



# **Title VI**

# **Implementation**

# **Plan**

*Approved October 24, 2019*

*Amended March 25, 2021*



### REGIONAL COMMISSION BOARD

Shannon Cox	Alleghany County	J. Lee E. Osborne	Roanoke County
Jon Lanford	Alleghany County	David Radford	Roanoke County
Joan Vannorsdall	Alleghany County	Krystal Onaitis	City of Covington
Stephen Clinton	Botetourt County	Allan Tucker	City of Covington
Erin Henderson	Botetourt County	Robert L. Jeffrey, Jr.	City of Roanoke
Gary Larrowe	Botetourt County	Bill Bestpitch	City of Roanoke
Billy Martin, Sr	Botetourt County	Elda Stanco Downey	City of Roanoke
Dan Collins	Craig County	Stephanie Moon Reynolds	City of Roanoke
Jesse Spence	Craig County	Peter Volosin	City of Roanoke
Mike Carter	Franklin County	James W. Wallace III	City of Salem
Roy Enslow	Franklin County	John Saunders	City of Salem
Ronnie Thompson	Franklin County	Denise P. King	City of Salem
Lori Smith	Franklin County	Melinda Payne	City of Salem
Christopher Whitlow	Franklin County	Pam Marshall	Town of Clifton Forge
Kevin Hutchins	Roanoke County	James Ervin	Town of Rocky Mount
Dean Martin, <i>Treasurer</i>	Roanoke County	Mark Newbill	Town of Rocky Mount
Phil North, <i>Vice Chair</i>	Roanoke County	Bradley E. Grose, <i>Chair</i>	Town of Vinton
Dan O'Donnell	Roanoke County	Richard "Pete" Peters	Town of Vinton

### REGIONAL COMMISSION STAFF

Wayne G. Strickland, Executive Director  
Sherry Dean, Director of Finance/Human Resources  
Cristina D. Finch, AICP, LEED AP, Director of Transportation  
Bryan W. Hill, AICP, CZA, Regional Planner III  
Jeremy Holmes, Director of RIDE Solutions, Associate  
Executive Director  
Amanda McGee, AICP, Regional Planner III  
Matt Miller, Director of Information Services  
Virginia Mullen, Office Manager  
Tim Pohlad-Thomas, Outreach and Communications Specialist  
Rachel Ruhlen, Transportation Planner II, Project Manager  
Eddie Wells, AICP, Director of Community Development  
Programs

*RVARC fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. RVARC strives to provide reasonable accommodations and services for persons who require special assistance to participate in public involvement opportunities. For more information, or to obtain a Discrimination Complaint Form, contact the Title VI Manager or ADA Coordinator at (540) 343-4417 or see [www.rvarc.org](http://www.rvarc.org).*

## Resolutions

The \_\_\_ day of \_\_\_ 2019

### **Resolution**

**by the Roanoke Valley-Alleghany Regional Commission to Adopt a Title VI  
Implementation Plan**

The \_\_\_ day of \_\_\_ 2019

**Resolution**

**by the Roanoke Valley Transportation Planning Organization to endorse the Roanoke Valley-Alleghany Regional Commission Title VI Implementation Plan**

## Abstract

The Title VI Implementation Plan describes the measures the Roanoke Valley-Alleghany Regional Commission (RVARC) adopts to ensure compliance with Title VI of the Civil Rights Act of 1964 ~~and related authorities~~ which prohibit discrimination on the basis of race, color, or national origin, ~~disability, sex, or age~~. Any agency that receives federal financial assistance must comply with Title VI ~~and related authorities~~. RVARC and the organizations and programs it staffs are subject to the Title VI Implementation Plan.

### *Title VI Policy*

**RVARC assures that no person shall, on the grounds of race, color, or national origin, ~~disability, sex, or age~~, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (Public Law 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. RVARC further assures that every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not. In the event RVARC distributes federal-aid funds to another governmental entity, it will include Title VI language in all written agreements and will monitor for compliance.**

## Contents

Resolutions.....	4
Abstract .....	6
Contents .....	7
Overview.....	8
1. Title VI Program.....	8
1.1 Communications and Public Participation .....	8
1.2 Planning and Programming .....	9
1.3 Consultant Contract .....	10
1.4 Education and Training .....	11
2. Limited English Proficiency .....	11
2.1 Statement of Commitment.....	11
2.2 Implementation.....	12
LEP Encounter .....	12
Routine LEP Implementation Activities .....	12
2.3 Monitoring and Updating .....	13
3. Coordinator .....	14
4. Discrimination Complaints .....	14
4.1 Eligibility .....	14
4.2 Filing a complaint .....	<u>15</u> <del>14</del>
4.3 Complaint processing.....	15
Appendix A: Title VI .....	<u>18</u> <del>16</del>
Appendix B: Non-Discrimination Statement .....	<u>20</u> <del>17</del>
Appendix C: Certificate of Assurance .....	<u>21</u> <del>18</del>
Appendix D: Discrimination Complaint Form .....	<u>28</u> <del>27</del>

## Overview

Title VI of the Civil Rights Act of 1964, ~~as amended, and related authorities~~ prohibit discrimination on the basis of race, color, or national origin, ~~disability, sex, or age~~ by agencies that receive federal financial assistance (see Appendix A: Title VI ). As a recipient of federal financial assistance, the Roanoke Valley-Alleghany Regional Commission (RVARC) and its programs do not discriminate on the basis of race, color, or national origin, ~~disability, sex, or age~~ (see Appendix B: Non-Discrimination Statement~~Appendix B: Non-Discrimination Statement~~).

The Title VI Implementation Plan describes the measures RVARC adopts to ensure compliance with Title VI ~~and related authorities~~ in four sections: Title VI Program, Limited English Proficiency, Coordinators, and Discrimination Complaints. Title VI Program describes how RVARC ensures nondiscrimination in communications and public participation, planning and programming, consultant contracts, and education and training. Limited English Proficiency (LEP) describes the statement of commitment to LEP persons, implementation of LEP activities, and monitoring and updating of LEP procedures. The relevant coordinators are the Title VI Manager and the ADA Coordinator. Discrimination Complaints describes the procedures for handling discrimination complaints.

## 1. Title VI Program

**To ensure Title VI Compliance, RVARC staff and the decision-makers of its organizations and programs will not discriminate on the basis of race, color, or national origin, ~~disability, sex, or age~~.**

RVARC staff evaluate and monitor compliance with nondiscrimination authorities in its:

- Communications and Public Participation
- Planning and Programming
- Consultant Contracts
- Education and Training

To comply with Title VI ~~and related authorities~~, RVARC:

- Maintains current Title VI Assurances (Appendix C: Certificate of Assurance)
- Promptly corrects any deficiency identified
- Conducts regular reviews of program areas and contractors
- Documents and prepares reports of Title VI efforts on a regular basis
- The RVARC executive director designates a Title VI Manager.



## 1.1 Communications and Public Participation

RVARC endeavors to communicate with and provide opportunities for minority, low-income, and disabled persons to participate. The Roanoke Valley Transportation Planning Organization, which is staffed by RVARC, maintains a Public Participation Plan that describes the process by which it consults with interested and affected individuals, organizations, agencies, and government entities and includes them in the decision-making process. The Public Participation Plan and all other public participation opportunities of RVARC and the organizations and programs it staffs comply with Title VI requirements.

To ensure Title VI compliance in communications and public participation, RVARC staff will:

- Include contact information for people needing accommodations in notifications of opportunities for public participation.
- Post the Title VI Policy on the website.
- Include the following statement in public notices ~~and on the website~~:  
*“RVARC fully complies with Title VI of the Civil Rights Act of 1964 ~~and related statutes and regulations~~ in all programs and activities. RVARC provides reasonable accommodations for persons who require special assistance to participate in public involvement opportunities. For more information, or to obtain a Discrimination Complaint Form, contact (540) 343-4417 or [www.rvarc.org](http://www.rvarc.org).”*
- Provide reasonable accommodations for persons who require special assistance to participate in public involvement opportunities.
- Collect and monitor demographic data during public input opportunities, conducting additional target outreach if the data show a deficiency in public input from particular groups.
- Recruit diverse applicants, including minorities, low-income persons, and disabled, to opportunities for public participation and to serve on committees.

## 1.2 Planning and Programming

To ensure compliance in planning and programming processes, RVARC staff will:

- Prepare and update publicly available demographic profiles of the region using the most current and appropriate statistical information.
- Consider a high-level overview of benefits and burdens of transportation projects on minority and low-income populations, using maps and geographic demographic data to determine projects that could impact such populations. Lead agencies in individual projects are responsible for in-depth analyses of environmental justice as they move forward.
- Conduct an environmental justice analysis during the development of the Roanoke Valley Transportation Planning Organization Long-Range Transportation Plan, analyzing the relative distribution of costs and benefits from transportation investment strategies and policies on minority or low-income populations.
- Review directives to determine if there are Title VI implications and interpret how directives impact Title VI program areas.

- Include environmental justice aspects of performance measures in transportation performance-based planning and programming, when relevant.

### 1.3 Consultant Contract

RVARC is responsible for selection, negotiation, and administration of its consultant contracts. RVARC complies with all relevant federal and state laws in contract selection. RVARC staff evaluate and monitor consultant contracts for compliance with nondiscrimination authorities. RVARC staff will:

- Ensure inclusion of nondiscrimination language in contracts and Requests for Proposals.
- Ensure that all consultants verify their compliance with nondiscrimination authorities, procedures, and requirements.
- Work with the recipient or sub-recipient, if found to be not in compliance with nondiscrimination authorities, to resolve the deficiency status and write a remedial action if necessary.
- Review outreach activities to ensure small, disadvantaged, minority, women, and disabled veteran businesses are not excluded to participate in opportunities to compete for consulting contracts.

As part of the Certifications and Assurances submitted to the Virginia Department of Rail and Public Transportation (DRPT) with the Annual Grant Application and all Federal Transit Administration grants submitted to the DRPT, RVARC submits a Nondiscrimination Assurance which addresses compliance with Title VI, nondiscrimination in hiring (Equal Employment Opportunity) and contracting (Disadvantaged Business Enterprise), and nondiscrimination on the basis of disability. In signing and submitting this assurance, RVARC confirms to DRPT the agency's commitment to nondiscrimination and compliance with federal and state requirements.

### **Disadvantaged Business Enterprise**

Disadvantaged Business Enterprises (DBE) are for-profit small business concerns where socially and economically disadvantaged individuals own at least a 51% interest and also control management and daily business operations. African Americans, Hispanics, Native Americans, Asian-Pacific and Subcontinent Asian Americans, and women are presumed to be socially and economically disadvantaged. Other individuals can also qualify as socially and economically disadvantaged on a case-by-case basis. The U.S. Department of Transportation's DBE regulations require state and local transportation agencies that receive federal financial assistance to establish goals for the participation of DBEs.

RVARC supports the objectives of the DBE Program:

- To ensure nondiscrimination in the award and administration of Federal Highway Administration assisted contracts
- To create a level playing field on which DBEs can compete fairly for Federal Highway Administration-assisted contracts

- To ensure the DBE Program is narrowly tailored in accordance with applicable law
- To ensure that only firms that fully meet 49 CFR, Part 26 eligibility standards are permitted to participate as DBEs
- To help remove barriers to the participation of DBEs in Federal Highway Administration-assisted contracts
- To assist the development of firms that can compete successfully in the marketplace outside of the DBE Program
- To provide appropriate flexibility to recipients of federal financial assistance in establishing and providing opportunities for DBEs

### 1.4 Education and Training

To ensure compliance through education and training, the RVARC Title VI Manager will:

- Distribute information to staff, board and committee members, and other stakeholders on training programs regarding Title VI and related nondiscrimination authorities.
- Offer training to staff in Title VI nondiscrimination and implementation.
- Track Title VI nondiscrimination training of staff and board and committee members.
- Develop Title VI educational information for dissemination to the general public.

## 2. Limited English Proficiency

Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English are Limited English Proficient (LEP). For a LEP person, language can present a barrier to accessing benefits and services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information provided by federally funded programs and activities. LEP persons may be entitled to language assistance at no cost to them with respect to a service, benefit, or encounter.

RVARC provides meaningful access to programs and activities by giving LEP persons adequate and understandable information to participate in programs and activities and by taking reasonable steps to remove barriers for LEP persons.

### 2.1 Statement of Commitment

Meaningful access to LEP persons means ensuring that LEP persons can communicate effectively and act appropriately based on that communication. RVARC will take reasonable steps to ensure LEP persons have meaningful access to programs, activities, services, and information that are normally provided in English. Failure to ensure that LEP persons can effectively participate in federally assisted programs and activities may violate the prohibition against national origin discrimination under Title VI of the Civil Rights Act of 1964.

## 2.2 Implementation

Implementation guidelines describe what should be done when an LEP person is encountered or an LEP request is made as well as what activities should be done routinely to keep information and training up to date.

### LEP Encounter

When staff encounter LEP persons or request for language assistance, use these guidelines to determine what assistance can be provided.

The language assistance services available to RVARC are:

- CyraCom: RVARC has a Pay-As-You-Go account with CyraCom – On Demand Over-the-Phone Interpretation ([www.cyracom.com](http://www.cyracom.com)). CyraCom maintains telephone assisted interpretation capability for over 100 languages (\$2.98/minute) and written translation services for a fee.
- Translation services available through Roanoke Spanish (\$0.15/word or \$85/page)
- RVARC bilingual employees fluent in Spanish: As of 2019, two RVARC bilingual employees, Cristina Finch and Amanda McGee, are fluent in Spanish.

The need for LEP services depends on the type of contact.

- In-person Contact: Use the Language Identification Flashcard, posted in the RVARC entrance, to attempt to identify the language spoken. Enlist the assistance of bilingual staff and/or Cyra-Com service to obtain the LEP person's name and contact information.
- Telephone Contact: Enlist the assistance of bilingual staff and/or Cyra-Com service as needed.
- Written Contact or Documents: Engage translation service such as Roanoke Spanish or Cyra-Com.
- Request for translation at a meeting: Use Cyra-Com service or other translation service.

Cost alone will not determine whether a request is granted. Language assistance services deemed appropriate will be made available at the expense of RVARC.

- Requests for under \$100: Will be granted. For Spanish, a phone call that might last up to 30 minutes or a document that is 1 typed page in English is likely to fit this criterion.
- Requests for over \$100: Title VI Manager and the RVARC Executive Director review based on the four-factor analysis (page 13) and grant if deemed vital.

### Routine LEP Implementation Activities

The Title VI Manager will:

- Post written notices on the website and/or in a public area regarding the right to free language assistance for persons conducting business with RVARC in the most likely to be encountered languages (as determined using the four-factor analysis).

- Ensure that public notices and publications include statements that RVARC provides reasonable accommodations for persons who require special assistance to participate in public involvement opportunities.
- Maintain the language assistance resource list, updating with current resources.
- Ensure staff understand:
  - The right to free language assistance for LEP persons.
  - How to use language assistance resources.
  - To include statements in public notices and publications that RVARC provides reasonable accommodations.

### 2.3 Monitoring and Updating

RVARC will monitor its LEP policies and practices, review them regularly with the four-factor analysis, and update as needed.

To monitor LEP policies and practices, the Title VI Manager will:

- Review RVARC activities on a regular basis for providing meaningful access to LEP persons.
- Document requests for translation services and encounters with LEP persons and provide reports when requested.

#### **Four-factor analysis**

The four-factor analysis is used to assess the need for language assistance services:

1. Demography – number and proportion of LEP persons served and languages spoken in service area.
2. Frequency – rate of contact with service or program.
3. Importance – nature and importance of program/service to people’s lives.
4. Resources – available resources, including language assistance services.

The Title VI Manager will:

- Regularly review demographic data based on the four-factor analysis. If a language other than English is the primary language of >5% of the population, the LEP guidelines may need to be modified to meet the new needs.
- Collect and maintain demographic statistics on persons who participate in their programs and services.
- Solicit feedback from locality social service departments and community-based organizations serving LEP persons to evaluate how well its practices meet their needs.

Locality social service departments and community-based organizations serving LEP persons include:

- Roanoke Refugee Partnership
- Roanoke Spanish
- City of Roanoke Division of Human Services
- Roanoke County Department of Social Services

- Virginia Department of Social Services
- Council of Community Services

The feedback solicited from these departments and organizations may include:

- Nature and importance of programs, services, and activities to LEP persons
- The effectiveness of current language assistance measures in meeting the needs of LEP persons
- The effectiveness of staff LEP trainings and agency-wide language assistance protocol
- Changes in the frequency of contact with LEP language groups
- Changes in the availability of resources, including technological advances or financial resources

### 3. Coordinators

#### 3.1 Title VI Manager

The Title VI Manager is Rachel Ruhlen, (540) 343-4417, email [rruhlen@rvarc.org](mailto:rruhlen@rvarc.org). The secondary contact for Title VI issues is Wayne Strickland, (540) 343-4417, email [wstrickland@rvarc.org](mailto:wstrickland@rvarc.org).

#### 3.2 Americans with Disabilities Act Coordinator

~~In accordance with the Americans with Disabilities Act (ADA), RVARC provides reasonable accommodations and services for persons who require special assistance to participate in our public involvement efforts (see Appendix D: Notice Under the Americans with Disabilities Act). Services for persons with hearing or speech loss are available through the Virginia Relay System at 7-1-1, 1-866-894-4116 (voice) or 1-866-246-9300 (TTY).~~

~~For questions about ADA compliance or assistance, please contact Bryan Hill, ADA Coordinator, at (540) 343-4417 or by email at [bhill@rvarc.org](mailto:bhill@rvarc.org).~~

### 4. Discrimination Complaints

Any person who believes that RVARC has unlawfully discriminated against them may file a complaint with RVARC. These procedures are written for RVARC staff to follow. A person who believes there has been discrimination may not be aware of the requirements of the complaint procedures.

#### 4.1 Eligibility

Any person who believes they—or a specific class of persons—were subjected to discrimination on the basis of race, color, or national origin in the programs and activities of a Subrecipient that receives Federal financial assistance through a primary Recipient may file a Title VI complaint. Any person, any specific class of persons, or any person in connection with any disadvantage business enterprise, by themselves or by a

~~representative, that believe they have been subjected to discrimination or retaliation prohibited by Title VI of the Civil Rights Act of 1964, as amended, or any nondiscrimination authority, may file a complaint with RVARC.~~

## 4.2 Filing a complaint

A discrimination complaint form is available online (link: <https://rvarc.org/wp-content/uploads/2021/03/Amended-Title-VI-Complaint-Form.pdf><https://www.surveymonkey.com/r/LS5YKB8>). A paper copy can be obtained at 313 Luck Ave SW, Roanoke VA or requested by mail, and a copy is provided in [Appendix D: Discrimination Complaint Form](#)~~Appendix D: Discrimination Complaint Form~~. The complaint form can be submitted online, by mail, or in person at 313 Luck Ave SW, Roanoke VA. The Title VI Manager can assist the person in filing a complaint if needed.

~~According to USDOT regulations, 49 CFR §21.11(b), a complaint must be filed not later than 180 days after the date of the last instance of alleged discrimination, unless the time for filing is extended by the processing agency. Complaints must be filed within 180 days of the date or the last date of the alleged discrimination or the date on which the person became aware of discrimination. Any complaint filed after this time should explain the delay.~~

## 4.3 Complaint processing

~~Complaints will be routed to the FHWA Headquarters Office of Civil Rights (HCR) for processing. HCR is responsible for all determinations regarding whether to accept, dismiss, or transfer Title VI complaints filed against State DOTs or Subrecipients of Federal financial assistance.~~

~~Complaints will be forwarded from the initial receiving agency through the Federal-aid highway oversight hierarchy until the complaint reaches HCR. For example, if a complaint is filed with RVARC, RVARC will forward the complaint to the Virginia Department of Transportation, which should forward the complaint to Virginia's FHWA Division Office, which should forward the complaint to HCR.~~

~~RVARC will log all complaints received.~~

~~When HCR decides on whether to accept, dismiss, or transfer the complaint, HCR will notify the Complainant, the FHWA Division Office, the Virginia Department of Transportation, and RVARC. These guidelines describe the initial contact, investigation or mediation of the complaint, and records of the complaint.~~

### Initial contact

~~All complaints received by RVARC will be forwarded to the Title VI Manager. The Title VI Manager will designate an investigator for the complaint (which may be their self).~~

~~The Title VI Manager who receives the complaint will review it to ensure that relevant information is provided, the complaint is timely, and is within the correct jurisdiction. Issues that do not involve discrimination or are not based on a protected basis will be directed to the appropriate entity. Under no circumstance should the complainant be discouraged from filing a complaint. The complaint will be accepted unless it is withdrawn, not filed timely, or the complainant fails to provide required information after numerous requests.~~

~~Within 5 business days of receipt of the complaint, the Title VI Manager will notify the complainant of the discrimination complaint process and when to expect a report and will provide to the complainant a Discrimination Complaint Form if needed, acknowledgement of the receipt of the allegation, and an explanation of other avenues of redress available (for example, Virginia Department of Transportation (VDOT) or the Federal Highway Administration (FHWA) if the complaint involves the RVTPO).~~

~~The Title VI Manager will notify the appropriate state and federal offices of the complaint, such as VDOT Central Office Civil Rights Division and FHWA Virginia Division Office if the complaint involves RVTPO, including at least the names and contact information of the parties involved, the basis of the complaint, date of alleged discriminatory act(s), and date of complaint.~~

~~The Title VI Manager will notify the respondent that they have been named in a complaint, that they will be contacted for an interview, their rights under Title VI and related statutes, the basis of the complaint, and the assigned investigator.~~

~~Complaints filed with RVARC in which RVTPO is named as the respondent will be forwarded to VDOT's Civil Rights Division Administrator for processing. The allegations will be analyzed by VDOT and the complainant will be notified by VDOT of those aspects of the complaint accepted for investigation. Complaints filed against RVTPO's contractors, subcontractors, consultants, and other sub-recipients may be referred by RVARC to VDOT for investigation.~~

#### ~~Investigation or mediation~~

~~RVARC recognizes mediation as an alternative to the investigative process, as authorized by the Virginia Administrative Dispute Resolution Act of 2003. If the parties voluntarily agree to participate in mediation, a trained mediator will assist the opposing parties in reaching a mutually agreeable resolution. During the initial interviews with the complainant and respondent, the investigator will request information regarding specifically requested relief and settlement opportunities.~~

~~If mediation is not an option, the assigned investigator shall prepare a written plan that includes, but is not limited to the following:~~



- ~~Complainant's name and address~~
- ~~Respondent's name and address~~
- ~~Applicable Laws~~
- ~~The bases for the complaint~~
- ~~The allegations, issues, events, or circumstances that caused the person to believe that they have been discriminated against~~
- ~~Background~~
- ~~The names of persons to be interviewed and issues of which they have firsthand knowledge~~
- ~~Evidence to be obtained during the investigation~~
- ~~The remedy sought by the complainant~~

The investigator will:

- ~~Address only those issues relevant to the allegations in the complaint.~~
- ~~Maintain confidentiality to the fullest extent possible.~~
- ~~Conduct interviews to obtain facts and evidence regarding the allegations in the complaint. The interviewee may have representation of their choice at interviews.~~
- ~~Maintain a chronological contact sheet throughout the investigation.~~

~~Within 60 days of receiving the complaint, the investigator will prepare an investigative report including the proposed disposition of the matter, supporting documentation, and a notification to the complainant of their appeals rights with state and federal offices. The investigator will provide the report to:~~

- ~~The complainant~~
- ~~The respondent~~
- ~~Appropriate state office (i.e., VDOT Civil Rights Administrator)~~
- ~~Appropriate federal office (i.e., FHWA)~~

~~If more time is needed to investigate the complaint, the investigator will notify all parties of the delay and when a report will be available.~~

### Records

~~All records and investigative working files and final report will be maintained in a confidential area with the RVARC Director of Finance for five years after closure and then paper copies will be destroyed by shredding.~~

## Appendix A: Title VI and Related Authorities

The eleven titles of the Civil Rights Act of 1964 are:

- I. Voting Rights
- II. Public Accommodation
- III. Desegregation of Public Facilities
- IV. Desegregation of Public Education
- V. Commission on Civil Rights
- VI. **Nondiscrimination in Federally Assisted Programs and Activities**
- VII. Equal Employment Opportunity
- VIII. Registration and Voting Statistics
- IX. Intervention and Procedure after Removal in Civil Rights Cases
- X. Establishment of Community Relations Service
- XI. Miscellaneous

Title VI of the Civil Rights Act of 1964 addresses nondiscrimination in federally assisted programs and activities. Title VI ~~as amended and related authorities~~ declares it to be the policy of the United States that discrimination on the grounds of race, color, or national origin, ~~disability, sex, or age~~ shall not occur in connection with programs and activities receiving federal financial assistance and authorizes and directs the appropriate federal departments and agencies to take action to carry out this policy. Subsequent nondiscrimination laws expanded the range and scope of Title VI coverage and applicability. Executive orders and federal agency orders and memos clarify implementation of nondiscrimination policy.

~~Authorities related to Title VI include:~~

~~**The National Environmental Policy Act** (1969) addressed both social and economic impacts of environmental justice, stressing the importance of providing for “all Americans, safe, healthful, productive and aesthetically pleasing surroundings” and provided a requirement for taking a “systematic interdisciplinary approach” to aid in considering environmental and community factors in decision-making.~~

~~**The Uniform Relocation Assistance and Real Property Acquisition Policies Act** (1970) prohibits unfair and inequitable treatment of persons displaced or whose property will be acquired as a result of federal and federal aid programs and projects.~~

~~**The Federal Aid Highway Act** (1973) states that no person shall, on the grounds of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance under this title or carried on under this title.~~

~~**Section 504 of the Rehabilitation Act** (1973) states that no qualified handicapped person shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity that receives or benefits from federal financial assistance. This Act protects qualified individuals from discrimination based on their disability.~~

~~**The Age Discrimination Act** (1975) states that no person shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. This act prohibits age discrimination in Federally Assisted Programs.~~

~~**The Civil Rights Restoration Act, P.L. 100-209** (1987) amends Title VI of the 1964 Civil Rights Act to make it clear that discrimination is prohibited throughout an entire agency if any part of the agency receives federal assistance.~~

~~**The American Disabilities Act** (1990) prohibits discrimination against people with disabilities in employment, transportation, public accommodation, communications, and governmental activities.~~

~~**Executive Order 12898—Environmental Justice** (1994) organized and explained the federal government's commitment to promote Environmental Justice and directed federal agencies to review procedures and make environmental justice part of their mission.~~

~~**DOT Order 5610.2** (1997) summarized and expanded upon the requirements of Executive Order 12898 to include all policies, programs, and other activities that are undertaken, funded, or approved by the Federal Highway Administration, the Federal Transit Administration, or other U.S. DOT components.~~

~~**FHWA/FTA Memorandum Implementing Title VI Requirements in Metropolitan and Statewide Planning** (1999) – provided clarification for field officers on how to ensure that environmental justice is considered during current and future planning certification reviews. The intent of this memorandum was for planning officials to understand that environmental justice is equally as important during the planning stages as it is during the project development stages.~~

~~**Executive Order 13166—Limited English Proficiency** (2000) ensured federal agencies and their recipients provide meaningful access for persons with Limited English Proficiency to federally conducted and federally assisted programs and activities.~~

## Appendix B: Non-Discrimination Statement

The Roanoke Valley-Alleghany Regional Commission (RVARC) gives public notice of its policy to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 (PL 100.259), and all related statutes. RVARC is committed to ensuring that no person in the United States of America shall, on the grounds of race, color, ~~or national origin, disability, sex, or age~~ be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which RVARC receives Federal financial assistance as required by Title VI.

Any person who believes that he or she has, individually, or as a member of any specific class of persons, been excluded from the participation in, been denied the benefits of, or been otherwise subjected to discrimination under any program or activity for which RVARC provides assistance, and believes the discrimination is based upon race, color, ~~or national origin, disability, sex, or age~~ has the right to file a formal complaint.

The RVARC Title VI Manager is responsible for initiating and monitoring Title VI activities, preparing required reports, and other responsibilities as required by Title 23 Code of Federal Regulations (CFR) Part 200, and Title 49 CFR Part 21.

If a complaint addresses a particular service provider, the complaint should be lodged with that provider.

For complainants who may be unable to file a written complaint, verbal information will be accepted by RVARC at 540-343-4417 or in person.

To submit a formal complaint or to request additional information on Title VI obligations, contact Rachel Ruhlen, RVARC Title VI Manager, 313 Luck Avenue, SW, Roanoke, Virginia, 24016; phone 540-343-4417; email [ruhlen@rvarc.org](mailto:ruhlen@rvarc.org).

## Appendix C: Certificates of Assurance

~~The RVARC Executive Director signed a Certificate of Assurance for the Federal Highway Administration on October 24, 2019.~~

~~The RVARC Executive Director signed a Certificate of Assurance for the Federal Highway Administration and the Federal Transit Administration on November 21, 2017.~~

~~The RVTPO Executive Director signed a Certificate of Assurance for the Federal Highway Administration on November 13, 2019.~~

~~Each~~This Certificate of Assurance has Appendices A through E.

## **Appendix D: Notice Under the Americans with Disabilities Act**

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), the Roanoke Valley Alleghany Regional Commission (RVARC) will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

~~Employment: RVARC does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.~~

~~Effective Communication: RVARC will generally, upon request, provide appropriate aids and services leading to effective communication for persons with disabilities so they can participate equally in its programs, services, and activities.~~

~~Modifications to Policies and Procedures: RVARC will make all reasonable modifications to policies and programs for persons with disabilities so they can participate equally in its programs, services, and activities.~~

~~Anyone who requires an auxiliary aid or service for effective communication or a modification of policies or procedures to participate in a program, service, or activity of RVARC should contact Bryan Hill, ADA Coordinator, 313 Luck Avenue, SW, Roanoke, Virginia, 24016; phone 540-343-4417; email bhill@rvarc.org.~~

~~The ADA does not require RVARC to take any action that would fundamentally alter the nature of its programs or services or impose any undue financial or administrative burden.~~

~~Complaints that a program, service, or activity of RVARC is not accessible to persons with disabilities should be directed to Bryan Hill, 313 Luck Avenue SW, Roanoke, Virginia, 24016; phone 540-343-4417; email bhill@rvarc.org.~~

~~RVARC will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy.~~

## Appendix ~~E~~D: Discrimination Complaint Form

The discrimination complaint form is ~~also~~ available below and online (link: [https://www.surveymonkey.com/r/LS5YKB8https://rvarc.org/transportation/title-vi-and-ada-notices/](https://www.surveymonkey.com/r/LS5YKB8https://rvarc.org/transportation/title-vi-and-ada-<u>notices/</u>)). The complaint form can be submitted ~~online~~by email, by mail, or in person at 313 Luck Ave SW, Roanoke VA. The Title VI Manager can assist the person in filing a complaint if needed.