



DATE: October 26, 2016

ISSUE SUMMARY: **TITLE VI PROGRAM & PLAN**

FROM: Tom Worthan, Transportation & Air Quality Committee

IMPORTANCE:

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs or activities receiving federal financial assistance such as those of ARC. Once an agency accepts federal funds, all of its programs and activities are covered, regardless of their funding source. Related statutes and Presidential Executive Orders under the umbrella of Title VI address Environmental Justice (EJ) in minority and low-income populations, and services to those individuals with Limited English Proficiency (LEP), women and the disabled. (ARC adopted a LEP Plan in August 2012, with an update planned for 2017.)

To fund ARC's wide range of annual work activities, ARC currently receives direct funding from federal agencies such as the US Department of Transportation, Federal Transit Administration (FTA); and pass through funding from federal agencies such as USDOT (FTA and Federal Highway Administration); US Department of Health & Human Services, and US Department of Labor. Of these federal agencies, FTA requires that all direct and primary recipients document their compliance with DOT's Title VI regulations by submitting a Title VI Program to their FTA regional civil rights officer once every three years. For all recipients (including subrecipients), the Title VI Program must be approved by the recipient's board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to FTA.

ARC continues to follow and expand upon its current 2013 Title VI Program & Plan that meets the requirements prescribed by Title VI of the Civil Rights Act of 1964, Executive Order 12898, Executive Order 13166 and as may be further enforced by its federal funders. This updated 2016 Title VI Program & Plan demonstrates ARC's commitment to taking meaningful steps to ensure the protection of rights for all persons affected by its programs.

ACTION REQUIRED:

ARC adoption



ATLANTA REGIONAL COMMISSION

**A RESOLUTION ADOPTING THE
ATLANTA REGION COMMISSION'S
2016 TITLE VI PROGRAM & PLAN**

WHEREAS, the Atlanta Regional Commission, pursuant to the Georgia Code Section 50-8-80 et seq., is the agency responsible for comprehensive regional planning, including transportation and land use planning for the ten-county Atlanta Region; and

WHEREAS, the Atlanta Regional Commission is the designated Metropolitan Planning Organization (MPO) for transportation planning in the Atlanta Metropolitan Planning Area which includes all or parts of twenty counties; and

WHEREAS, to fund its many work activities, ARC receives direct or pass-through federal funding from agencies such as the US Department of Transportation (Federal Highway Administration and Federal Transit Administration); the US Department of Health & Human Services (US DHHS); and the US Department of Labor; and

WHEREAS, as a recipient of federal funds, ARC is required to comply with the requirements of Title VI of the Civil Rights Act of 1964 which prohibits discrimination based on race, color and national origin, specifically 42 USC 2000d, which states that:

No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance; and

WHEREAS, ARC must also comply with the additional protections set forth in Presidential Executive Order 12898 (*Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*) and Presidential Executive Order 13166 (*Improving Access To Services For Persons With Limited English Proficiency*); and

WHEREAS, in 2013, ARC did develop and adopt an expanded Title VI Plan & Program as required by the Federal Transit Administration, and in August 2012, ARC did develop and adopt a Limited English Proficiency Plan, and ARC adopted an updated transportation participation plan, the Regional Community Engagement Plan in 2014; and

WHEREAS, the 2016 Title VI Program & Plan has been reviewed and approved through the Atlanta Metropolitan Planning Organization.

Draft for approval by TCC on 10/7; TAQC on 10/13 and ARC on 10/26/16

NOW, THEREFORE, BE IT RESOLVED that the Atlanta Regional Commission certifies compliance with policies, procedures and plans with regard to Title VI of the Civil Rights Act of 1964 (as amended) and additional Assurances as required and hereby adopts its 2016 Title VI Program & Plan; and

BE IT FURTHER RESOLVED that the Atlanta Regional Commission directs staff to begin efforts immediately to implement the provisions of the 2016 Title VI Program & Plan.

I do hereby certify that the foregoing resolution was adopted by the Atlanta Regional Commission on October 26, 2016.

Robin Rutherford, ARC Executive Assistant/Board Secretary