

ATLANTA REGIONAL COMMISSION TITLE VI POLICY STATEMENT

It is the policy of the Atlanta Regional Commission that no person shall on the grounds of race, color, national origin, sex, disability, or age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any operation of the Atlanta Regional Commission as provided by Title VI of the Civil Rights Act of 1964 and related statutes.

This policy applies to all operations of the Atlanta Regional Commission, including its contractors and anyone who acts on behalf of the Atlanta Regional Commission. This policy also applies to the operations of any department or agency to which the Atlanta Regional Commission extends federal financial assistance. Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance.

Prohibited discrimination may be intentional or unintentional. Seemingly neutral acts that have disparate impacts on individuals of a protected group and lack a substantial legitimate justification are a form of prohibited discrimination. Harassment and retaliation are also prohibited forms of discrimination.

Examples of prohibited types of discrimination based on race, color, national origin, sex, disability, or age include: Denial to an individual any service, financial aid, or other benefit; Distinctions in the quality, quantity, or manner in which a benefit is provided; Segregation or separate treatment; Restriction in the enjoyment of any advantages, privileges, or other benefits provided; Discrimination in any activities related to highway and infrastructure or facility built or repaired; and Discrimination in employment.

Title VI compliance is a condition of receipt of federal funds. The Title VI Coordinator is authorized to ensure compliance with this policy, Title VI of the Civil Rights Act of 1964, 42 U.S.C § 2000d and related statutes, and the requirements of 23 Code of Federal Regulation (CFR) pt. 200 and 49 CFR pt. 21.

ATLANTA REGIONAL COMMISSION TITLE VI COMPLAINT PROCESS

I. Purpose

The Atlanta Regional Commission's complaint process covers complaints filed by an individual or group of individuals under Title VI of the Civil Rights Act of 1964, relating to any planning process, program or activity administered by the Atlanta Regional Commission. The process does not deny the right of the complainant to file formal complaints with other state or federal agencies, or to seek private counsel.

II. Definitions

Title VI of the Civil Rights Act of 1964: No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Complaint: Any verbal or written communication received by the Office of the Director from members of the public referencing a general complaint regarding the inequitable distribution of benefits, services, amenities, programs or activities financed in whole or in part with federal funds is perceived as an informal charge. A complaint is further defined as any written complaint by an individual or group seeking to remedy perceived discrimination by policies, practices or decisions, which have an adverse impact resulting in inequitable distribution of benefits, services, amenities, programs or activities financed in whole or in part with federal funds.

III. Responsibility

The Executive Director of the Atlanta Regional Commission is responsible for Title VI and has designated Brittany Zwald, Contracts and Grants Analyst, as the Title VI Officer.

It is the official policy of the Atlanta Regional Commission to minimize potential complaints through the following:

- The Atlanta Region's Plan, 2016;
- The Regional Community Engagement Plan, an updated transportation public participation plan, adopted by the ARC in 2014;
- The Stakeholder Engagement Plan, 2015/2016; and,
- Implementation of procedures and guidelines for ARC's planning and participation processes in accordance with policies, including:
 - Public notice of review and comment period through a legal organ, the ARC website, media advisories and extensive mailing lists;
 - Reasonable opportunity for review and comment inclusive of a 30-day review and comment period;
 - Comment documentation and distribution to policy makers and the general public;
 - Opportunities for citizens to participate through focus groups, listening sessions, task forces and planning teams;
 - A formal ARC committee structure for approvals and recommendations: Transportation Coordinating Committee, Transportation and Air Quality Committee and ARC Board;

- Opportunities for oral and written comment by email, social media, survey responses, fax, phone calls, regular mail, telephone conversation, public hearings or face-to-face conversations; and,
 - A participation evaluation process to assess the effectiveness of public outreach activities.
- Supporting documents for the above may be obtained from ARC's, 404-463-3100.

IV. Intake and Processing

- Any ARC employee may receive a verbal or written communication of a concern and shall direct the complainant to report the concern directly to one of ARC's designated Title VI Officers. Contact information is provided on ARC's website.
- All complaints will be assigned a tracking number upon completion of the complaint form.
- An investigation will occur unless there is omission of facts which could establish intentional unequal treatment or the complainant is not a primary beneficiary of the federal funding received by ARC.
- If a determination is made that the matter is outside the scope of Title VI, notification will be provided complainant in writing within 10 working days of receipt of complaint.
- If the matter is determined to be within the scope of Title VI, the Title VI Officer will notify the complainant and begin an investigation within 10 working days of receipt of the complaint.

V. Investigation, Determination and Recommendation

- The Title VI Officer, in consultation with the affected department, will conduct an investigation inclusive of the following steps: the basis of the alleged unequal treatment; ascertain when and where the alleged unequal treatment occurred; identify and interview all relevant parties, review documents; and obtain other factual information from appropriate sources.
- A record of all discussions will be maintained and documents relating to the investigation retained in a confidential file by Title VI Officials.
- Based upon conclusion of a thorough investigation, a report will be prepared summarizing findings and suggesting appropriate corrective action, along with a proposed resolution.
- The investigation will be conducted and completed within 60 days of the receipt of the formal complaint.
- The investigative report will be submitted to the ARC Executive Director.

VI. Communications of Findings and Complaint Resolution

- The Executive Director of the Atlanta Regional Commission will accept, reject, or modify the investigative report.
- Written notification will be provided to the complainant of the findings and proposed resolution within 30 days.

VII. Appeal

The complainant may appeal to the Executive Committee of the Atlanta Regional Commission.

TITLE VI COMPLAINT FORM

Title VI of the 1964 Civil Rights Act States: "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."

Please provide the following information, necessary in order to process your complaint. Assistance is available upon request

Complainant's Name:

Address:

City: _____ State: _____ Zip Code: _____

Home Telephone No.: _____ Work Telephone No.: _____

E-Mail address _____

Person discriminated against, if not complainant:

Name: _____

Address: _____

City: _____ State: _____ Zip Code _____

Home Telephone No.: _____ Work Telephone No: _____

Explain as briefly and clearly as possible what happened and how you were discriminated against. Indicate who was involved. Be sure to include how other persons, if any, were treated differently than you. You may attach any written materials or other information that you think relevant.

Date of Alleged Incident: _____

Are there any witnesses? Yes No

If so, please provide their contact information:

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone No.: _____

Name: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Telephone No.: _____

Did you file this complaint with another federal, state or local agency; or with a federal or state court?

Yes No

If answer is yes, check each agency complaint was filed with:

State Court

Federal Court

Local Agency

State Agency

Federal Agency

Other

Please provide contact person information for the agency you also filed the complaint with:

Name: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Date Filed: _____

Sign the complaint in the space below. Attach any documents you believe support your complaint.

Complainant's Signature _____ Date _____

Please mail this form to:

Atlanta Regional Commission

Title VI Officer

Office of the Director

Atlanta Regional Commission

229 Peachtree Street, Suite 100

Atlanta, Georgia 30303