wright, Executive Director

Pamela Hoots, City of Columbia Mayor

Kenneth Catron, City of Monticello Mayor

Marshall Todd, Pulaski County Judge Executive

Lake Cumberland Area Development District, Inc.

City of Columbia
City of Monticello
Pulaski County

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I. Glossary/Definitions

Area Development Districts (ADD): regional planning and development organizations in which counties and cities work together to accomplish common goals and receive shared benefits.

Affirmative Action: a good-faith effort to eliminate past and present discrimination in all federally assisted programs and to ensure future nondiscriminatory practices.

African American: A person having origins in any of the black racial groups of Africa.

American Indian or Alaska Native: a person having origins in any of the original peoples of North and South America (including Central America) who maintains cultural identification through tribal affiliation or community attachment.

Applicant: an eligible public entity or organization that submits an application for financial assistance under a program administered on behalf of the State.

Asian: a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

Assurance: a written policy statement or contractual agreement signed by the agency head in which a recipient agrees to administer federally assisted programs in accordance with civil rights laws and regulations.

Beneficiary: any person or group of people (other than states) entitled to receive benefits, directly or indirectly, from any federally assisted program (*e.g.*, relocated persons, impacted citizens, communities, etc.).

Civil Rights Compliance Reviews: Regular systematic inspections of agency programs conducted to determine regulatory compliance with civil rights laws and regulations. Compliance reviews determine compliance and noncompliance in the delivery of benefits and services in federally-assisted programs. These reviews help to measure the effectiveness of agency civil rights programs. They identify problems, such as denial of full benefits, barriers to participation, different treatment, lack of selection to advisory boards and planning committees, lack of information, and denial of the right to file a civil rights complaint. Compliance reviews may be conducted on-site or through desk audits.

Complaint: a verbal or written allegation of discrimination that indicates that a federally assisted program is operated in such a manner that it results in disparity of treatment to persons or groups of persons because of race, color, sex, or national origin.

Compliance: a satisfactory condition wherein an applicant, recipient, or sub recipient has effectively implemented all of the Title VI requirements or can demonstrate that every good-faith effort toward achieving this end has been made.

Contract: a mutually binding legal relationship or any modification thereof obligating the seller to furnish supplies or services, including construction, and obligating the buyer to pay for them. Throughout this document, a lease is considered a contract.

Contractor: any person, corporation, partnership, organization, or incorporated association that participates, through a contract or subcontract, in any program or activity covered by this plan, including lessees.

Desk Audit: A desk audit is a structured paper review of statistical and narrative information submitted by recipients or agency program offices of compliance information obtained before or without going on-site, conducted according to review procedures. Desk audits include routine reviews of assurance forms or other documents to ensure that they have been properly completed.

Discrimination: involves any act or inaction, whether intentional or unintentional in any program or activity of a federal aid recipient, sub recipient, or contractor, which results in disparate (unfavorable) treatment, disparate impact, or perpetuating the effects of prior discrimination based on race, color, sex, national origin, age, disability or in the case of disability, failing to make a reasonable accommodation.

Executive Directors: Head administrative officer of the Lake Cumberland Area Development District. Responsible for the overall activities of the district.

Federal Assistance:

- Grants and loans of federal funds
- The grant or donation of federal property and interests in property
- The detail of federal personnel
- The sale and lease of, and the permission to use (on other than a casual or transient basis), federal property or any interest in such property without
- Consideration or with nominal consideration, or with consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient
- Any federal agreement, arrangement, or other contract that has, as one of its purposes, the provision of assistance

Federal Highway Administration or FHWA: agency within the U.S. Department of Transportation that supports State and local governments in the design, construction, and maintenance of the Nation's highway system (Federal Aid Highway Program) and various federally and tribal owned lands (Federal Lands Highway Program).

Grantee: any public or private agency, institution, or organization to whom federal financial assistance is intended for any program.

Hispanic or Latino: A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

Interpretation: The process of listening to something in one language and orally interpreting it in another. The mix of LEP services under the Oral Languages Services is as follows:

- Hiring bilingual staff
- Hiring staff interpreters

- Using telephone interpreter lines
- Using community volunteers
- Use of family members, friends, and other customers/passengers as interpreters

Kentucky Transportation Cabinet or KYTC: the agency of Kentucky charged by its laws with the responsibility for all modes of transportation.

Limited English Proficiency or LEP: Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English can be limited English proficient.

Metropolitan Planning Organization or MPO: policy board of an organization created and designated to carry out the metropolitan transportation planning process. MPOs are required to represent localities in all Urbanized Areas (UZA) of populations over 50,000, as determined by the US Census. MPOs are designated by agreement between the Governor and units of general-purpose local government that together represent at least 75 percent of the affected population (including the largest incorporated city, based on population, as named by the Bureau of the Census) or in accordance with procedures established by applicable State or local law. When submitting the transportation improvement program (described below), to the State for inclusion in the statewide program, MPOs self-certify that they have met all federal requirements.

Minority: A person or groups of persons differing from others in some characteristics who may be subjected to differential treatment based on race, color, sex, or national origin. Includes African Americans, Hispanics or Latinos, American Indian or Alaska Native, Asians, and Native Hawaiian or Other Pacific Islander.

Native Hawaiian or Other Pacific Islander: A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

Non-compliance: the condition wherein a recipient has failed to meet prescribed requirements and has shown a lack of good-faith effort in implementing all of the Title VI requirements.

Non-minority or non-minority group people: Caucasians

Persons: Where designation of persons by race, color, sex, or national origin is required, the following designations ordinarily may be used: "White not of Hispanic origin," "Black not of Hispanic origin," "Hispanic," "Asian or Pacific Islander," "American Indian or Alaskan Native." Additional subcategories based on national origin or primary language spoken may be used, where appropriate, on either a national or a regional basis.

Primary recipient: KYTC or any department, division, or agency authorized to request federal assistance on behalf of sub-recipients and to distribute financial assistance to sub-recipients' contracts for carrying out a program.

Program: includes any highway, project, or activity that provides services, financial aid, or other benefits to individuals, including education or training, work opportunities, health, welfare, rehabilitation, housing, or other services, whether provided directly by the recipient of federal financial assistance or provided by others through contracts or other arrangements with the recipient (i.e., Planning, Environment, Design, Right-of-Way, Construction, Safety, and Research).

Program area officials: the officials who are responsible for carrying out technical program responsibilities.

Public participation: an open process in which the rights of the community to be informed, to provide comments to the Government and to receive a response from the Government are met through a full opportunity to be involved and to express needs and goals.

Recipient: Kentucky or any political subdivision or instrumentality thereof or any public or private agency, institution, or organization, or other entity; or any individual in Kentucky to whom federal assistance is extended, either directly or through another recipient, for any program. Recipient includes any successor, assignee, or transferee thereof. The term “*recipient*” does not include any ultimate beneficiary under any such program. Examples of recipients include MPOs, Council of Governments (COG), towns, cities, counties, school districts or any sub recipient.

Secretary: The chief administrative officer of the Kentucky Transportation Cabinet or KYTC.

Statewide Transportation Improvement Program or STIP: statewide transportation improvement program (STIP) for all areas of the State, covering a period of at least four years. The STIP is a staged, multi-year, statewide intermodal program of transportation projects, consistent with the statewide transportation plan and planning processes as well as metropolitan plans, transportation improvement programs (TIP), and planning processes. The STIP must be developed in cooperation with the metropolitan planning organizations (MPO), public transit providers, and any Regional Transportation Planning Organizations (RTPO) in the State and must be compatible with the TIPs for the metropolitan areas in the State.

Statewide Transportation Plan or STP: a long-range transportation plan that provides for the development and implementation of the multimodal transportation system (including transit, highway, bicycle, pedestrian and accessible transportation) for the State. This plan must identify how the transportation system will meet the State’s economic, transportation, development and sustainability goals for at least a 20-year planning horizon.

Sub-grantee: Any public or private agency, institution, or organization to whom federal financial assistance is intended (through another recipient) for any program.

Title VI Coordinator: refers to the responsible official in matters relating to Title VI. The Title VI Coordinator reports to and assists the Executive Director of Lake Cumberland Area Development District in carrying out the Title VI responsibilities of the Kentucky Transportation Cabinet.

Title VI Program: the system of requirements developed to implement Title VI of the Civil Rights Act of 1964. When appropriate, the phrase “Title VI Program” also refers to the civil rights provisions of other federal non-discrimination authorities to the extent that they prohibit discrimination on the grounds of race, color, national origin, sex, age and disability, including income level and Limited English Proficiency (LEP) in programs or activities receiving federal financial assistance.

Translation: Translation is the replacement of a written text from one language into an equivalent written text in another language.

Transportation Improvement Programs or TIP: plan developed by Metropolitan Planning Organization cooperation with the State and public transit providers detailing a list of upcoming transportation projects, covering a period of at least four years. It should include capital and non-capital surface transportation projects, bicycle and pedestrian facilities and other transportation enhancements, Federal Lands Highway projects, and safety projects included in the State's Strategic Highway Safety Plan. The TIP should include all regionally significant projects receiving FHWA or FTA funds, or for which FHWA or FTA approval is required.

White: A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

II. Overview & Policy Statement

Title VI of the Civil Rights Act of 1964 is a non-discrimination statute. Specifically, Title VI provides that "no person in the United States shall, on the ground of race, color, sex, 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" (42 U.S.C. Section 2000d). Each federal department and agency, which is empowered to extend Federal financial assistance to any program or activity, by way of grant, loan, federal personnel or any federal agreement contract is authorized and directed to make the provisions of Section 2000d of this title.

The LCADD works to ensure nondiscriminatory transportation in support of our mission to provide a safe, secure and reliable highway system that ensures the efficient mobility of people and goods, thereby enhancing both the quality of life and the economic vitality of the Commonwealth.

The LCADD is working to incorporate suggestions presented by the FHWA during the Annual Title VI On-site review conducted in December 2014, including but not limited to addressing the development and implementation of a comprehensive Title VI Program Sub- Recipient Monitoring Program and the Title VI Program Training section of this plan. The LCADD is committed to a workplace fully compliant with Title VI of the Civil Rights Act of 1964.

Non-Discrimination Authorities

- Title VI of the Civil Rights Act of 1964 (42 USC 2000d et seq.)
- Section 162 (a) of the Federal Aid Highway Act of 1973 (23 USC 324)
- Age Discrimination Act of 1975
- Section 504 of the Rehabilitation Act of 1973
- Americans With Disabilities Act of 1990
- Civil Rights Restoration Act of 1987
- 49 CFR Part 21
- 23 CFR Part 200
- U.S. DOT Order 1050.2
- Executive Order #12898 (Environmental Justice)
- Executive Order #13166 (Limited-English-Proficiency)

TITLE VI POLICY STATEMENT

It is the policy of Lake Cumberland Area Development District to afford equal opportunity to all persons to the end that no person in the United States shall, on the grounds of race, color, sex, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance from the U.S. Department of Transportation.

Program and activities to which this policy applies include, but not limited to, the use of grants in connection with federal-aid highway systems, the Surface Transportation and Reauthorization & Reform Act of 2015, the Highway Safety Act of 1966 and the National Traffic and Motor Vehicle and Safety Act of 1966, lease of real property and the grant of permits, licenses, easements and rights of way covering real property, Urban Mass Transportation Research and other grants for the support of basic scientific research.

This policy shall be prominently posted in all personnel offices and on the LCADD internal website.

Signed and approved this _____ day of _____, 2025

Waylon Wright, Executive Director
Lake Cumberland Area Development District, Inc.

I have read this policy statement and I understand the provisions contained within and acknowledge the receipt of this policy.

Signature

Date

III. Responsible Officials

Executive Director, Lake Cumberland Area Development District, Inc.

The Executive Director is responsible for the agency's adherence and compliance with Equal Opportunity, Title VI.

The Lake Cumberland Area Development District is responsible for the following:

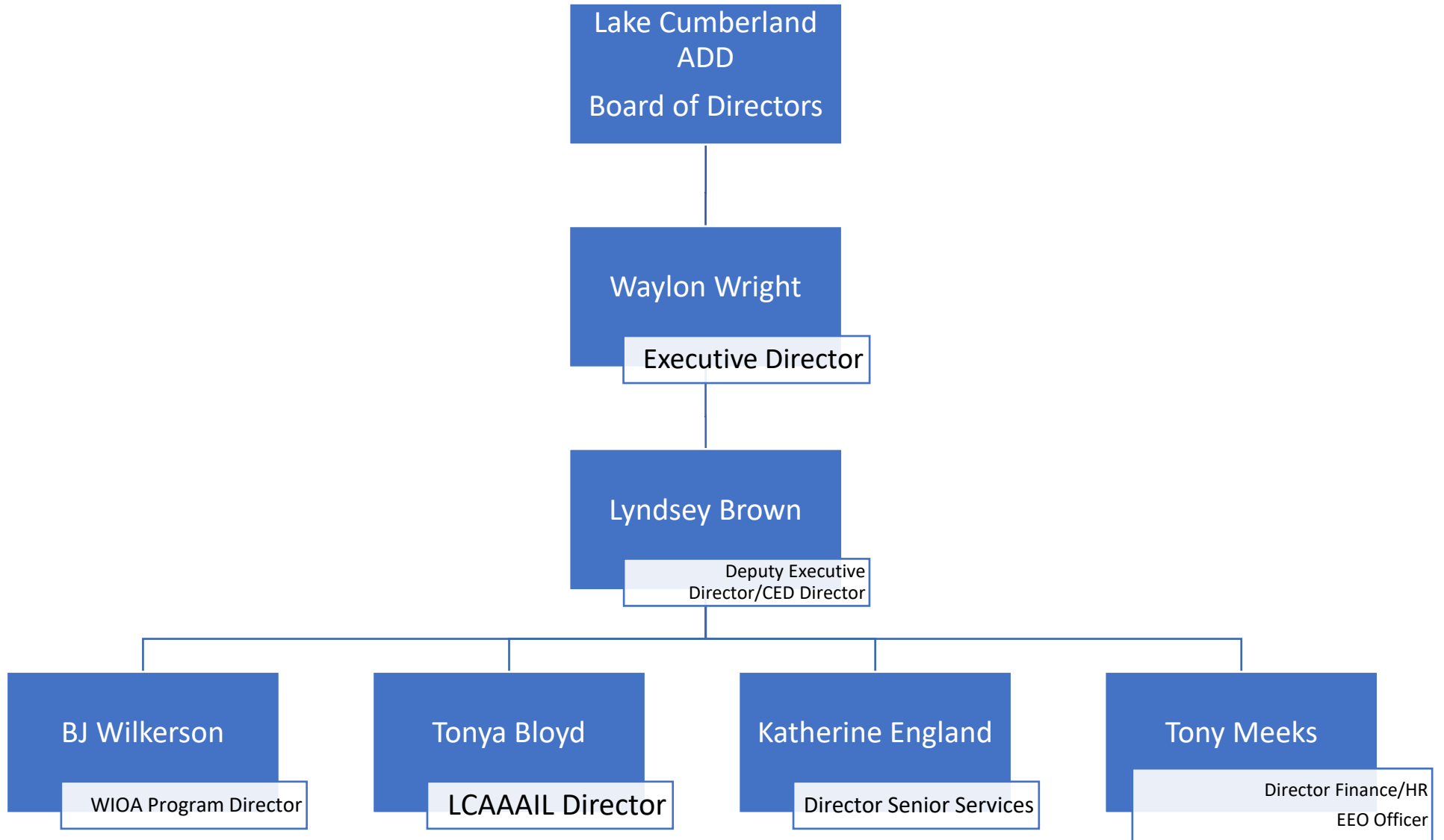
- Coordinating Title VI program development
- Establishing procedures for processing Title VI program reviews and/or sub-recipient reviews
- Provide project planning, technical assistance, financial packaging, grant application preparation and administrative services to all units of local government within the ten-county area.
- Provide comprehensive planning and zoning, GPS, cartographic services including, but not limited to: The Comprehensive Economic Development Strategy (CEDS), water and wastewater planning, transportation planning and Geographic Information Systems

Title VI Program Coordinator

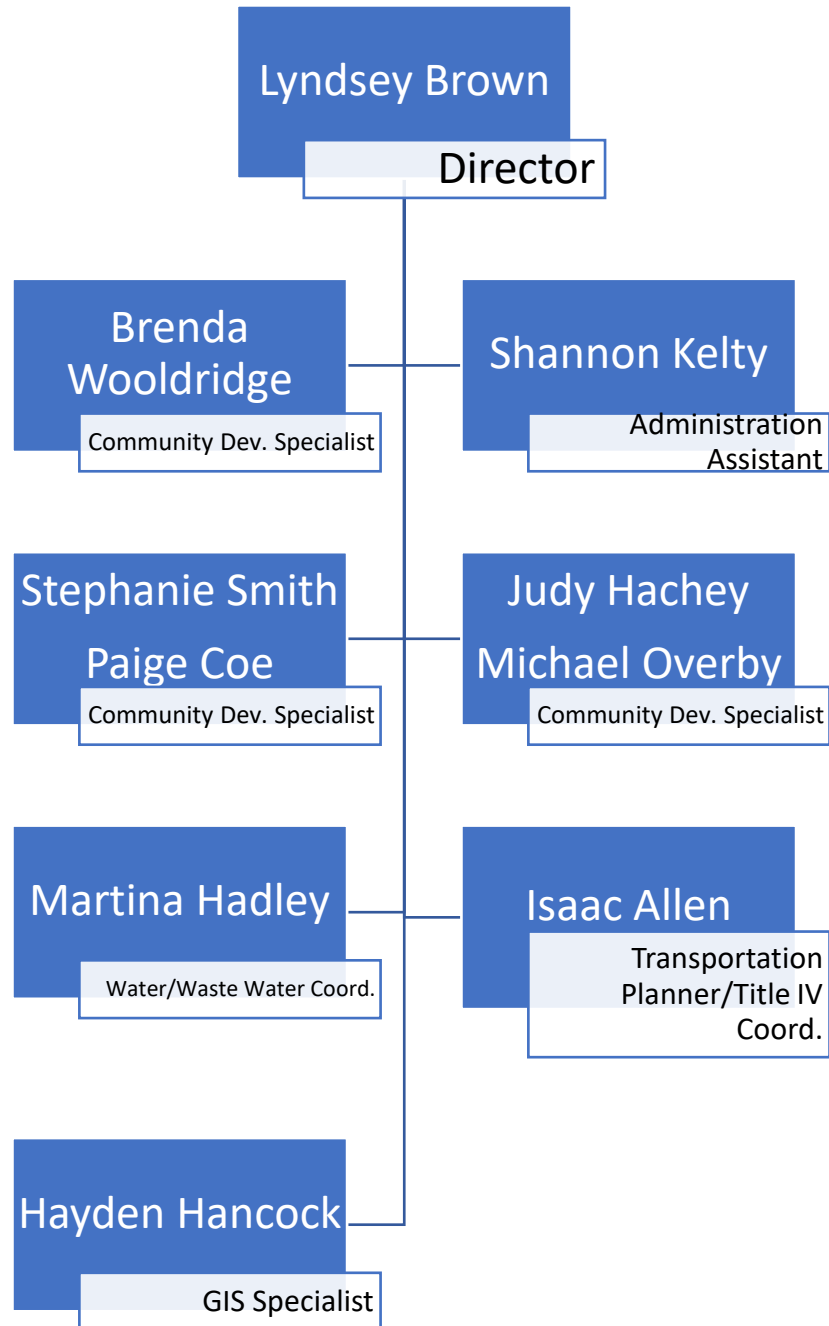
The Title VI Program Coordinator is responsible for the oversight and coordination of LCADD's compliance with Title VI and all related statutes, regulations and directives. The Title VI Program Coordinator has direct access to the LCADD's Executive Director. General responsibilities of the Title VI Program Coordinator include but are not limited to the following:

- Coordinating Title VI program development
- Establishing procedures for processing Title VI program reviews and/or sub-recipient reviews
- Coordinating training Title VI training for LCADD staff, sub-grantee's, and stakeholders
- Preparing required reports
- Providing guidance and advice on the Title VI Program to LCADD using a multi-year approach
- Participating in the design, development, and dissemination of Title VI information to the public via the Notification to Beneficiaries
- Annually updating LCADD's Title VI Program Plan

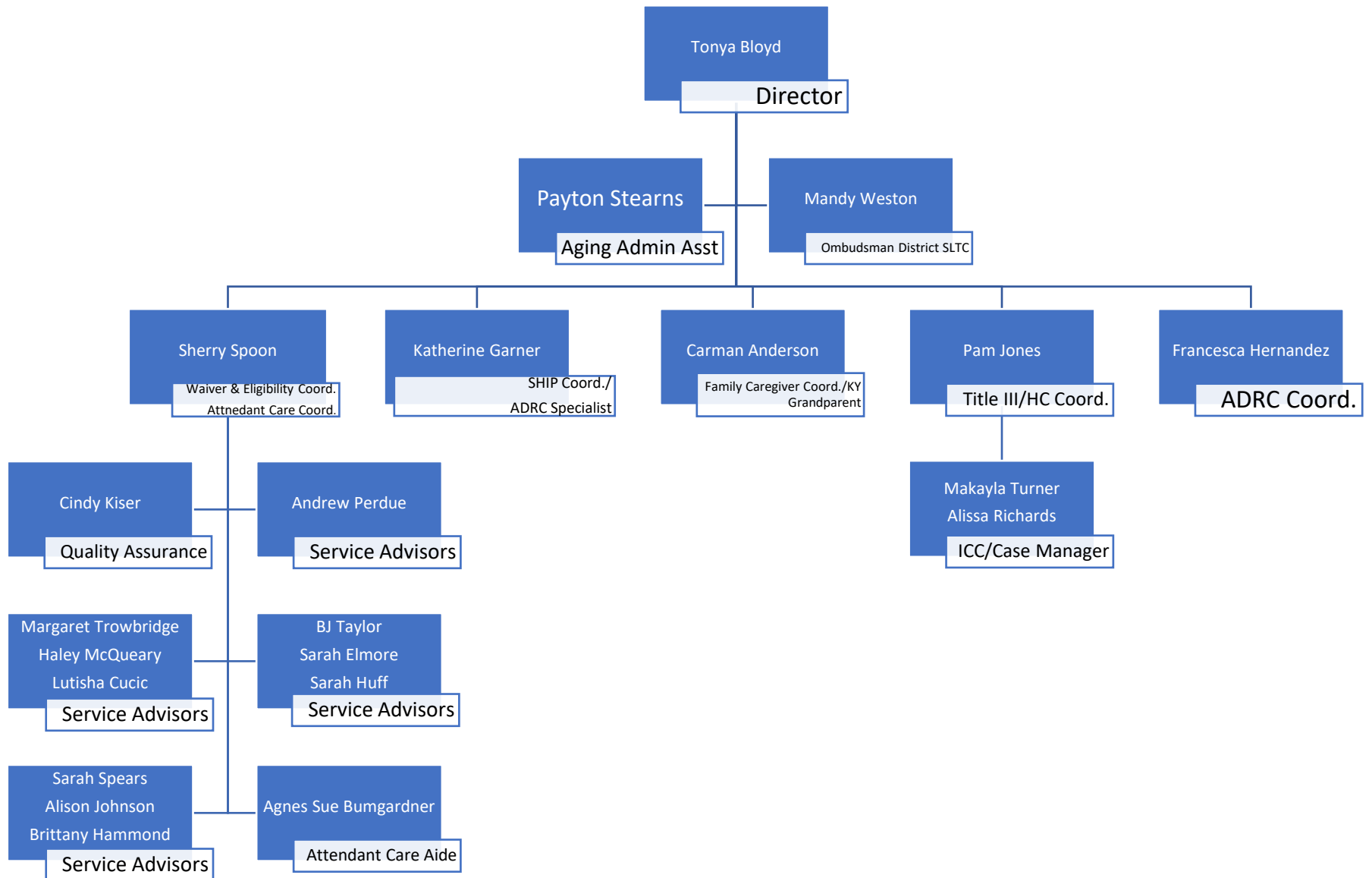
LAKE CUMBERLAND AREA DEVELOPMENT DISTRICT ORGANIZATIONAL CHART



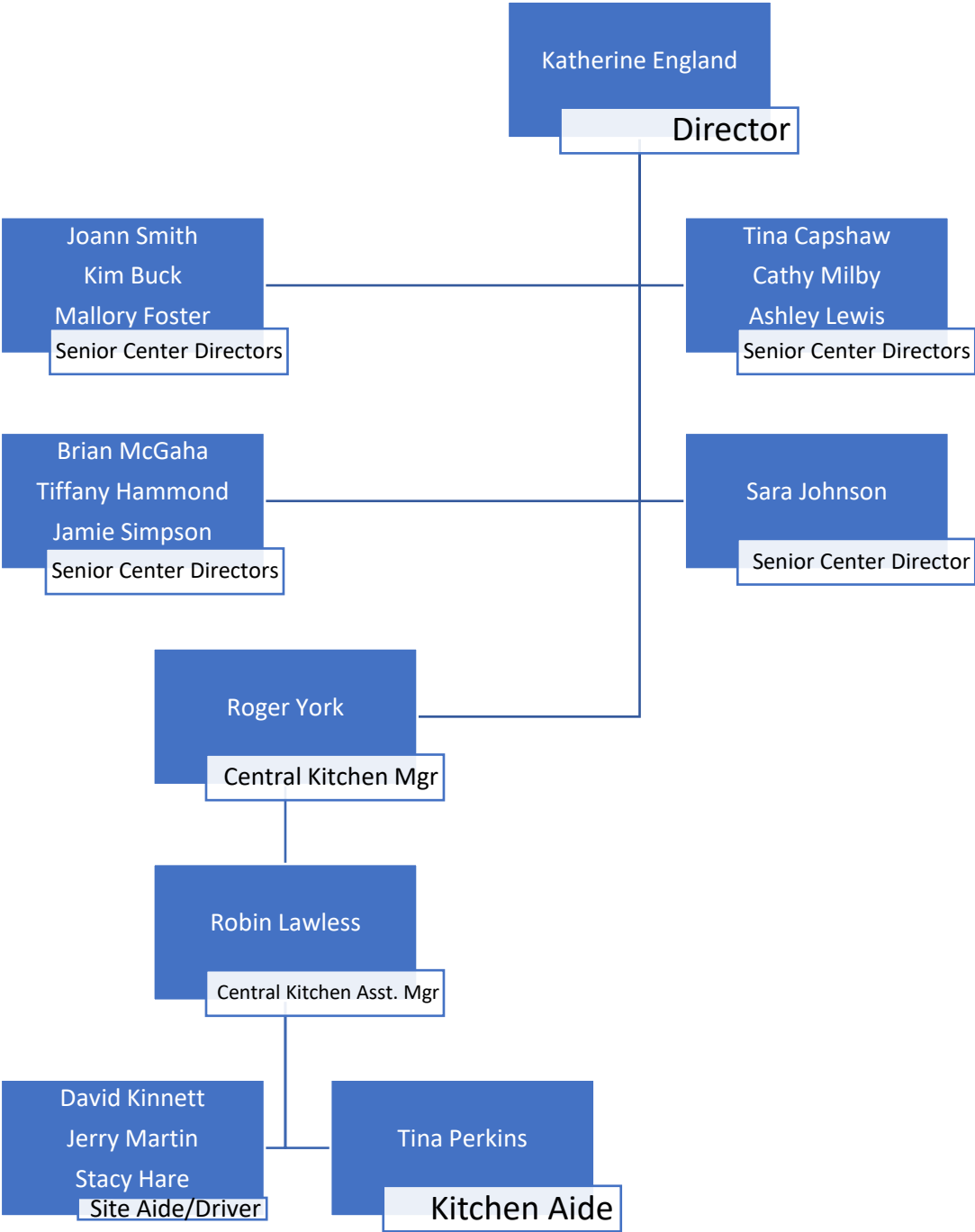
COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT



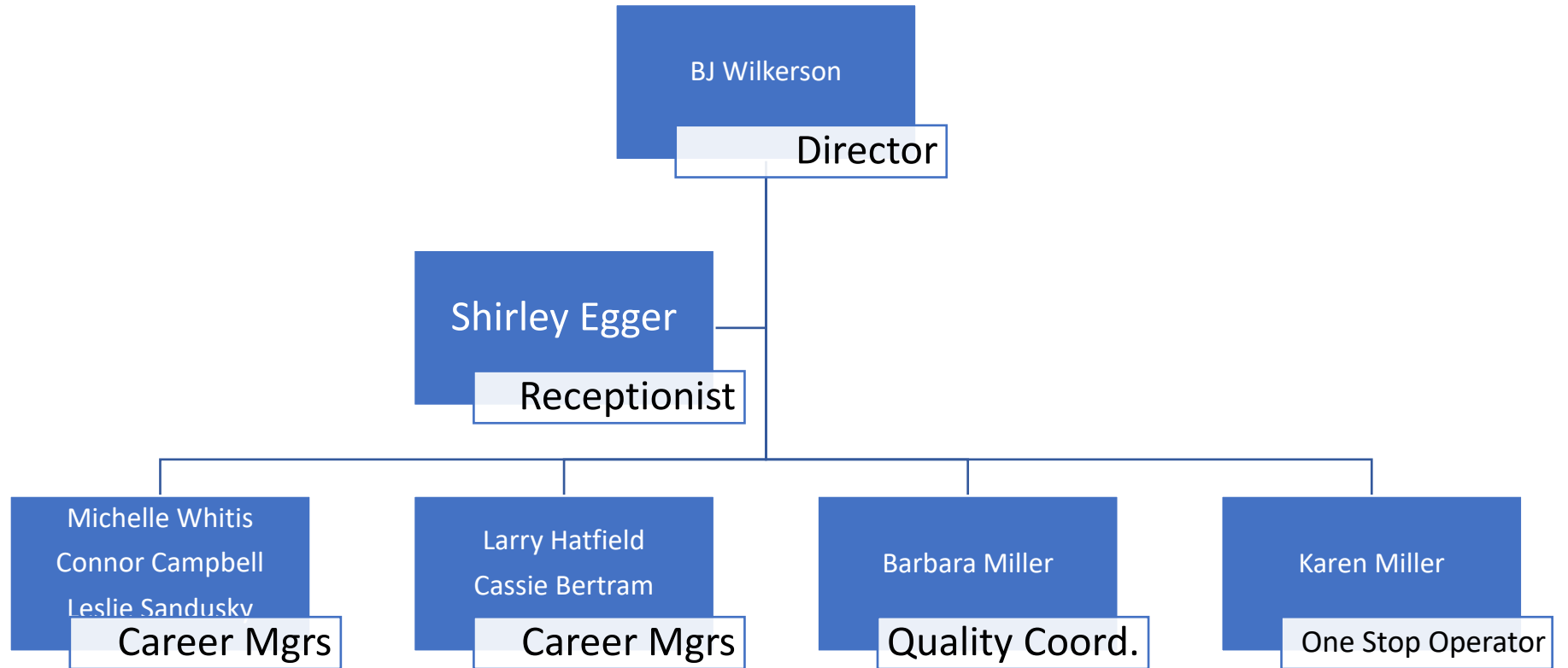
AGING & INDEPENDENT LIVING DEPARTMENT



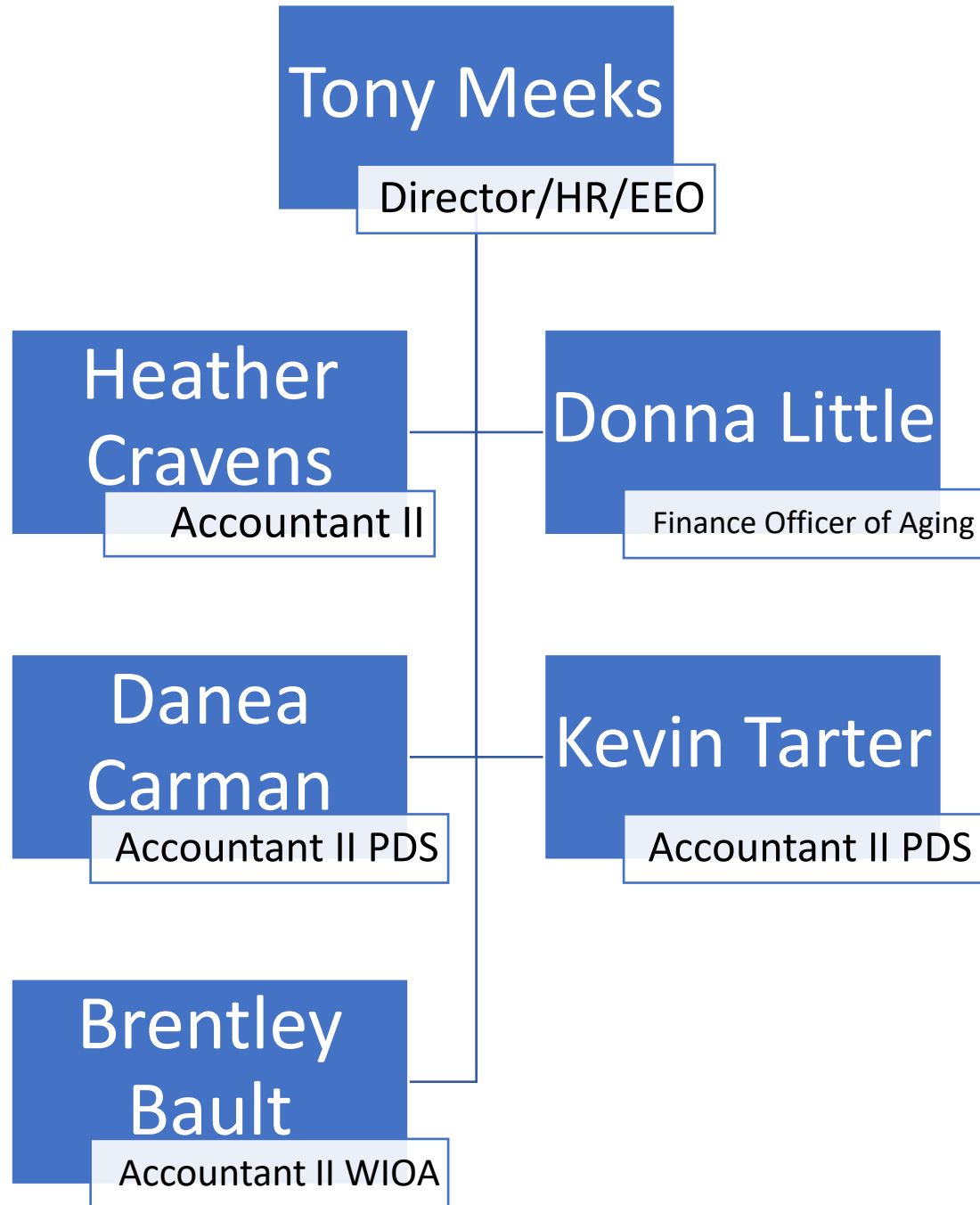
CENTER SERVICES DEPARTMENT



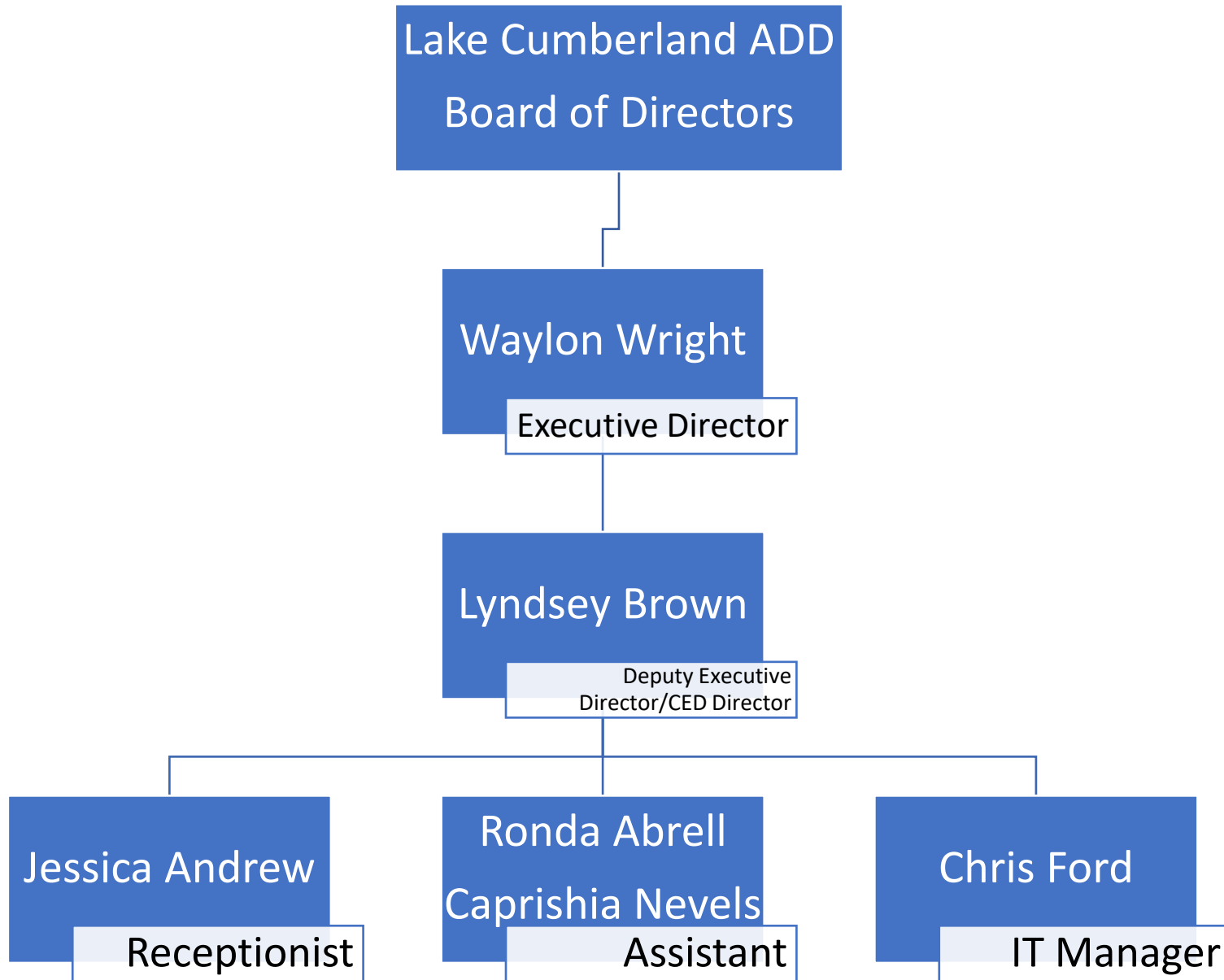
WORKFORCE DEPARTMENT



FINANCE DEPARTMENT



ADMINISTRATION DEPARTMENT



Lake Cumberland Area Development District, Inc.

P.O. Box 1570, Russell Springs, Kentucky 42642-1570

WAYLON WRIGHT
Executive Director

JUDGE JOHN FRANK
Chairman

Ph: (270) 866-4200
FAX: (270) 866-2044
TDD: 1-800-648-6056

STANDARD TITLE VI ASSURANCE

The Lake Cumberland Area Development District, (hereinafter the "Recipient"), agrees that as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. Section 2000d-4 (hereinafter referred to as the "Act"), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, (49 CFR, Part 21) Nondiscrimination in Federally Assisted Program of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the "Regulations") and other pertinent directives, to the end that no person in the United States shall, on the grounds of race, color, national origin, sex, age (over 40), religion, sexual orientation, gender identity, veteran status, or disability be excluded from participation in, be denied the benefit of, or otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance, including, but not limited to the U.S. Department of Transportation, including the Federal Highway Administration. The Recipient hereby gives assurance that it will promptly take any necessary measures to effectuate this agreement. This assurance is required by subsection 21.7(a)(1) of the Regulations. Without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to its Federal-aid Highway Programs:

1. The Recipient agrees that each facility and each program as defined in subsections 21.23(b) and 21.23(e) of the Regulations will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to the Regulations.

2. The Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations made in connection with the Federal-aid Highway Program and, in an adapted form in all proposals for negotiated agreements.

Construction Proposals

The LCADD, in accordance with the provisions of Title VI of the Civil Rights Act of 1964, (78 Stat. 252) and the regulations of the Federal Department of Transportation (49 CFR, Part 21), issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that the contract entered into pursuant to



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Web-Site Address - <https://lcadd.org>
Equal Opportunity Provider



Lake Cumberland Area Development District, Inc.

P.O. Box 1570, Russell Springs, Kentucky 42642-1570

WAYLON WRIGHT
Executive Director

JUDGE JOHN FRANK
Chairman

Ph: (270) 866-4200
FAX: (270) 866-2044
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this advertisement will be awarded to the lowest responsible bidder without discrimination of the grounds of race, color, national origin, sex, age (over 40), religion, sexual orientation, gender identity, veteran status, or disability.

Agreements for other Services

Compliance with Regulations: Consultant shall comply with the regulations of the Transportation Cabinet, Department of Highways, relative to nondiscrimination in Federally Assisted Programs of the transportation Cabinet, Department of Highways (49 CFR, Part 21) which are herein incorporated by reference and made a part of this contract.

3. The Recipient shall insert one of these nondiscrimination clauses in every contract subject to the act and Regulations.

4. The Recipient shall also insert into every relevant contract, a clause stating that the contractors will not discriminate against any employee or applicant for employment because of race, color, national origin, sex, age (over 40), religion, sexual orientation, gender identity, veteran status, or disability.

5. Where the Recipient receives Federal financial assistance to construct a new facility, or part of a facility, these assurances shall extend to the entire facility and the facilities operated in connection herewith.

6. Where the Recipient receives Federal financial assistance in the form of, or for the acquisition of real property, these assurances shall extend to rights to space on, over, or under such property.

7. These assurances obligate 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, 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 provisions of similar services or benefit; or (b) the period during which the Recipient retains ownership or possession of the property.

8. The recipient shall provide for such methods of administration for the program as are found by the Executive Director, or the delegated authority, to give a reasonable guarantee that it, other recipients,



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sub grantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed by or pursuant to the Act, the Regulations and these assurances.

9. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations and these assurances

These assurances are given in consideration of, and for the purpose of, obtaining any and all Federal grants, loans, contracts, property, discounts, and/or other Federal financial assistance extended after the date hereof, to the Recipient by the U.S. Department of Transportation under the Federal-aid Highway Program. The person whose signature appears below is authorized to sign these assurances on behalf of the Recipient.

Signed and approved this _____ day of _____, 2025

Waylon Wright, Executive Director
Lake Cumberland Area Development District, Inc.

Pamela Hoots, Mayor
City of Columbia



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Web-Site Address - <https://lcadd.org>
Equal Opportunity Provider



V. Program Review Procedures

The Lake Cumberland Area Development District is responsible for the following under Title VI

- Collecting and analyzing data on minority and low-income populations to determine the potential impact of proposed plans, programs and projects
- Ensuring all contract documents contain the appropriate Title VI provisions
- Ensuring that all people are treated equitably regardless of race, color, sex, or national origin
- Monitoring Title VI accomplishments, notifying the Title VI Coordinator of problem areas and summarizing activities for inclusion in the Title VI Plan Update
- Developing and updating internal policies and procedures to ensure Title VI compliance during all phases of projects, activities
- Ensuring that all business pertaining to the selection, negotiation, and administration of consultant contracts and agreements is accomplished without discrimination based on race, color, sex, or national origin
- Ensuring that efforts are made to include minority and women owned businesses in consideration for contracts
- Ensuring that internal and external publications and all other relevant communications disseminated to the public include the Title VI policy reference
- Providing reasonable accommodations, information in the appropriate language or interpreters as needed for individuals with disabilities and LEP persons.

A. LCADD Core Program Area Reporting

The LCADD currently receives funds from the KY Transportation Cabinet. As a recipient of federal funds, the LCADD, pursuant to Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, 49 CFR Part 21 – U.S. DOT. Title VI Regulations, and 23 CFR 200 – FHWA Title VI Regulations, is required to ensure that no person shall be excluded from participation in, be denied benefits of or be otherwise subjected to discrimination on the grounds of race, color, sex or national origin under any program or activity receiving federal financial activity assistance from the KY. DOT.

To aid in compliance with 23 CFR 200.9(b) (10), all core program areas must submit an annual report to the Title VI Coordinator to be used as an assessment tool to determine whether the

program area is in compliance with Title VI and to ascertain instances where the Title VI Coordinator may need to provide or request training and technical assistance to help the program area achieve its Title VI goals and maintain compliance.

Each report should contain the following information:

- Demographic information collected during the service delivery process.
- Information concerning the dissemination of copies of The Civil Rights Act of 1964 nondiscrimination statement.
- Description of steps taken to ensure meaningful access to programs, activities, and services to LEP persons.
- Description of costs using dollar amount incurred during the year while related to the LEP service provision.
- Analysis of whether existing assistance meets LEP needs of those served by the program area and if not, a description of those needs.
- Information regarding the viability of current LEP assistance sources, if applicable.
- Description of Title VI training attended by division personnel, ADDs and MPOs, to include roster of attendees, dates, and locations of the training and information regarding the sponsoring organization.

LCADD program areas with Title VI responsibilities include the following departments.

- Section 5304 Public Transportation Planning Program
- Regional Transportation Planning Program

The Title VI Officer, Coordinator or Liaison will discuss with manager(s) effective tools to correct any discrimination that may have been found in the Program area.

B. Special Emphasis Program Areas:

LCADD program area with special emphasis are Public Transportation Planning Program and the Regional Transportation Planning Program. Within those areas, special emphasis will be on:

- 1) Staff Training.
- 2) Public outreach through website and public meetings.
- 3) On-going review and updating of Title VI plan as needed.

Utilizing these three special emphasis areas, LCADD employees will be able to assess trends and patterns of discrimination within the Public Transportation Planning Program and Regional Transportation Planning Program. Analysis of local Socioeconomic and Environmental Justice patterns provide data on trends related to discrimination and prejudice for KYTC and LCADD to better identify and rectify when a breach of Title VI occurs.

VI. Sub-Recipient Review Procedures:

The LCADD does not currently have sub-recipient's for transportation services. However, in the event of a change, the Title VI Officer or Liaison will review all ADD documents for Title VI compliance. The Title VI Coordinator or Liaison will conduct periodic pre-grant and post-grant reviews of select sub-recipients of FHWA funds or other federal funds to ensure adherence to Title VI requirements. Appropriate staff members will routinely confirm that guidelines provided to consultants, contractors, and sub-recipient's include Title VI language, provisions and related requirements, where applicable.

VII. Data Collection/Reporting/Analysis

Statistical data on race, color, national origin, sex, age, disability, and LEP of participants in and beneficiaries of the LCADD's programs, (e.g., affected populations, and participants) will be gathered, analyzed, and maintained by LCADD to determine the transportation investment benefits and burdens to the population, including minority and low-income populations. Each of the LCADD's Program Areas will maintain data relative to their programs and activities. Data gathering procedures will be reviewed regularly to ensure sufficiency of the data in meeting the requirements of Title VI program administration. Analysis of the data collected by the program emphasis areas may include:

- The race, color, national origin, sex, age, disability, income, and LEP of the population eligible to be served
- Socioeconomic Assessment to evaluate project's potential impacts to the human environment
- Persons to include in the decision-making process
- Percent of benefits allocated to persons below the poverty line vs. persons above the poverty line
- Distribution of benefits (dollars, facilities, systems, projects) to groups and communities
- Projected population increases versus planned facilities and types of facilities
- Language needs assessment
- Transportation needs of all persons within boundaries of plans or projects
- Strategies to address impacts
- The manner in which services are or will be provided and the related data necessary for determining whether any persons are or will be denied such services on the basis of prohibited discrimination
- The location of existing or proposed facilities connected with the program and related information for determining whether the location has or will have the effect of unnecessarily denying access to any persons on the basis of prohibited discrimination
- The present or proposed membership, by race, color, national origin, sex, disability and age, in any planning or advisory body which is an integral part of the program
- Strategies to disseminate information.

Environmental Justice (EJ)

Executive Order (E.O. 12898) was issued to focus federal attention on the environmental and human health conditions in minority and low-income communities to promote non-discrimination in federal programs substantially affecting human health and the environment and to provide minority and low-income communities access to public information on and an opportunity for public participation in matters relating to human health or the environment.

The LCADD will utilize the US Census Bureau data, the American Community survey data, and the following checklist to identify targeted populations:

- Make a list of potential demographic groups to consider for the region or start with the required EJ populations defined by the Executive Order and supportive guidance
- Consider groups that are underrepresented in typical public involvement and transportation decision making processes, have limited access to the full benefits of the transportation system or have encountered disproportionate impacts from past transportation decisions
- Decide on the level of detail required for identifying groups spatially and identifying data sources to use to conduct a spatial demographic profile
- Engage leaders and representatives of demographic groups to help identify target populations, spatially and non-spatially

Categorical Exclusion (CE)

Per 40 C.F.R 1508.4 categorical exclusion means a category of actions which do not individually or cumulatively have a significant effect on the human environment and therefore, neither an environmental assessment nor an environmental impact statement is required.

Categorical exclusions (CEs) are actions which meet the definition contained in 40 CFR 1508.4, and, based on past experience with similar actions, do not involve significant environmental impacts. They are actions which: do not induce significant impacts to planned growth or land use for the area, do not require the relocation of significant numbers of people; do not have a significant impact on any natural, cultural, recreational, historic or other resource; do not involve significant air, noise, or water quality impacts; do not have significant impacts on travel patterns; and do not otherwise, either individually or cumulatively, have any significant environmental impacts (23 C.F.R. 771.117(a)).

Any action which normally would be classified as a CE but could involve unusual circumstances will require the Administration, in cooperation with the applicant, to conduct appropriate environmental studies to determine if the CE classification is proper. Such unusual circumstances include (23 CFR 771.117(b)):

1. Significant environmental impacts

2. Substantial controversy on environmental grounds
3. Significant impact on properties protected by Section 4(f) of the DOT Act or section 106 of the National Historic Preservation Act
4. Inconsistencies with any federal, state, or local law, requirement or administrative determination relating to the environmental aspects of the action

A specific list of CEs that normally do not require any NEPA documentation or FHWA approval is set forth in 23 CFR 771.117(c). Other projects, pursuant to 23 CFR 771.117(d), may also qualify as CEs if appropriately analyzed, documented, and approved by FHWA at the Division level.

VIII. Agency Title VI Training Plan

The Title VI Training Program is composed of an Internal and External component.

Internally the LCADD will provide written notice to all current employees concerning the LCADD commitment to assuring compliance with Title VI and for new employees there will be a Title VI module conducted within a year of employment. Also, the Title VI Coordinator will attend and subsequently disseminate the benefit of the training to pertinent staff, Title VI Liaisons, and program office heads.

The external component consists of training sub-grantee's and beneficiaries (if any). As a part of the Sub-grantee Monitoring Program the Title VI Coordinator will conduct reviews and the sub-grantee's will be provided with explanatory materials and technical assistance as necessary to ensure their knowledge of, and compliance with Title VI requirements. To aid in these efforts the OCRSBD developed the Title VI/Nondiscrimination Reference Guide for Sub-grantee's. The guide serves as a point of reference and provides guidance for sub-grantee's to better comprehend and comply with Title VI and the related nondiscrimination laws and regulations which are applicable to federal financial assistance that is awarded through KYTC.

Moving forward LCADD plans to continue its training efforts by implementing and providing virtual and/or in person training to employees, sub-recipient's and stakeholders during FY 2025, and annually thereafter. Due to COVID-19 restrictions, trainings will be offered hybrid through in person or Zoom meetings as needed.

LCADD Most Recent Training and Attendants:

FY2024 Title VI training took place in the month of June, with training information for employees at LCADD being sent out via email to utilize at their discretion and then signage was taken to acknowledge that the employee received said training. Board members were given notice of the required training included in their meeting packet given at the July board meeting and sign-in sheets as well as the Zoom attendance listing would be utilized for verification of their training.

LCADD Title VI Coordinator Isaac Allen will attend any future KYTC Title VI training seminars that will be scheduled in the future.

IX. Complaint Procedures

Synopsis

This Title VI Implementation Plan requires immediate notification to top management of any complaint or allegation of discrimination, and assigns the responsible program office with the primary responsibility for evaluation and resolution of a complaint.

This plan is for acknowledgment and investigation of an inquiry, comment, or complaint of discrimination received by the LCADD.

Purpose

To explain the process utilized by LCADD and its recipients to investigate complaints, while ensuring due process for complainants. The process does not preclude the responsible office or other authorized LCADD personnel from attempting to resolve complaints informally.

Applicability

The complaint procedures outlined herein apply to the LCADD and its sub-recipients for the investigation of external complaints of discrimination. The procedures do not preclude the responsible staff of any agency from attempting to informally and independently resolve complaints.

Nondiscrimination Policy

See Policy Statement

A. Filing of Complaints

Persons Eligible to File:

Any person who believes that he/she or any specific class of persons has been subjected to discrimination or retaliation prohibited by any of the Civil Rights authorities, based upon race, color, sex, age, national origin, sexual orientation, income, LEP status or disability may file a written complaint. The complaint may be filed by the affected individual or a representative.

Timeframe for Filing Complaints and Contact Information:

Complaints should be filed within 180-calendar days from the date of the alleged discriminatory act. Complaints should be submitted in writing and signed and may be filed via mail, fax, in person, or email (which includes a copy of the signed/dated complaint as an attachment);¹ for any person requiring a reasonable accommodation to the contact address listed below:

Attn: LCADD/Title VI Program Coordinator
2384 Lakeway Drive
Russell Springs, KY 42642
Phone: 800-264-7093 or 270-866-4200 Fax: 270-866-2044

¹ While the referenced statement indicates a complaint should be in writing and signed, the receiving agency must accept complaints in alternate forms

Allegations of discrimination received by fax or e-mail will be acknowledged and processed.

Allegations received by phone will be reduced to writing and provided to the complainant for confirmation or revision before processing.

Submitting Complaints and Receipt of Complaints

Complaints should be submitted in the following format with the listed information:

- A signed (by the complainant or the complainant's representative) written explanation of what has happened
- The complainant's contact information
- Identification of the respondent, e.g., agency/organization alleged to have discriminated
- Sufficient information regarding the facts that led the complainant to believe that discrimination has occurred
- Date(s) of the alleged discriminatory act(s)
- Signature of the complainant or the complainant's representative

After receipt of the complaint, the Title VI Coordinator shall acknowledge the receipt in writing to the complainant. The acknowledgement shall include notification that an investigation will be conducted within 10 business days. A copy of the complaint and the acknowledgment will then be forwarded to the Office of Civil Rights & Small Business Development (OCRSBD).

The Title VI Coordinator shall conduct a full investigation, when warranted, and furnish a preliminary written report, including recommendations for resolution to the LCADD Executive Director for a final determination. Personnel trained in compliance investigations will conduct investigations.

The LCADD Executive Director shall notify the complainant of the final decision within 10 business days of completion of the investigation and a copy of the decision will be forwarded to the Office of Civil Rights & Small Business Development (OCRSBD).

The LCADD Executive Director shall further notify the complainant of his or her right to appeal the decision to the FHWA if the decision is not acceptable. Appeals should be made in writing and forwarded to the address below:

Kentucky Division Federal Highway Administration
Civil Rights Division
P.O. Box 536
Frankfort, KY 40601

The entire procedure as outlined shall be completed within 60 days.

Records pertaining to complaints, inquiries and investigations will be maintained by LCADD Title VI Coordinator.

B. Agencies Authorized to Receive Complaints

Complaints may be submitted to Federal Highway Administration (FHWA), Kentucky Transportation Cabinet (KYTC), the United States Department of Transportation (U.S. DOT), and the U.S. Department of Justice (U.S. DOJ).

C. Processing Complaints

Complaints filed with the LCADD in which LCADD is named as the Respondent, shall be forwarded to KYTC, to the attention of: Title VI Coordinator for processing.

Complaints filed with LCADD against its sub-recipients shall be processed by LCADD in accordance with FHWA approved procedures as required pursuant to 23 CFR 200.

Complaints filed with a sub-recipient shall be forwarded to LCADD within three days of receipt.

Complaints filed with Sub-recipients

Complaints filed with a sub-recipient shall be forwarded to the LCADD, to the attention of: Title VI Coordinator, for processing.

In special cases warranting intervention to ensure justice, the FHWA may assume jurisdiction and either complete or obtain services to review or investigate a matter. Materials already obtained by State investigators may be relied upon or supplemented or the matter may be reinvestigated.

D. Acceptance and/or Dismissal of Complaints

When any element of LCADD receives an inquiry, comment, or complaint, which alleges or implies discrimination as addressed by Title VI of the Civil Rights Act of 1964, a copy is forwarded immediately to the Executive Director and the Title VI Coordinator.

The LCADD Executive Director and Title VI Coordinator will discuss the matter to determine if it constitutes a Title VI complaint. If it is determined that the issues do not meet a Title VI complaint, the LCADD Executive Director will submit the appropriate response.

If it is determined that the issues constitute a Title VI complaint, the LCADD Executive Director or the Title VI Coordinator will determine responsibility and the need for additional information. LCADD Division Administrator/or designee may request additional information and/or clarification. LCADD shall maintain a log of complaints filed with and investigated by LCADD.

The Executive Director will respond in writing, acknowledging receipt of complaint within 10 days from date of receipt. After reviewing the complaint, The Executive Director may recommend dismissal of a complaint for any of the following reasons:

1. The complaint filed in an untimely manner
2. The complaint does not allege a basis covered by the statutes for which LCADD is responsible
3. The complaint does not allege any harm with regard to covered

programs or statutes

4. The complainant requests the withdrawal of the complaint
5. The complainant fails to respond to repeated requests for additional information needed to process the complaint
6. The complainant cannot be located after reasonable attempts
7. The complainant fails to accept a reasonable resolution. Reasonableness to be determined by the Headquarters Civil Rights (HCR) Office via the FHWA Division Office
8. The complainant has filed a legal action in Federal District Court with the same basis and issue(s) involved in the complaint
9. The same complaint's allegations have been filed with another federal, state, or local agency

Acceptance of a complaint will be determined by the following:

1. Timely filing of the complaint
2. If the allegations involve a covered basis such as race, color, sex, age, national origin, disability, or retaliation
3. If the allegations involve a program or activity of a federal aid recipient, sub - grantee, or contractor

All complaints received by LCADD will be logged for tracking purposes and maintained by LCADD.

E. Withdrawal of a Complaint

The complainant may withdraw his or her complaint at any time after filing and prior to the issuance of a determination or resolution by the LCADD. The complainant must submit a written withdrawal to the following:

Executive Director
Lake Cumberland Area Development District
2384 Lakeway Drive
Russell Springs, Ky 42642

F. Appeal Process

If a complaint cannot be resolved by the LCADD to the satisfaction of the complainant, the complainant may appeal, in writing, to the following:

Federal Highway Administration
Kentucky Division Office of Civil Rights
P. O. Box 536 Frankfort, KY 40601

Discrimination complaints may be filed with the FHWA before, during, or after the complaint has been filed with the KYTC.

This procedure does not deprive the complainant his or her right to file a complaint with:

- The U.S. Department of Transportation: www.dot.gov
- The U.S. Department of Justice: www.usdoj.gov
- Federal Highway Administration: www.fhwa.dot.gov

X. Procedimientos más Sencillos

Sinopsis

Este Plan de Implementación del Título VI requiere una notificación inmediata a la alta dirección de cualquier queja o alegación de discriminación, y asigna la oficina del programa responsable con la responsabilidad principal de la evaluación y resolución de una queja.

Este plan es para el reconocimiento y la investigación de una investigación, comentario o queja de discriminación recibida por la LCADD.

Propósito

Explicar el proceso utilizado por LCADD y sus destinatarios para investigar las reclamaciones, garantizando al mismo tiempo el debido proceso para los reclamantes. El proceso no impide que la oficina responsable u otro personal autorizado de LCADD intente resolver las quejas de manera informal.

Aplicabilidad

Los procedimientos de reclamación descritos en este documento se aplican a la LCADD y a sus subconstitutos para la investigación de denuncias externas de discriminación. Los procedimientos no impiden que el personal responsable de ninguna agencia intente resolver de forma informal e independiente las quejas.

Política de no discriminación

Ver declaración de política

A. Presentación de quejas

Personas elegibles para presentar:

Cualquier persona que crea que él o cualquier clase específica de personas ha sido objeto de discriminación o represalias prohibidas por cualquiera de las autoridades de derechos civiles, basadas en la raza, el color, el sexo, la edad, el origen nacional, la orientación sexual, los ingresos, el estatus de LEP o la discapacidad pueden presentar una queja por escrito. La queja puede ser presentada por la persona afectada o un representante.

B. Plazo para presentar quejas e información de contacto:

Las reclamaciones deben presentarse en un plazo de 180 días naturales a partir de la fecha del supuesto acto discriminatorio. Las quejas deben presentarse por escrito y firmarse y pueden presentarse por correo, fax, en persona o por correo electrónico (que incluye una copia de la queja firmada/fecha como archivo adjunto); para cualquier persona que requiera una adaptación razonable a la dirección de contacto que se indica a continuación:

Attn: LCADD/Title VI Program Coordinator

2384 Lakeway Drive
Russell Springs, KY 42642
Phone: 800-264-7093 or 270-866-4200 Fax: 270-866-2044

Las denuncias de discriminación recibidas por fax o correo electrónico serán reconocidas y procesadas.

Las alegaciones recibidas por teléfono se reducirán a escritura y se proporcionarán al reclamante para su confirmación o revisión antes de su procesamiento.

C. Presentación de quejas y recepción de quejas

Las reclamaciones deben presentarse en el siguiente formato con la información indicada:

- Una explicación escrita firmada (por el reclamante o el representante del reclamante) de lo que ha sucedidoThe complainant's contact information
- Identificación del demandado, por ejemplo, agencia u organización presuntamente haber discriminadoSufficient information regarding the facts that led the complainant to believe that discrimination has occurred
- Fecha o fechas del supuesto(los) acto(s) discriminatorio(s)
- Firma del reclamante o representante del reclamante

Una vez recibida la reclamación, el Coordinador del Título VI reconocerá el recibo por escrito al reclamante. El reconocimiento incluirá la notificación de que se llevará a cabo una investigación en un plazo de 10 días hábiles. A continuación, se remitirá una copia de la queja y el reconocimiento a la Oficina de Derechos Civiles y Desarrollo de pequeñas empresas (OCRSBD).

El Coordinador del Título VI llevará a cabo una investigación completa, cuando se justifique, y presentará un informe preliminar por escrito, incluidas recomendaciones de resolución al Director Ejecutivo de LCADD para su determinación definitiva. El personal capacitado en investigaciones de cumplimiento llevará a cabo investigaciones.

El Director Ejecutivo de LCADD notificará al reclamante la decisión final dentro de los 10 días hábiles siguientes a la finalización de la investigación y se remitirá una copia de la decisión a la Oficina de Derechos Civiles y Desarrollo de pequeñas empresas (OCRSBD).

El Director Ejecutivo de LCADD notificará además al reclamante su derecho a apelar la decisión ante la FHWA si la decisión no es aceptable. Las apelaciones deben hacerse por escrito y remitirse a la siguiente dirección:

Kentucky Division Federal Highway Administration
Civil Rights Division
P.O. Box 536
Frankfort, KY 40601

Todo el procedimiento descrito se completará en un plazo de 60 días.

Los registros relativos a quejas, indagaciones e investigaciones serán mantenidos por el Coordinador del Título VI de LCADD.

D. Agencias autorizadas para recibir quejas

Las quejas pueden ser presentadas a la Administración Federal de Carreteras (FHWA), el Gabinete de Transporte de Kentucky (KYTC), el Departamento de Transporte de los Estados Unidos (DOT de los Estados Unidos) y el Departamento de Justicia de los Estados Unidos (Departamento de Justicia de los Estados Unidos).

E. Tramitación de reclamaciones

Las reclamaciones presentadas ante el LCADD en el que LCADD sea nombrado como demandado, se remitirán a KYTC, a la atención de: Coordinador del Título VI para su tramitación.

LCADD tramitará las reclamaciones presentadas ante LCADD contra sus subcomités de conformidad con los procedimientos aprobados por la FHWA, según sea necesario de conformidad con 23 CFR 200.

Las reclamaciones presentadas ante un subcomité se remitirán a LCADD en un plazo de tres días a partir de la recepción.

F. Quejas presentadas ante subcomités

Las reclamaciones presentadas ante un subcomité se remitirán a la LCADD, a la atención de: Coordinador del Título VI, para su tramitación.

En casos especiales que justifiquen la intervención para garantizar la justicia, la FHWA puede asumir jurisdicción y completar u obtener servicios para revisar o investigar un asunto. Los materiales ya obtenidos por los investigadores estatales pueden ser confiados o complementados o el asunto puede ser reinvestigado.

G. Aceptación y/o desestimación de reclamaciones

Cuando cualquier elemento de LCADD recibe una investigación, comentario o queja, que alega o implica discriminación según lo abordado por el Título VI de la Ley de Derechos Civiles de 1964, una copia se envía inmediatamente al Director Ejecutivo y al Coordinador del Título VI.

El Director Ejecutivo de LCADD y el Coordinador del Título VI discutirán el asunto para determinar si constituye una queja del Título VI. Si se determina que las cuestiones no responden a una reclamación del Título VI, el Director Ejecutivo de LCADD presentará la respuesta adecuada.

Si se determina que las cuestiones constituyen una reclamación del Título VI, el Director Ejecutivo de LCADD o el Coordinador del Título VI determinarán la responsabilidad y la necesidad de información adicional. LCADD Division Administrator/o designee puede solicitar información adicional y/o aclaración. LCADD mantendrá un registro de las reclamaciones presentadas e investigadas por LCADD.

El Director Ejecutivo responderá por escrito, reconociendo la recepción de la queja dentro de los

10 días a partir de la fecha de recepción. Después de revisar la queja, el Director Ejecutivo puede recomendar el despido de una queja por cualquiera de las siguientes razones:

1. La queja presentada de manera intempestiva
2. La reclamación no alega una base cubierta por los estatutos de los que LCADD es responsable
3. La queja no alega ningún daño con respecto a los programas o estatutos cubiertos
4. El reclamante solicita la retirada de la reclamación
5. El reclamante no responde a las reiteradas solicitudes de información adicional necesaria para tramitar la reclamación
6. El reclamante no puede ser localizado después de intentos razonables
7. El reclamante no acepta una resolución razonable. La Oficina de Derechos Civiles de la Sede (HCR) determinará la razonabilidad a través de la Oficina de la División FHWA
8. El reclamante ha presentado una acción legal en el Tribunal Federal del Distrito con la misma base y cuestiones involucradas en la queja
9. Las mismas denuncias de la queja han sido presentadas ante otra agencia federal, estatal o local

La aceptación de una queja será determinada por lo siguiente:

1. Presentación oportuna de la queja
2. Si las alegaciones implican una base cubierta como raza, color, sexo, o edad, origen nacional, discapacidad o represalias
3. Si las alegaciones involucran un programa o actividad de un receptor de ayuda federal, sub - concesionario o contratista

Todas las quejas recibidas por LCADD se registrarán con fines de seguimiento y LCADD las mantendrá.

H. Retirada de una queja

El reclamante podrá retirar su reclamación en cualquier momento después de la presentación y antes de la emisión de una determinación o resolución por parte de la LCADD. El reclamante debe presentar un retiro por escrito a lo siguiente:

Executive Director
Lake Cumberland Area Development District
2384 Lakeway Drive

Russell Springs, Ky 42642

I. Proceso de apelación

Si LCADD no puede resolver una reclamación a satisfacción del reclamante, el reclamante podrá apelar, por escrito, a la siguiente:

Federal Highway Administration
Kentucky Division Office of Civil Rights
P. O. Box 536 Frankfort, KY 40601

Las quejas por discriminación pueden presentarse ante la FHWA antes, durante o después de que la queja haya sido presentada ante el KYTC.

Este procedimiento no priva al reclamante de su derecho a presentar una queja con:

- El Departamento de Transporte de ee. UU.: www.dot.gov
- El Departamento de Justicia de ee.UU.: www.usdoj.gov
- Administración Federal de Carreteras: www.fhwa.dot.gov

XI. Public Involvement

The LCADD will disseminate Title VI Program information to employees, contractors, sub-recipients and beneficiaries, as well as to the public. A variety of public notification and participation procedures will be used to encourage the early and continuous involvement of citizens, communities, and others interested in the planning process and decisions of the LCADD.

The LCADD will discuss and/or distribute Title VI information using mass media including, but not limited to the following:

- Policy statements
- Inclusion of Title VI language in contracts
- New employee orientation
- Federal EEO posters
- LCADD website: <http://lcadd.org>
- Standard procedures manual
- Significant publications, e.g. newspapers, brochures, and written literature
- Mailings
- Meetings open to the public
- Events

Further, notices informing the public and all employees that the LCADD complies with Title VI of the Civil Rights Act of 1964 will be displayed in a prominent place.

Title VI Coordinator for the LCADD:

Isaac Allen
Transportation Planner/Title VI Coordinator
P.O. Box 1570
Russell Springs, KY 42642
Phone: 270-866-4200
Fax: 270-866-2044

XII. Limited English Proficiency (LEP)

The LCADD is committed to compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and directives. The LCADD assures that no person shall on the grounds of race, color, national origin, age, sex, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any KYTC services, program or activity.

The LCADD also assures that every effort will be made to prevent discrimination through the impacts of its programs, policies, and activities on minority and low-income populations. Therefore, in accordance with Presidential Executive Order 13166 – *Improving Access to Services for Persons with Limited English Proficiency*, the LCADD will take reasonable steps to provide meaningful access to services for persons with LEP.

The LCADD has an on-going commitment to ensure effective communication by developing and implementing policies and procedures for identifying and assessing the language needs of its LEP applicants/clients; and provide for a range of language assistance options, which include, but are not limited to the following:

- Kentucky Relay Service – TDD/Voice Users
- Written language service
- Community-based organizations/volunteers
- Develop written assessment
- Monitor and evaluation access to language assistance

Executive Order 13166 directs recipients of federal financial assistance to make reasonable steps to provide LEP individuals with meaningful access to their programs, activities, and services. The following chart displays LCADD's Division and Program areas and Title VI Program activities in relation to LEP services.

Complying with Limited English Proficiency (LEP) – Four Factor Analysis

A person who does not speak English as their primary language and has the limited ability to read, speak, write, or understand English are limited English Proficient (LEP). LEP persons may be entitled to language assistance depending on the type of service, program or activity. Individuals that identify themselves as speaking English less than “very well” are considered to be Limited English Proficient based upon their self-identified limited ability to read, write, speak or understand English, therefore it can be inferred that it is difficult for LEP individuals to have meaningful access to programs and services that are offered by LCADD.

In order to determine if written or oral communication must be translated and what languages they must be translated to a four-factor analysis is used. The four-factor analysis considers the

following:

1. The number or proportion of LEP persons served or encountered in the eligible service population.
 - a. For determining the LEP population, LCADD utilized the U.S. Census Bureau Language Use data (B16004) for language Spoken at Home and English-Speaking Ability by State.
 - b. All demographic data was obtained from the 2024 American Community Survey:
 - c. LCADD Demographic Data 2025

LCADD Counties	Total Population	Elderly Ages 65+	Disable Aged 5+	Limited English	White	African American	American Indian Alaskan Native	Asian Native Hawaiian Pacific Islander	Hispanic	Poverty
Adair	19,239	20.0%	21.67%	1.03%	94.0%	2.80%	0.02%	0.10%	3.40%	22.10%
Casey	15,948	21.0%	17.83%	1.89%	96.30%	1.30%	0.19%	0.10%	3.50%	21.10%
Clinton	9,183	19.60%	24.20%	1.10%	96.10%	0.90%	0.00%	0.40%	3.60%	13.60%
Cumberland	6,047	23.10%	18.56%	0.89%	94.20%	3.30%	0.25%	0.00%	2.10%	23.10%
Green	11,552	29.50%	25.08%	1.53%	95.20%	1.80%	0.78%	0.00%	2.10%	17.60%
McCreary	16,824	16.30%	21.07%	0.56%	90.80%	6.30%	0.00%	0.10%	2.50%	35.90%
Pulaski	66,842	20.30%	19.73%	1.24%	95.80%	1.40%	0.13%	0.00%	3.20%	17.00%
Russell	18,458	23.63%	21.24%	1.04%	96.30%	1.10%	0.00%	0.00%	4.50%	22.30%
Taylor	26,809	18.50%	20.41%	0.86%	91.0%	5.40%	0.08%	0.10%	3.10%	19.40%
Wayne	19,629	22.90%	23.90%	1.11%	95.40%	2.20%	1.36%	0.10%	4.40%	25.00%
LCADD	210,531	21.50%	20.94%	1.14%	94.51%	2.65%	0.25%	0.09%	3.24%	31.70%

2022 ACS Demographics and Housing Data

2. The frequency with which LEP individuals come in contact with the program, activity or service.
 - a. LCADD does not provide direct assistance to individuals. All LCADD funds are awarded to units of local government, certified contractors or nonprofit agencies. As a result, LEP persons rarely come into contact with the respective federal grant program at this level. However, during periods of public comment, some citizen participation may be directed to the LCADD.
3. The nature and importance of the program, activity, or service provided by the program.

- a. ~~LCADD does not provide direct assistance to individuals.~~ All LCADD funds are awarded to units of local government, certified contractors or nonprofit agencies. As a result, LEP persons rarely come into contact with the respective federal grant program at this level. However, during periods of public comment, some citizen participation may be directed to the LCADD.
4. The resources available to the recipient and costs.
 - a. Oral language services include bilingual translators. These translators are available through local colleges including Campbellsville University and Lindsey Wilson College, and can convey information and answer questions to affected LEP persons. This service may be available in both an oral and written format.
 - b. Other language barriers may be resolved through online resources such as www.freetranslation.com, www.translate.google.com, and www.babelfish.yahoo.com.
 - c. Translation assistance will be available at no cost to LEP persons.

Safe Harbor Provision

LCADD has adopted the Department of Justice's Safe Harbor Provision, which outlines circumstances that can provide a "safe harbor" for recipients regarding translation of written materials for LEP population. The Safe Harbor Provision stipulates that, if a recipient provides written translation of vital documents for each eligible LEP language group that constitutes five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered, then such action will be considered strong evidence of compliance with the recipient's written translation obligations. Translation of non-vital documents, if needed, can be provided orally. If there are fewer than 50 persons in a language group that reaches five percent (5%) trigger, the recipient is not required to translate vital written materials but should provide written notice in the primary LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

XIII. Compliance/Noncompliance Reporting

Throughout the year, the Title VI Coordinator periodically meets with the directors and the division heads of LCADD to review the policies and procedures relative to Title VI. This includes, but is not limited to, a review of files and statistics of complaints received for investigation and services offered to recipients and beneficiaries of LCADD's services.

The LCADD offices, departments, divisions who receive federal funds continually collect program data, although it is not always documented to denote such. Self-surveys are periodically sent to sub-recipients and sub-grantees. These self-surveys examine all facets of the programs offered by the agency surveyed. Instances of which the onsite and/or survey reveals that the agency or one or more of its programs is not in compliance with Title VI an investigation will be conducted by the Title VI Coordinator. Records of the self-survey and efforts put forth to bring the agency into compliance will be maintained. These will include correspondence, resolution, and corrective actions.

In the event of noncompliance with this, plan or applicable regulations and laws are determined via a complaint investigation or through the self-survey process; the LCADD will make every effort to attain full compliance.

The Title VI Coordinator shall notify the appropriate program head in the event a complaint investigation, compliance review, or self-survey indicates noncompliance. The notification shall state the condition of noncompliance, recommended approach to correct the situation, and the time period for the response and corrective action. The Title VI Coordinator may conduct an interview to consult with the program head regarding the correct approach to remedy noncompliance.

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. **Nondiscrimination:** The contractor with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, sex, 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, sex, 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 nondiscrimination 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 Department of Transportation as authorized by law and upon the condition that the (Title of Recipient) will accept title to the lands and maintain the project constructed thereon in accordance with (Name of Appropriate Legislative Authority), the Regulations for the Administration of Federal 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, 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 (Title of Recipient) 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 (Title of Recipient) 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 (Title of Recipient), its successors and assigns.

The (Title of Recipient), in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, sex, 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 (2) that the (Title of Recipient) will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be

² to make clear the purpose of Title VI
Reverter clause and "Not a language to be used only when it is determined that such a clause is necessary in order

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].³

³ 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 ***(Title of Recipient)*** 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, sex, 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, ***(Title of Recipient)*** 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.⁴
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the ***(Title of Recipient)*** 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 ***(Title of Recipient)*** and its assigns.⁵

⁴ See footnote 9

⁵ 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 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 **(Title of Recipient)** pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, “as a covenant running with the land”) that (1) no person on the ground of race, color, sex, 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, sex, 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, **(Title of Recipient)** 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.⁶
- C. With respect to deeds in the event of breach of any of the above nondiscrimination covenants, **(Title of Recipient)** will there upon revert to, vest in and become the absolute property of **(Title of Recipient)** and its assigns.

⁶ 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 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 the following:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21;
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation and certain testing entities (42 U.S.C. §§ 12131 --12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;

- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 ET seq).

APPENDIX F¹

Complaint Log

[illegible]

¹ Please note table is not to scale

Lake Cumberland Area Development District, Inc.

P.O. Box 1570, Russell Springs, Kentucky 42642-1570

WAYLON WRIGHT
Executive Director

Ph: (270) 866-4200
FAX: (270) 866-2044
TDD: 1-800-648-6056

MAYOR EDDIE THOMAS
Chairman

Title VI Complaint Form

Section I:				
Name:				
Address:				
Telephone (Home):			Telephone (Work):	
Electronic Mail Address:				
Accessible Format Required?	Large Print		Audio Tape	
	TDD		Other	
Section II:				
Are you filing this complaint on your own behalf?			Yes*	No
*If you answered "yes" to this question, go to Section III.				
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.			Yes	No
Section III:				
I believe the discrimination I experienced was based on (check all that apply):				
<input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin <input type="checkbox"/> Sex				
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 use the back of this form.				
Section IV				
Have you previously filed a Title VI complaint with this agency?			Yes	No



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Web-Site Address - <https://lcadd.org>
Equal Opportunity Provider



Lake Cumberland Area Development District, Inc.

P.O. Box 1570, Russell Springs, Kentucky 42642-1570

WAYLON WRIGHT
Executive Director

MAYOR EDDIE THOMAS
Chairman

Ph: (270) 866-4200
FAX: (270) 866-2044
TDD: 1-800-648-6056

Title VI Complaint Form

Page 2

Section V
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?
<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, check all that apply:
<input type="checkbox"/> Federal Agency <input type="checkbox"/> Federal Court <input type="checkbox"/> State Agency <input type="checkbox"/> State Court <input type="checkbox"/> Local Agency
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:
Contact person:
Title:
Telephone number:
Section VII
Do you have an attorney regarding this matter? If yes, please provide attorney's contact information.
Name of Law Firm
Name of Representing Attorney
Mailing Address
City, State, Zip
Phone

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

We cannot accept an unsigned complaint. Please sign and date the complaint form below.

Complainant's Signature

Date

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

Darryl McGaha, Executive Director
Waylon Wright, Executive Director
Lake Cumberland Area Development District
P.O. Box 1570
2384 Lakeway Drive
Russell Springs, Kentucky
42642
Fax: (270) 866-4244
42642

FOR OFFICE USE ONLY

Date Complaint Received: _

Case # _

Processed By: _

Date Referred: _

Referred To: ☐ KYTC ☐ Other _



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MAYOR EDDIE THOMAS
Chairman

The Lake Cumberland Area Development District (LCADD) hereby gives notice it is the policy of the agency to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Section 162(a) of the Federal-Aid Highway Act of 1973 (section 324, Title 23 U.S.C.), and related Nondiscrimination authorities in all program and activities. It is LCADD's policy that no person in the United States of America shall, on the grounds of race, color, national origin, and sex be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of our programs or activities receiving Federal financial assistance.

Any person who believes they have been subjected to discrimination under the Title VI and related Nondiscrimination authorities has the right to file a complaint.

To request or receive additional information on its discrimination obligations, including its complaint procedures contact the person listed below or visit the administration office at the address listed below:

Lake Cumberland Area Development District
Isaac Allen - Title VI Coordinator
P.O. Box 1570
Russell Springs, Kentucky 42642

Phone: 270-866-4200
Website: LCADD.org

To file a discrimination complaint, please follow the directions found in the Complaint Disposition Procedures or contact the above for assistance.



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WAYLON WRIGHT
Executive Director

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FAX: (270) 866-2044
TDD: 1-800-648-6056

MAYOR EDDIE THOMAS
Chairman

La herby del Distrito de Desarrollo de La Zona del Lago Cumberland (LCADD) da aviso de que es la política de la agencia para asegurar el pleno cumplimiento del Título VI de la Ley de Derechos Civiles de 1964, la Ley de Restauración de Derechos Civiles de 1987, Sección 162 (a) de la Ley de Carreteras con Ayuda Federal de 1973 (sección 324, Título 23 U.S.C.), y las autoridades relacionadas contra la no discriminación en todos los programas y actividades. La política de LCADD es que ninguna persona en los Estados Unidos de América, por motivos de raza, color, origen nacional, y sexo e será excluida de la participación en, se le negarán los beneficios de, o será objeto de discriminación bajo cualquiera de nuestros programas o actividades que reciben asistencia financiera federal.

Cualquier persona que crea que ha sido objeto de discriminación en virtud del Título VI y las autoridades de no discriminación relacionadas tiene derecho a presentar una queja.

Para solicitar o recibir información adicional sobre sus obligaciones de discriminación, incluidos sus procedimientos de reclamación, póngase en contacto con la persona que aparece a continuación o visite la oficina de administración en la dirección que se indica a continuación:

Lake Cumberland Area Development District
Isaac Allen - Title VI Coordinator
P.O. Box 1570
Russell Springs, Kentucky 42642

Teléfono: 270-866-4200 sitio
web: LCADD.org

Para presentar una queja por discriminación, siga las instrucciones que se encuentran en los Procedimientos de disposición de quejas o comuníquese con lo anterior para obtener ayuda.



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WAYLON WRIGHT
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Ph: (270) 866-4200
FAX: (270) 866-2044
TDD: 1-800-648-6056

MAYOR EDDIE THOMAS
Chairman

Formulario de queja del Título VI

Sección I:				
Nombre:				
Dirección:				
Teléfono (Hogar):			Teléfono (Trabajo):	
Dirección de correo electrónico:				
¿Se requiere un formato accesible?	Impresión grande		Cinta de audio	
	TDD		Otro	
Sección II:				
¿Está presentando esta queja en su propio nombre?			Sí *	No
*Si respondió "Sí" a esta pregunta, vaya a la Sección 3.				
Si no es así, proporcione el nombre y la relación de la persona por la que se está quejando.				
Por favor, explique por qué ha presentado una solicitud para un tercero:				
Confirme que ha obtenido el permiso de la parte agraviada si está presentando en nombre de un tercero.				
Sección III:				
Creo que la discriminación que experimenté se basó en (marque todas las que correspondan) [] Raza [] Color [] Origen nacional [] Sexo []				
SECCION IV:				



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Chairman

¿Ha presentado previamente una queja del Título VI ante esta agencia?	Sí	No

Formulario de queja del Título VI

Página 2

Sección V:
¿Ha presentado esta queja ante cualquier otra agencia federal, estatal o local, o ante algún tribunal federal o estatal? <input type="checkbox"/> Sí <input type="checkbox"/> No En caso afirmativo, marque todas las que correspondan: <input type="checkbox"/> Agencia Federal <input type="checkbox"/> Tribunal Federal <input type="checkbox"/> Agencia Estatal <input type="checkbox"/> Tribunal Estatal <input type="checkbox"/> Agencia Local Proporcione información sobre una persona de contacto en la agencia/tribunal donde se presentó la queja.
Nombre:
Título:
Agencia:
Dirección:
Teléfono:
Sección VI:
El nombre de la queja de la agencia está en contra de:
Persona de contacto:
Título:



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Número de teléfono
Sección VII:
¿Tiene un abogado con respecto a este asunto? En caso afirmativo, proporcione la información de contacto del abogado.
Nombre del bufete de abogados:
Nombre del Abogado Representante:
Dirección postal:
Ciudad, Estado, Zip:
Teléfono:

Puede adjuntar cualquier material escrito u otra información que considere relevante para su queja.

No podemos aceptar una queja sin firmar. Por favor, firme y fecha el formulario de queja a continuación.

Firma del demandante

Fecha

Por favor envíe este formulario en persona o en la siguiente dirección, o envíe este formulario por correo/fax a:

Waylon Wright, Executive Director
Lake Cumberland Area Development District
P.O. Box 1570
2384 Lakeway Drive
Russell Springs, Kentucky 42642



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