



## TITLE VI PROGRAM PLAN

Agency Administrator  
Richard L. Caywood, P. E.

Prepared by: **Kristie B. Jordan, IPMA-SCP**  
Assistant Director of Human Resources  
Department of Human Resources  
5204 Bernard Drive, Suite 300-A  
Roanoke, VA 24018  
Phone: 540-772-2018 | Fax: 540-7767130  
Email: [kjordan@roanokecountyva.gov](mailto:kjordan@roanokecountyva.gov)

**Updated: December 1, 2024**

Upon request, alternative formats of this document will be produced for persons with disabilities or with Limited English proficiency. Please contact Kristie Jordan, Assistant Director of Human Resources, Title VI Coordinator, 540-772-2018 or by email at [kjordan@roanokecountyva.gov](mailto:kjordan@roanokecountyva.gov).

Previa solicitud, se producirán formatos alternativos de este documento para personas con discapacidades o con dominio limitado del inglés. Comuníquese con Kristie Jordan, Directora Asistente de Recursos Humanos, Coordinadora del Título VI, 540-772-2018 o por correo electrónico al [kjordan@roanokecountyva.gov](mailto:kjordan@roanokecountyva.gov).

## Table of Contents

|                                                                            |    |
|----------------------------------------------------------------------------|----|
| I. INTRODUCTION .....                                                      | 2  |
| II. ORGANIZATION AND STAFF RESPONSIBILITIES.....                           | 3  |
| A. Relationship of Civil Rights Unit/Staff to Head of Roanoke County.....  | 3  |
| B. Statement of Responsibility and Authority of Title VI Coordinator ..... | 4  |
| C. Title VI Program Administration.....                                    | 5  |
| D. Organizational Chart .....                                              | 10 |
| III. TITLE VI PROGRAM IMPLEMENTATION.....                                  | 10 |
| A. Program Areas.....                                                      | 10 |
| B. Sub-recipients - Reviews and Monitoring Procedures.....                 | 14 |
| C. Data Collection – Reporting – Analysis.....                             | 14 |
| D. Title VI Training.....                                                  | 15 |
| E. Dissemination of Title VI Information.....                              | 15 |
| F. Limited English Proficiency (LEP).....                                  | 16 |
| G. LEP Implementation Plan.....                                            | 23 |
| IV. DISCRIMINATION COMPLAINT PROCEDURES .....                              | 25 |
| V. REVIEW OF AGENCY DIRECTIVES .....                                       | 31 |
| VI. COMPLIANCE AND ENFORCEMENT PROCEDURES.....                             | 32 |
| VII. AUTHORITIES.....                                                      | 33 |
| VIII. TITLE VI ASSURANCES (STANDARD USDOT 1050.2A).....                    | 34 |
| APPENDIX A .....                                                           | 37 |
| APPENDIX B .....                                                           | 38 |
| APPENDIX C .....                                                           | 39 |
| APPENDIX D .....                                                           | 40 |
| APPENDIX E.....                                                            | 41 |
| APPENDIX F .....                                                           | 42 |
| APPENDIX G .....                                                           | 44 |
| APPENDIX H.....                                                            | 45 |
| APPENDIX I .....                                                           | 46 |
| APPENDIX J.....                                                            | 47 |

## TITLE VI STATEMENT OF COMMITMENT

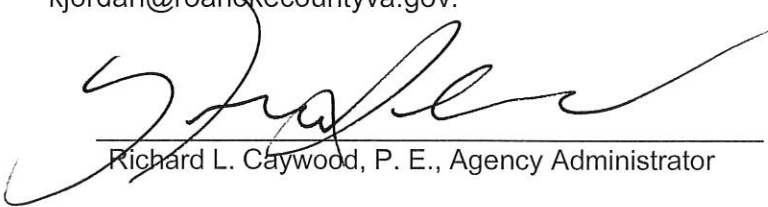
Roanoke County, hereinafter also referred to as the "the County", will effectuate the provisions of Title VI of the Civil Rights Act of 1964, 49 Code of Federal Regulation (CFR) Part 21, 23 CFR Part 200 and other applicable directives. These authorities provide that no person in the United States shall, on the grounds of race, color or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the County receives federal assistance.

Further, as a recipient of federal-aid funding, the County strives to achieve nondiscrimination in all its programs and activities whether or not those programs and activities are federally funded. These efforts to prevent discrimination will address, but not be limited to, a program's impact upon access, benefits, participation, treatment, services, contracting opportunities, training opportunities, investigation of complaints, allocation of funds, prioritization of projects, and the functions of right-of-way, research, planning, design, construction, and project development. Roanoke County will ensure that every coordinator, supervisor, employee, and sub-recipient of federal-aid funds administered by the County is aware of and applies the intent and spirit of Title VI of the Civil Rights Act of 1964 and other nondiscrimination authorities in performing assigned duties.

Every employee and representative of the County shall perform all official duties and actions in full accord with Title VI of the Civil Rights Act of 1964, applicable statutes, executive orders, regulations, and policies enunciated there under.

The Assistant Director of Human Resources has been designated as the County's Title VI Coordinator and is responsible for ensuring that all matters relating to nondiscrimination are administered effectively.

Employees of the County, contractors or applicants with questions, problems or complaints regarding this statement, and the implementation of the stated provisions, should contact Kristie B. Jordan, Assistant Director of Human Resources/Title VI Coordinator, at 5204 Bernard Drive, Suite 300-A, Roanoke VA 24018, 540-772-2018, [kjordan@roanokecountyva.gov](mailto:kjordan@roanokecountyva.gov).



Richard L. Caywood, P. E., Agency Administrator

01-24-2025  
Date



## I. INTRODUCTION

Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides 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." (42 U.S.C. Section 2000d).

The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities of Federal aid recipients, sub-recipients, and contractors even where those programs and activities are not federally funded. Recently, the Federal Transit Administration (FTA) has placed renewed emphasis on Title VI issues, including providing meaningful access to persons with Limited English Proficiency (LEP).

Roanoke County ("the County") receives federal funding from multiple federal agencies; such funding is both direct and indirect through pass-through grants. To provide examples of departments receiving federal funding, the County receives public transportation funding from FTA and the Virginia Department of Rail and Public Transportation (DRPT); the Department of Social Services administers federal funding from the U.S. Department of Agriculture and the Social Security Administration; the Departments of Planning and Development Services receive funding from the Federal Highway Administration (FHWA). There are additional departments within the County that are recipients of federal funding. As a recipient and/or sub-recipient of federal funds, the County has developed policies, programs, and practices that ensure that such funds are used in a manner that is nondiscriminatory as required under Title VI.

This Title VI Plan document ("the Plan") details how the County incorporates nondiscrimination and accessibility policies and procedures into the County's Title VI Plan and its appendices and attachments. In accord with the mandates of 49 CFR 21.7(a), the County will submit annual Certifications and Assurances to the Virginia Department of Transportation (VDOT) and FTA. The County also requires annual training for all Directors and Department heads on anti-discrimination policies, including Title VI, related federal regulations, and the Virginia Values Act. The Plan will be updated periodically as changes in law and circumstances warrant.



### **Civil Rights Related Authorities**

- *Title VI of the Civil Rights Act of 1964*, which prohibits discrimination based on **race, color, or national origin** (including **language**). (42 U.S.C. Section 2000d)
- *Section 504 of the Rehabilitation Act of 1973 & Title II of the Americans with Disabilities Act of 1990*, which prohibits discrimination based on **disability**.
- *Title IX of the Education Amendments Act of 1972*, which prohibits discrimination based on **sex** in education programs or activities.
- *Age Discrimination Act of 1975*, which prohibits discrimination based on **age**.
- *U.S. Department of Homeland Security regulation 6 C.F.R. Part 19*, which prohibits discrimination based on **religion** in social service programs.

### **Additional Authorities:**

- Federal Transit Laws, as amended (49 U.S.C. Chapter 53 et seq.)
- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601, et seq.)
- Department of Justice regulation, 28 CFR part 42, Subpart F, "Coordination of Enforcement of Nondiscrimination in Federally-Assisted Programs" (December 1, 1976, unless otherwise noted)
- U.S. DOT regulation, 49 CFR part 21, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964" (June 18, 1970, unless otherwise noted)
- Joint FTA/Federal Highway Administration (FHWA) regulation, 23 CFR part 771, "Environmental Impact and Related Procedures" (August 28, 1987)
- Joint FTA/FHWA regulation, 23 CFR part 450 and 49 CFR part 613, "Planning Assistance and Standards," (October 28, 1993, unless otherwise noted)
- U.S. DOT Order 5610.2, "U.S. DOT Order on Environmental Justice to Address Environmental Justice in Minority Populations and Low-Income Populations," (April 15, 1997)
- U.S. DOT Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons, (December 14, 2005), and Section 12 of FTA's Master Agreement, FTA MA 13 (October 1, 2006)

***It is against the law for Roanoke County to retaliate against anyone who takes action to oppose discrimination, files a complaint, or participates in the investigation of a complaint in accordance with the above authorities.***

## **II. ORGANIZATION AND STAFF RESPONSIBILITIES**

### **A. Relationship of Civil Rights Unit/Staff to Head of Roanoke County**

**County Administrator** – The County Administrator is authorized to ensure compliance with provisions of the Agency's policy of nondiscrimination and with the law, including the requirements of 23 CFR Part 200 and 49 CFR Part 21. The Agency's grants compliance function and Title VI coordination shall be performed under the authority of the Agency Administrator.

**Title VI Coordinator** – The Assistant Director of Human Resources will perform the duties of the Title VI Coordinator and ensure implementation of the Agency's Title VI Federally Funded Transportation Program. Although the Assistant Director of Human Resources reports to the Director of Human Resources, this position shall have an indirect reporting relationship and access to the Agency Administrator.

## B. Statement of Responsibility and Authority of Title VI Coordinator

As authorized by the County Administrator, the Title VI Coordinator is responsible for initiating, monitoring, and ensuring the County's compliance with Title VI requirements as follows:

### 1) Program Administration

- Administer the Title VI Program and coordinate implementation of the plan.
- Ensure compliance with the assurances, policy, and program objectives.
- Perform Title VI Program reviews to assess administrative procedures, staffing, and resources.
- Provide recommendations as required to the County Administrator.

### 2) Complaints

- Review written Title VI complaints that may be received by Roanoke County following the adopted procedural guidelines.

### 3) Data Collection

- Review the statistical data gathering process periodically to ensure sufficiency of data for meeting the requirements of Title VI program administration.

### 4) Training Programs

- Conduct or facilitate training programs on Title VI issues and regulations for the agency's employees; and facilitate Title VI training for appropriate staff, contractors, and sub-recipients. A log or summary of training conducted shall be kept.

### 5) Title VI Plan Update

- Review and update the Agency's Title VI Implementation Plan as needed or required.
- Present updated plan to the County Administrator for approval.
- Publish/post the Title VI Implementation Plan.



6) Annual Accomplishment Report

- Prepare an annual report of Title VI accomplishments and changes to the program in the preceding Federal fiscal year.
- Identify goals and objectives for the upcoming year as required; and submit to VDOT.

7) Public Dissemination

- Work with County staff to develop and disseminate Title VI program information to employees and sub-recipients, including contractors, subcontractors, consultants, and sub-consultants and beneficiaries, as well as the general public.
- Ensure public service announcements or notices are posted of proposed projects, hearings, meetings, or formation of public advisory boards, in newspapers or other media reaching the affected community.
- Ensure the full utilization of available minority publications or media.
- Ensure written or verbal information in languages other than English is being provided, where appropriate.

8) Elimination of Discrimination

- Work with County program areas to establish procedures for promptly resolving deficiencies, as needed.
- Recommend procedures to identify and eliminate discrimination that may be discovered in any of the Agency's processes.

9) Maintain Legislative and Procedural Information.

- Keep informed about Federal laws, rules, and regulations, FHWA or VDOT guidelines that may affect the current Agency Title VI Plan and administration of the Agency's Title VI Program.
- Ensure information is made available to the public as requested or required.

## C. Title VI Program Administration

The Title VI Coordinator is responsible for substantiating that the following elements of the plan are appropriately implemented and maintained and for coordinating with those departments responsible for public outreach and involvement and service planning and delivery.

1) Data collection

To ensure that Title VI reporting requirements are met, the County will maintain:

- A database of Title VI complaints received. The investigation of and response to each complaint is tracked within the database (see Appendix H).



- A log of the public outreach and involvement activities undertaken to ensure that citizens in a minority and/or low-income status have been provided with meaningful access to these activities.

## 2) Annual Report and Updates

As a sub-recipient of FTA and FHWA funds, the County will submit a Report to DRPT, VDOT, or other agencies as required, that documents Title VI complaints received during the preceding quarter and for each year. The County will also maintain and provide on an annual basis the log of public outreach and involvement activities undertaken to ensure that minority and low-income people have been provided with meaningful access to these activities.

The County will submit updates to any of the following items since the previous submission or a statement to the effect that these items have not been changed since the previous submission, indicating date:

- A copy of any compliance review report for reviews conducted in the last three years, along with the purpose or reason for the review, the name of the organization that performed the review, a summary of findings and recommendations, and a report on the status or disposition of the findings and recommendations
- Limited English Proficiency Plan ("LEP Plan")
- Procedures for tracking and investigating Title VI complaints
- A list of Title VI investigations, complaints, or lawsuits filed with the County since the last submission
- A copy of County notices to the public that it complies with Title VI and instructions on how to file a discrimination complaint

## 3) Annual review of Title VI program

Each year, in preparing for the Annual Report and Updates, the Coordinator will review the County's plan to ensure it is current. In addition, the Coordinator will review operational guidelines and publications, including those for contractors, to verify that Title VI language and provisions are incorporated, as appropriate.

## 4) Dissemination of information related to the Title VI program

Information on the County's Plan will be disseminated to employees, contractors, and beneficiaries, as well as to the public, as described in the "public outreach and involvement" section of this document, and in other languages when needed according to the LEP Plan as well as federal and State laws/regulations.

5) Resolution of complaints

Any individual may exercise their right to file a complaint if that person believes they have been subjected to unequal treatment or discrimination in the receipt of benefits/services or denied access to services in violation of nondiscrimination requirements (**see Appendix G**). The Coordinator will report the complaint to the Virginia Department of Rail and Public Transportation (DRPT), the Virginia Department of Transportation (VDOT) or any other agency as appropriate within three (3) business days, or as soon as possible under given circumstances, and make a concerted effort to resolve complaints locally, using the County's Title VI Complaint Procedures. All Title VI complaints and their resolution will be logged as described herein.

6) Written policies and procedures

The County Title VI policies and procedures are documented in this plan and its appendices and attachments. This plan will be updated periodically to incorporate changes and additional responsibilities that arise. During the annual Title VI Program Review, the Coordinator will determine whether an update is needed.

7) Internal education

County employees will receive training on Title VI policies and procedures as applicable. This training will include obligations identified under Title VI (LEP requirements included) and required data that must be gathered and maintained. In addition, training will be provided when any Title VI-related policies or procedures change (department-wide training) or when appropriate in resolving a complaint. Such training is the responsibility of the Title VI Coordinator and/or designated Title VI Specialists

8) Title VI clauses in contracts

In all transportation procurements requiring a written contract or Purchase Order (PO), the County's contract/purchase order will include appropriate nondiscrimination clauses. The Coordinator will work with the Purchasing staff who is responsible for procurement contracts and PO's to ensure appropriate nondiscrimination clauses are included.

Sample of non-discrimination language from the County's standard contracts is set forth below:

*1) The successful Offeror must comply with the nondiscrimination provisions of Virginia Code Section 2.2-4311, which are incorporated herein by reference.*

*2) During the performance of this Contract, the Consultant agrees as follows:*

*The Consultant will not discriminate against any subcontractor, employee, or applicant for*



*employment because of race, religion, color, sex, national origin, age, disability, or any other basis prohibited by State law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the Consultant. The Consultant agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.*

#### 9) Multidisciplinary Approach of the Plan

The County strives to comply with Title VI of the Civil Rights Act of 1964 in addition to any other regulatory requirements as established by law. To this extent, the County will utilize a collaborative approach within specified County departments that receive federal grants to provide ongoing communication and interaction within the community for programs and activities to ensure nondiscriminatory practices. As recipients of federal grants for various programs and activities, the County has designated Title VI Specialists within applicable departments.

Title VI Specialists shall work with the Title VI Coordinator to ensure compliance of the Plan by contractors, subcontractors, consultants, suppliers and other sub-recipients involved with any projects, programs or activities of the County utilizing federal funds. Title VI Specialists will work with the Coordinator to collect the required demographic data of community participants and beneficiaries of the County's federally funded transportation programs. The Specialists shall be responsible for maintaining this data as it pertains to their specific programs or activities. Annually, the Coordinator is charged with utilizing the data collected by the Specialists to complete Title VI reporting as required.

**Title VI Specialists** – Additionally, the Agency has designated Title VI Specialists in special emphasis program areas. The Specialists shall work in concert with the Title VI Coordinator. These key programs areas are subject to receiving federal assistance through grants or other types of transportation related funding. The Title VI Specialists will work with the Coordinator to ensure their respective departments and programs comply with Title VI regulations and assurances, meet the Title VI Method of Administration as laid out on this Title VI Plan, meet federal and state reporting requirements, and provide adequate training opportunities for applicable staff.

Title VI Specialists will also work with the Coordinator to ascertain Title VI compliance by contractors, subcontractors, consultants, suppliers and other sub-recipients under federally funded projects or programs. Specialists will ensure applicable Title VI provisions and requirements are included in contractual agreements to prime contractors and sub-recipients. Title VI Specialists will work with the Coordinator to obtain statistical data on race, color, national origin, handicap/disability, age and sex of participants in, and beneficiaries of the Agency's federally funded transportation programs. Each of

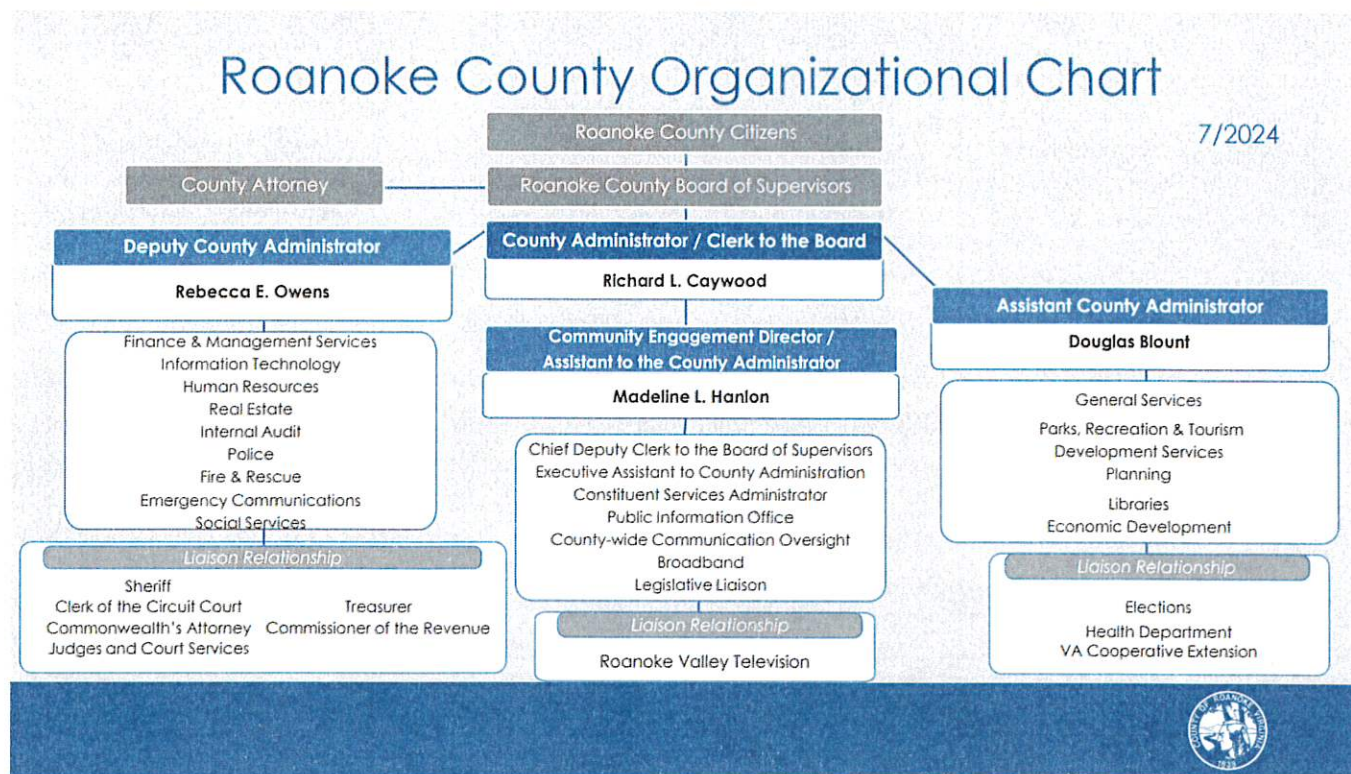
the Specialists will maintain data relative to their respective special emphasis program area, designated below. The Coordinator shall use the data to complete annual Title VI reports and for other administrative needs.

### **TITLE VI SPECIALISTS DESIGNEES**

| <b>Department</b>                          | <b>Position</b>                                   |
|--------------------------------------------|---------------------------------------------------|
| <b>Administration/BOS</b>                  | Executive Assistant to the County Administrator   |
| <b>Clerk of Circuit Court</b>              | Chief Deputy Clerk of Circuit Court               |
| <b>Commissioner</b>                        | Real Estate Clerk II                              |
| <b>Commonwealth Attorney</b>               | Victim Witness Director/Administrative Assistant  |
| <b>Information Technology</b>              | Business Systems Analyst III (Title VI)           |
| <b>Emergency Communications Department</b> | Emergency Communications Manager - Administrative |
| <b>County Attorney</b>                     | Executive Assistant - County Administrator        |
| <b>Development Services</b>                | County Engineer                                   |
| <b>Economic Development</b>                | Economic Development Specialist                   |
| <b>Finance/Budget/Purchasing</b>           | Finance Manager                                   |
| <b>Fire &amp; Rescue</b>                   | Deputy Chief-Administration                       |
| <b>General Services</b>                    | Department Systems Analyst                        |
| <b>Human Resources</b>                     | Assistant Director                                |
| <b>Library</b>                             | Assistant Director                                |
| <b>Parks Recreation &amp; Tourism</b>      | Human Resources Administrative Assistant          |
| <b>Planning</b>                            | CORTRAN Program Coordinator                       |
| <b>Police</b>                              | Assistant Chief of Police                         |
| <b>Public Information Office</b>           | Executive Assistant - County Administrator        |
| <b>RCACP</b>                               | Director of Operations                            |
| <b>Real Estate</b>                         | Appraiser                                         |
| <b>Registrar</b>                           | General Registrar-Director of Elections           |
| <b>RVTV</b>                                | Cable Access Director                             |
| <b>Sheriff</b>                             | Lieutenant Deputy Sheriff                         |
| <b>Social Services</b>                     | Assistant Director of Social Services             |
| <b>Treasurer</b>                           | Deputy Chief Treasurer/Treasurer                  |



## D. Organizational Chart



## III. TITLE VI PROGRAM IMPLEMENTATION

### A. Program Areas

#### 1) Planning

The County has established a Public Participation Plan that will determine how, when, and how often specific public participation activities should take place, and which specific measures are most appropriate.

The Title VI Coordinator will make these determinations based on a demographic analysis of the population(s) affected, the type of plan, program, and/or service under consideration, and the resources available. Efforts to involve minority and LEP populations in public participation activities may include both comprehensive measures, such as placing public notices at all transit stations, stops, and vehicles, as well as targeted measures to address linguistic, institutional, cultural, economic, historical, or other barriers that may prevent minority and LEP persons from effectively participating in our decision-making process.

The County provides numerous federally-funded services to its citizens through various Departments within the organization. This document focuses primarily on the County's projects, programs, aids and services that receive federal funds, directly or indirectly, for transportation, transportation-related projects, or any other projects that impact citizens of the community. As transportation is a significant factor of Title VI, the County provides transportation services through the CORTAN program. CORTAN is a shared-ride transportation service for Roanoke County residents that aims to improve transportation options for adults over the age of 65 and for persons with disabilities. Riders utilize CORTAN for trips to medical providers, places of employment, and grocery stores, among other destinations. CORTAN service may be funded in whole or in part by funding from the FTA and/or DRPT. The County currently contracts with Via, a third-party vendor, to provide this service. Contracts for the CORTAN service are secured through a competitive RFP process. Customers are required to schedule their rides with the service provider in advance. Reservations may be made as early as 14 days in advance. CORTAN program provides curb-to-curb service in wheelchair accessible vehicles. It is anticipated that the County will continue to provide this service through a third-party vendor. Such third-party vendor shall comply with all applicable Title VI requirements.

## 2) Location

- Public involvement

Title 49 CFR Section 21.5(b)(1)(vii) states that a recipient may not, on the grounds of race, color, or national origin, "deny a person the opportunity to participate as a member of a planning, advisory, or similar body which is an integral part of the program."

Roanoke County has non-elected planning boards, advisory councils or committees, or similar committees, with membership of which we select. All of which are not responsible for transit related information, projects or services.

The County will make reasonable efforts to ensure that appointed, non-elected planning boards, advisory councils or committees reflect the demographic makeup of the County population.

As part of ongoing outreach to the community, the County will make best efforts to provide Title VI information available as follows:

- Title VI policy statement included on vital County documents.
- County website utilizes Google translation feature.
- through signs posted in County buildings and facilities.
- through ongoing outreach efforts to community organizations, schools, and religious organizations.



### 3) Design/Project Development

The diverse population is growing faster in Roanoke County and represents approximately 13.2% of the population. These diverse populations are coming to live in the County, based on the growth of the medical fields and biomedical research at the Carilion-Virginia Tech facilities. The County recognizes the need to hire not only bilingual but bicultural employees who are able and willing to serve, interact, and assist citizens.

#### Race and Hispanic Origin

|                                                               |         |
|---------------------------------------------------------------|---------|
| White alone, percent                                          | △ 86.8% |
| Black or African American alone, percent (a)                  | △ 7.0%  |
| American Indian and Alaska Native alone, percent (a)          | △ 0.3%  |
| Asian alone, percent (a)                                      | △ 3.7%  |
| Native Hawaiian and Other Pacific Islander alone, percent (a) | △ Z     |
| Two or More Races, percent                                    | △ 2.1%  |
| Hispanic or Latino, percent (b)                               | △ 3.9%  |
| White alone, not Hispanic or Latino, percent                  | △ 83.6% |

Information provided by [U.S. Census Bureau QuickFacts: Roanoke County, Virginia](#)

Based on the analysis of demographic data and contact with community organizations and LEP persons, the County has determined that the following additional services are ideally needed to provide meaningful access:

- Educate those populations about the County and partnering department services and programs, while assisting those individuals and communities to become more self-sufficient through acquired English language and other necessary skills.
- Build and maintain trust in Roanoke County within these communities, including trust in police, fire/emergency medical services, and other agencies.
- Actively promote and maintain harmonious relationships between the County's culturally and linguistically diverse communities.
- Assist other departments and partners in planning activities and events to outreach all the communities living in the County.
- Make sure that all the information is disseminated among those communities who don't have easy access to County resources using media outlets, local/residential bulletins, County magazines, libraries, businesses, networks, etc.
- Work closely with County departments and partners to provide excellent customer service and let the community know about all the programs, benefits, services, and opportunities the County has for its residents, visitors, and surrounding areas.

- Translate County documents such as fliers, posters, press releases, etc. into other languages as needed and/or requested to outreach as many immigrant communities as possible.

The County recognizes that participating and attending community events and activities are important ways to interact, meet, and build relationships with our diverse populations. To this end, the County shall continue to make every effort to remain a strong presence in all events and activities held within the County.

#### 4) Nondiscrimination Assurance

Roanoke County is committed to full compliance with Title VI of the Civil Rights Act of 1964 and related statutes, regulations, and applicable directives. As a recipient of federal-aid funding, the County strives to achieve equity and access and prohibit discrimination in all its programs, regardless of whether those programs receive federal funding.

In accordance with 49 CFR Section 21.7(a), every application for financial assistance from the Federal Transit Administration (FTA) must be accompanied by an assurance that the applicant will carry out the program in compliance with DOT's Title VI regulations. This requirement is fulfilled when the Virginia Department of Rail and Public Transportation (DRPT) submits its annual certifications and assurances to FTA. DRPT shall collect Title VI assurances from sub-recipients prior to passing through FTA funds. Similar assurances of compliance are required when the County applies for funds from the Federal Highway Administration.

As part of the Certifications and Assurances submitted with funding applications, the County will submit a Statement of Commitment which addresses compliance with Title VI as well as nondiscrimination in hiring (EEO) and contracting (DBE) and nondiscrimination based on disability (ADA).

Every employee and representative of the County shall perform all official duties and actions in full accord with Title VI of the Civil Rights Act of 1964, its applicable statutes, regulations, executive orders, and directives. In signing and submitting this assurance, The County affirms its commitment to nondiscrimination and compliance with federal and state requirements.

The Assistant Director of Human Resources has been designated as the County's Title VI Coordinator. Any person or entity affected by this Plan who has questions or complaints should contact Kristie B. Jordan, Assistant Director of Human Resources, Title VI Coordinator at (540) 772-2018 or via email at [kjordan@roanokecountyva.gov](mailto:kjordan@roanokecountyva.gov).



Roanoke County is committed to ensuring that no person is excluded from participation in, or denied the benefits of, County services based on race, color, or national origin, as protected by Title VI.

5) Education/Training

County employees will receive training on Title VI policies and procedures. This training will include obligations identified under Title VI (LEP requirements included) and required data that must be gathered and maintained. In addition, training will be provided when any Title VI-related policies or procedures change (department-wide training) or when appropriate in resolving a complaint.

**B. Sub-recipients - Reviews and Monitoring Procedures**

Roanoke County will conduct Title VI compliance reviews and monitoring of its sub-recipients of Federal-aid highway or other Federal funds, to ensure adherence to Title VI requirements. The County's staff will periodically review operational guidelines provided to consultants, contractors, and sub-recipients, including Title VI language, provisions, and related requirements, as applicable.

The County will also conduct periodic post grant reviews of select recipients of Federal highway funds or other Federal funds, for roads, sidewalks, bridges, municipal construction, etc. to ensure adherence to Title VI requirements.

When irregularities occur in the administration of Federal-aid highway programs at sub-recipient levels, corrective action will be taken to resolve identified Title VI issues. The County will seek the cooperation of the consultant, contractor or other sub-recipient in correcting deficiencies found during periodic reviews. The County will provide technical assistance and guidance, upon request, to support voluntary compliance by the sub-recipient.

When a sub-recipient fails or refuses to voluntarily comply with requirements, The County will submit to VDOT's, DRPT, or other relative state/federal agency Civil Rights Division and to the County's Title VI Coordinator copies of the case file and a recommendation that the sub-recipient be found in noncompliance.

A follow-up review will be conducted to ascertain if the sub-recipient has complied with the Title VI Program requirements in correcting deficiencies previously identified. If the sub-recipient refuses to comply, Roanoke County, VDOT, DRPT or any other applicable state/federal agency may, with FHWA's concurrence, initiate sanctions per 49 CFR 21.

**C. Data Collection – Reporting – Analysis**

The County shall analyze, collect and report data as required under Title VI reporting requirements. The Coordinator is responsible for ensuring that all data in relation to public outreach and involvement, complaints and responses is maintained. Details

outlining this process may be found in the Language Assistance Plan for Persons with LEP section of this plan document.

#### D. Title VI Training

The County Title VI Coordinator shall be responsible for updating Title VI training materials and employee training. Title VI Specialists shall be responsible for ensuring that Title VI information and training is provided to new consultants, contractors and subcontractors and annually as needed. The County shall retain documentation of such training efforts.

#### E. Dissemination of Title VI Information

##### 1) Community Outreach and Public Education

Information on the County's Plan will be disseminated to employees, contractors, and beneficiaries, as well as to the public, as described in the "public outreach and involvement" section of this document, and in other languages when needed according to the LEP Plan as well as federal and State laws/regulations.

##### 2) Public Participation Plan (PPP)

The Public Participation Plan (PPP) is a guide for ongoing public participation endeavors. Its purpose is to ensure that the County utilizes effective means of providing information and receiving public input on transportation decisions from low income, minority and Limited English Proficiency (LEP) populations, as required by Title VI of the Civil Rights Act of 1964 and its implementing regulations. A summary of outreach efforts is listed below (**see Public Outreach Practices**).

Under federal regulations, transit operators must take reasonable steps to ensure that LEP persons have meaningful access to their programs and activities. This means that public participation opportunities, normally provided in English, should be accessible to persons who have a limited ability to speak, read, write, or understand English.

In addition to language access measures, other major components of the PPP include: public participation design factors; a range of public participation methods to provide information, invite participation, and/or seek input; examples to demonstrate how population-appropriate outreach methods can be and were identified and utilized; and, performance measures and objectives to ensure accountability and a means for improving over time.

The County has established a public participation plan or process that will determine how, when, and how often specific public participation activities should take place, and which specific measures are most appropriate.



The Title VI Specialists will make these determinations based on a demographic analysis of the population(s) affected, the type of plan, program, and/or service under consideration, and the resources available. Efforts to involve minority and LEP populations in public participation activities may include both comprehensive measures, such as placing public notices at all transit stations, stops, and vehicles, as well as targeted measures to address linguistic, institutional, cultural, economic, historical, or other barriers that may prevent minority and LEP persons from effectively participating in our decision-making process.

**Public Outreach Practices:**

- Scheduling meetings at times and locations that are convenient and accessible for minority and LEP communities.
- Employing different meeting sizes and formats.
- Coordinating with community and faith-based organizations, educational institutions, and other organizations to implement public engagement strategies that reach out specifically to members of affected minority and/or LEP communities.
- Considering radio, television, or newspaper ads on stations and in publications that serve LEP populations. Outreach to LEP populations could also include audio programming available on podcasts.
- Providing opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral comments.

Roanoke County is committed to document and analyze the impacts of transportation projects on minority and low-income populations as a normal part of analysis efforts. A key aspect of the analysis is to ensure the involvement of affected communities in the project development process. Roanoke County has developed Guidelines to provide Environmental, Planning, Right of Way, Location and Design, Civil Rights and any other applicable with a consistent framework for developing an effective public involvement strategy. They contain only principles and general procedures, which means that the specific approach must be tailored to the unique circumstances of each project and those communities affected by it. If the procedures do not seem appropriate for a particular project, then the team will develop a more suitable approach.

## F. Limited English Proficiency (LEP)

### 1) Introduction and Legal Basis

LEP is a term that defines any individual not proficient in the use of the English language. The establishment and operation of an LEP program meets objectives set forth in Title VI of the Civil Rights Act and Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (LEP). This Executive Order requires federal agencies receiving financial assistance to address the needs of non-English speaking persons. The Executive Order also establishes compliance

standards to ensure that the programs and activities that are provided by a transportation provider in English are accessible to LEP communities. This includes providing meaningful access to individuals who are limited in their use of English. The following LEP language implementation plan, developed by the Coordinator in consultation with the County Attorney, is based on FTA guidelines.

The County has developed a written LEP Plan (below). Using the most recent American Community Survey (ACS) Census information, found at [www.census.gov](http://www.census.gov), the County has evaluated data to determine the extent of need for translation services of its vital documents and materials.

## 2) Assessment of Needs and Resources

The need and resources for LEP language assistance were determined through a four-factor analysis as recommended by FTA guidance.

### **Factor 1: Assessment of the Number and Proportion of LEP Persons Likely to Be Served or Encountered in the Eligible Service Population**

The County has reviewed census data on the number of individuals in its service area that have limited English Proficiency, as well as the languages they speak.

U.S. Census Data – American Community Survey (2018-2022) (see Table 1: Number of LEP listed below)

Data from the U.S. Census Bureau's American Community Survey (ACS) were obtained through [www.census.gov](http://www.census.gov) by Roanoke County's service area. The agency's service area includes a total of 2,240 or 2.43% persons with Limited English Proficiency (those persons who indicated that they spoke English "less than very well," in the 2018-2022 ACS Census).

Information from the 2018-2022 ACS also provides more detail on the specific languages that are spoken by those who report that they speak English less than very well. Languages spoken at home by those with LEP are presented below. These data indicate the extent to which translations into other languages are needed to meet the needs of LEP persons.



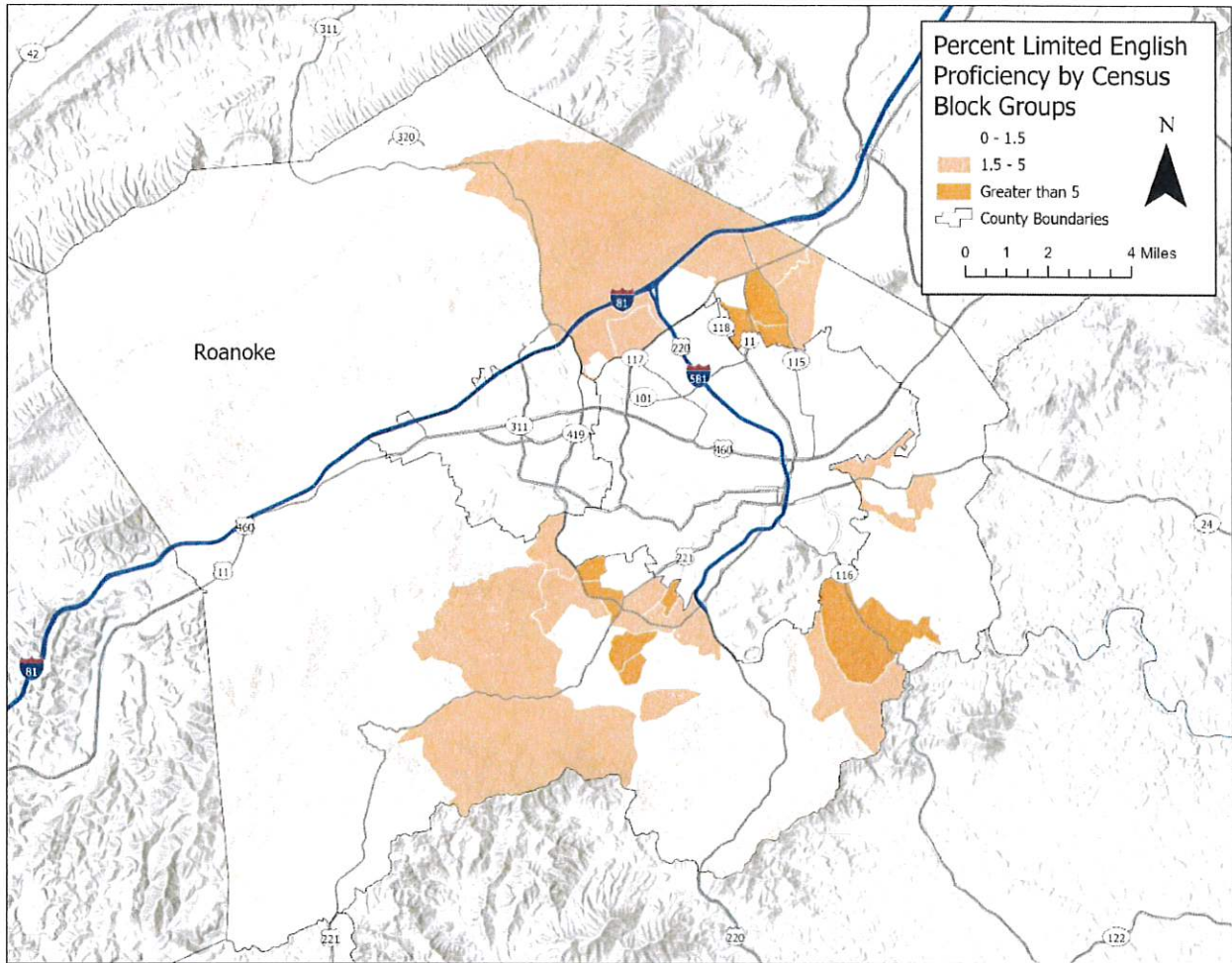
Table 1: Number of LEP

| Roanoke County Service Area                |                          |                                                      |                                             |
|--------------------------------------------|--------------------------|------------------------------------------------------|---------------------------------------------|
| Language                                   | Number of LEP Population | Percent of Service Area Population Speaking Language | Percent of LEP Population Speaking Language |
| Spanish                                    | 827                      | 0.90%                                                | 36.92%                                      |
| French, Haitian, or Cajun                  | 17                       | 0.02%                                                | 0.76%                                       |
| German or other Germanic languages         | 0                        | 0.00%                                                | 0.00%                                       |
| Russian, Polish, or other Slavic languages | 205                      | 0.22%                                                | 9.15%                                       |
| Other Indo-European languages              | 315                      | 0.34%                                                | 14.06%                                      |
| Korean                                     | 33                       | 0.04%                                                | 1.47%                                       |
| Chinese (incl. Mandarin, Cantonese)        | 229                      | 0.25%                                                | 10.22%                                      |
| Vietnamese                                 | 196                      | 0.21%                                                | 8.75%                                       |
| Tagalog                                    | 13                       | 0.01%                                                | 0.58%                                       |
| Other Asian and Pacific Island languages   | 334                      | 0.36%                                                | 14.91%                                      |
| Arabic                                     | 57                       | 0.06%                                                | 2.54%                                       |
| Other and unspecified languages            | 14                       | 0.02%                                                | 0.63%                                       |
| Total LEP Population                       | 2,240                    | 2.43%                                                |                                             |
| Total Service Area Population              | 92,250                   |                                                      |                                             |

It is noted that there are relatively low number of LEP persons in the service area - no language is spoken by over 5% or a total of 1,000 persons in the LEP population. Figure 1 shows the percentage of LEP by Census Block Group. There is a large percentage of LEP in northeastern and southeastern Roanoke County.



**Figure 1: Percentage of LEP by Census Block Group**



**Factor 2: Assessment of Frequency with Which LEP Individuals Come into Contact with the Transit Services or County Planning or Development Services Staff**

The County reviewed the relevant benefits, services, and information provided by the department and determined the extent to which LEP persons have encountered these functions through the following channels:

- Contact with transit service provider;
- Calls to the Coordinator's line;
- Visits to the County offices.

CORTAN currently has 167 enrolled riders (July 1, 2023 to June 30 2024 enrolled riders to utilize CORTAN services). Of these enrolled riders, 2 have self-identified as Hispanic individuals, and 13 have self-identified as African American and 138 have self-identified as Caucasian. The remaining enrolled riders did not self-identify. Of those, we have had no requests to date for the CORTAN application or other information to be provided in another language or in braille, which is made available



upon request. A Spanish version of the application is available and posted on the County's Planning Department webpage.

The County will continue to identify emerging populations as updated Census data becomes available for our service area. In addition, when LEP persons contact our department, we attempt to identify their language and keep records on contacts to accurately assess the frequency of contact. To assist in language identification, we use an I Speak language identification guide. This guide may be found in Appendix J.

### **Factor 3: Assessment of the Nature and Importance of Services to the LEP Population**

The County provides the following programs, activities and services: The County has contracted with Cyracom Interpretation and Translation Solutions to provide translation services to members of the public when requested or needed. The Department of Social Services (DSS) also utilizes the services of Volatia, a private company, for translation services for DSS programs. During the period between January 1, 2023, to August 31, 2024, the County used Cyracom language translation services, at a cost of \$874.00. In addition, the DSS also provided Volatia language translation services, at a cost of \$16,963.83. The primary language translation requests are listed in the charts below from each vendor.

### **CYRACOM DATA**

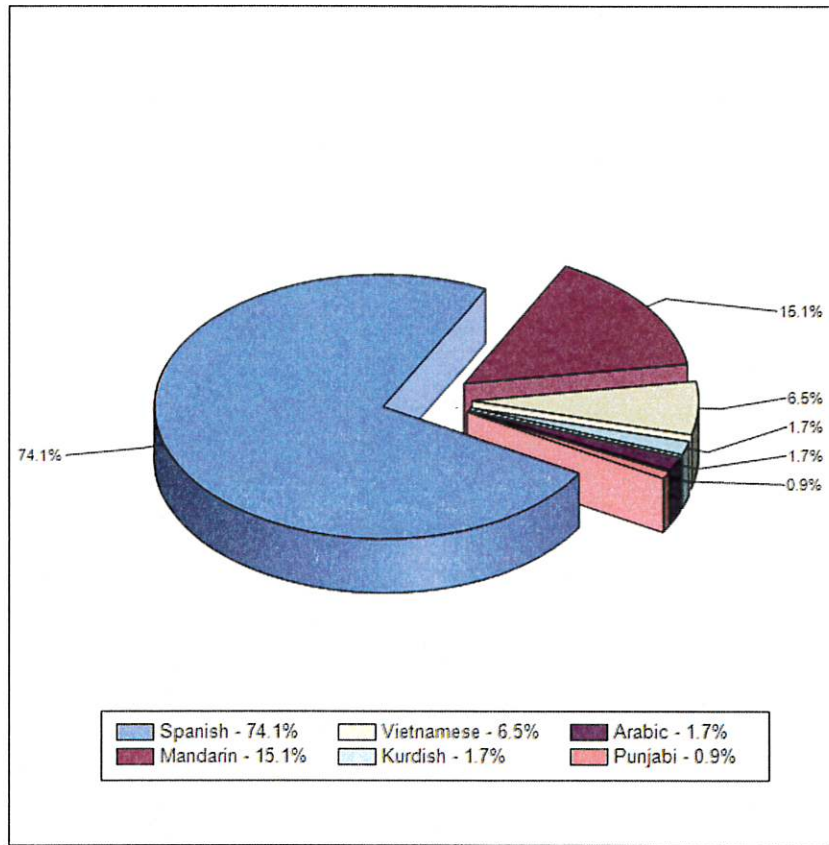
#### **PIN Usage**

RUN TIME: 10/21/2024 11:24:43 AM  
 RUN BY: Kristie Jordan  
 START DATE: 1/1/2023  
 END DATE: 8/31/2024  
 TIME ZONE: Eastern Time -5:00 GMT  
 ACCOUNT(S): 501033499



| Account Number: 501033499  |                               | Description: County of Roanoke |                  |
|----------------------------|-------------------------------|--------------------------------|------------------|
| PIN                        | Pin Description               | Billable Calls                 | Billable Minutes |
| 2400                       | HR-HUMAN RESOURCES            | 1                              | 16               |
| 2800                       | REV-COMMISSIONER OF REVENUE   | 12                             | 166              |
| 2900                       | COMATT-COMMONWEALTH ATTORNEY  | 6                              | 180              |
| 3100                       | SHR-SHERIFF                   | 3                              | 53               |
| 3200                       | TREAS-TREASURER               | 17                             | 183              |
| 3300                       | CIRCT-CLERK OF CIRCUIT COURT  | 23                             | 195              |
| 4800                       | FR-FIRE AND RESCUE            | 3                              | 58               |
| 5200                       | LIB-LIBRARY                   | 2                              | 42               |
| 5100                       | Main Pin                      | 8                              | 87               |
| 5500                       | RCACP-REG CTR FOR ANIMAL CONT | 1                              | 4                |
| Account (501033499) Totals |                               | 76                             | 984              |
| Report Total               |                               | 76                             | 984              |

PERCENT OF MINUTES BY LANGUAGE  
Top 20 Languages



## VOLATIA DATA

2023 Volatia Language Data

Select Calendar Year:

2023

Select Calendar Month:

All

| Language       | Work Orders | Recipients | Facilities | Total Hours | Total Charge |
|----------------|-------------|------------|------------|-------------|--------------|
| Arabic         | 23          | 6          | 1          | 6           | \$406.25     |
| Dari           | 23          | 13         | 1          | 9           | \$695.00     |
| Farsi          | 2           | 2          | 1          | 0           | \$55.00      |
| Gujarati       | 20          | 1          | 1          | 8           | \$607.50     |
| Haitian Creole | 11          | 0          | 1          | 4           | \$317.50     |
| Kirundi        | 2           | 2          | 1          | 0           | \$31.25      |
| Mandarin       | 2           | 1          | 1          | 1           | \$78.75      |
| Punjabi        | 3           | 1          | 1          | 1           | \$116.25     |
| Russian        | 2           | 2          | 1          | 0           | \$37.50      |
| Spanish        | 420         | 273        | 2          | 81          | \$6,340.08   |
| Ukrainian      | 2           | 2          | 1          | 0           | \$51.25      |
| Vietnamese     | 14          | 5          | 1          | 4           | \$356.25     |
| Totals:        | 524         | 314        |            | 114         | \$9,172.58   |



## **VOLATIA DATA** (continued)

January 1 - August 31, 2024

| Language Service | Work Orders | Recipients | Total Hours (+/-) | Total Charge |
|------------------|-------------|------------|-------------------|--------------|
| Arabic           | 49          | 42         | 8                 | \$1,033.75   |
| Bosnian          | 2           | 2          | 0                 | \$36.25      |
| Dari             | 23          | 22         | 3                 | \$516.25     |
| Farsi            | 3           | 3          | 0                 | \$33.75      |
| Gujarati         | 2           | 1          | 0                 | \$20.00      |
| Haitian Creole   | 15          | 14         | 3                 | \$251.25     |
| Hindi            | 1           | 1          | 0                 | \$18.75      |
| Korean           | 3           | 3          | 0                 | \$27.50      |
| Kurdish          | 1           | 1          | 0                 | \$21.25      |
| Mongolian        | 2           | 2          | 0                 | \$41.25      |
| Nepali           | 7           | 4          | 0                 | \$41.25      |
| Patois           | 1           | 1          | 0                 | \$16.25      |
| Russian          | 1           | 1          | 0                 | \$65.00      |
| Spanish          | 345         | 296        | 68                | \$5,363.75   |
| Swahili          | 3           | 3          | 1                 | \$100.00     |
| Ukrainian        | 1           | 1          | 0                 | \$66.25      |
| Urdu             | 1           | 1          | 0                 | \$7.50       |
| Vietnamese       | 11          | 7          | 1                 | \$131.25     |
| Totals           | 471         | 405        | 84                | \$7,791.25   |

### **Factor 4: Assessment of the Resources Available**

The following language assistance measures are currently being provided by Roanoke County (the Coordinator and County departments):

- Multilingual technology – there is a translation link from Google prominently displayed on [www.roanokecountyva.gov](http://www.roanokecountyva.gov)
- Mailings to all CORTAN riders and community members affected by zoning and planning changes.
- Cyracom – Translation Services
- Volatia – Translations Services

The County recognizes the following departments and community-based organizations as resources:

- Roanoke Refugee Partnership
- Roanoke Spanish
- Roanoke County Department of Social Services
- Virginia Department of Social Services
- Council of Community Services

Resources obtained from these departments and organizations may include but are not limited to:

- Nature and importance of programs, services, and activities to LEP Persons.
- Ensuring that current language assistance practices are meeting the needs of LEP persons.
- Training and language assistance protocols for staff are effective.
- Contact with LEP language groups remain constant and practicable.
- Changes in the availability of resources to include technological and financial resources.

## G. LEP Implementation Plan

Through the four-factor analysis, the County has determined that the following types of language assistance are most needed and feasible:

- Translation of vital documents into Spanish. These documents include:
  - System Map and Ride Guide
  - All printed materials on brochure, eligibility application package, and Riders Guide
- Attempt to hire bilingual staff with competency in other languages.
- Language Line Translation Services for telephone contacts.
- In-person translation
- Google translate feature on Roanoke County webpage

### 1) Staff Access to Language Assistance Services

County staff who meet LEP persons can access language services by offering the individual a language identification guide, having a supply of translated documents on hand, or transferring a call to bilingual staff. All staff will be provided with information on the available language assistance services and additional information and referral resources to include the list of bilingual employees, their phone numbers and email addresses. This list will be updated at least annually.

### 2) Responding to LEP Callers

Staff who answer calls from the public, respond to LEP customers as follows: Reach out to the appropriate bilingual staff or translator services to assist with interpretation.

### 3) Responding to Written Communications from LEP Persons

The following procedures are followed when responding to written communications from LEP persons: Reach out to the appropriate bilingual staff or translator applications or services for translation.



4) Responding to LEP Individuals in Person

The following procedures are followed when an LEP person visits our customer service and administrative office: Contact appropriate bilingual staff or translator services to provide interpretation services.

5) Staff Training

As noted previously, County staff are provided with a list of available language assistance staff and their contact information. This information is updated annually, if necessary.

New hires of impacted departments receive training on assisting LEP persons as part of their diversity and customer service training. All E-team members received training from local employment law attorneys on the Virginia Values Act in October 2020.

Also, all staff who routinely work with customers, as well as their supervisors and all management staff, receive annual refresher training on policies and procedures related to assisting LEP persons.

6) Providing Notice to LEP Persons

LEP persons are notified of the availability of language assistance through the following approaches:

- following our Title VI policy statement included on vital County documents.
- County website utilizes Google translation feature.
- through signs posted in County buildings and facilities.
- through ongoing outreach efforts to community organizations, schools, and religious organizations.

LEP persons will also be included in all community outreach efforts related to CORTAN service and fare changes.

7) Monitoring/Updating the Plan

This plan will be updated on a periodic basis (at least every three years), based on feedback, updated demographic data, and changes in applicable law.

As part of ongoing outreach to community organizations, the County will solicit feedback on the effectiveness of language assistance provided, unmet needs, and any other challenges or barriers citizens may face when trying to access County services. These efforts will include: conducting surveys, focus groups,

community meetings, internal meetings with staff who assist LEP persons, review of updated Census data, and formal studies.

Among other steps to update of this plan, the County will conduct an internal assessment using the Language Assistance Monitoring Checklist provided in the FTA's "Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons: A Handbook for Public Transportation Providers."

Based on the feedback received from community members and department employees, the County will make changes as warranted and feasible to the resources provided as well as to their staff training and community outreach programs. The cost of proposed changes and the available resources will affect the enhancements that can be made, and therefore the County will attempt to identify the most cost-effective approaches.

## IV. DISCRIMINATION COMPLAINT PROCEDURES

### A. Requirement to Provide a Title VI Public Notice

Title 49 CFR Section 21.9(d) requires recipients of federal funding to provide information to the public regarding the recipient's obligations under DOT's Title VI regulations and to apprise citizens of the protections against discrimination afforded to them by Title VI. At a minimum, the County shall disseminate this information to the public by posting a Title VI notice on the County's website homepage and in public areas of County buildings, including conspicuous office spaces, meeting rooms, in federally funded vehicles, etc. An example of the County's Notice is attached hereto as Appendix A.

### B. Title VI Complaint Procedures

Any individual may exercise his or her right to file a complaint with the Coordinator if that person believes they have been subjected to unequal treatment or discrimination in the receipt of benefits or services. Complaints may be filed with the County, VDOT, DRPT, FHWA Office of Civil Rights, or FTA office of Civil Rights. If the Complaint is filed with the County, the Coordinator will report the complaint to DRPT, VDOT or other applicable agency within the required time frame; thereafter, DRPT or VDOT will forward the complaint to the appropriate federal agency. The County will not investigate complaints filed against it; the County will follow guidance and directives from applicable state and federal agencies. All Title VI complaints and their resolution will be logged and reported to DRPT, VDOT or other agencies as required. The County's Title VI Complaint Form is attached hereto as Appendix C.

The County includes the following language on all printed information materials, the County's website, in press releases, in public notices, in published documents, and on documents provided to customers of CORTAN and to members of the public:



*Roanoke County is committed to ensuring that no person is excluded from participation in or denied the benefits of its transit services based on race, color or national origin, as protected by Title VI of the Civil Rights Act of 1964.*

*For additional information on the County's nondiscrimination policies and procedures, or to file a complaint, please visit our website at [www.roanokecountyva.gov](http://www.roanokecountyva.gov), or contact:*

**Name: Kristie B. Jordan**  
**Title: Assistant Director/Title VI Coordinator**  
**Agency Name: Roanoke County, Department of Human Resources**  
**Address: 5204 Bernard Drive, Suite 300-A**  
**City, State Zip code: Roanoke, VA 24018**  
**Telephone Number: 540-772-2018**  
**Email address: [kjordan@roanokecountyva.gov](mailto:kjordan@roanokecountyva.gov)**

*Instructions for filing Title VI complaints are posted on the County's website and are also included in all information disseminated to riders of the CORTAN program, contractors, and members of the public as needed.*

1) Procedures for Filing a Title VI Complaint<sup>1</sup>

- a. Any individual, group, or entity that believes they have been subjected to discrimination based on race, color, or national origin may file a written complaint with the Title VI Coordinator. The complaint is to be filed in the following manner:
  - i. A formal complaint must be filed within 180 calendar days of the alleged occurrence.
  - ii. The complaint shall be in writing and signed by the complainant(s).
  - iii. The complaint should include:
    - the complainant's name, address, and contact information (i.e., telephone number, email address, etc.)
    - the date(s) of the alleged act of discrimination (if multiple days, include the date when the complainant(s) became aware of the alleged discrimination and the date on which the alleged discrimination was discontinued or the latest instance)
    - a description of the alleged act of discrimination
    - the location(s) of the alleged act of discrimination

---

<sup>1</sup> A copy of the County's Complaint Form is attached hereto as Appendix G.

- explanation of why the complainant believes the act to have been discriminatory based on race, color, or national origin
  - if known, the names and/or job titles of those individuals involved in the incident
  - names and contact information for any witnesses
  - indication of any related complaint activity (i.e., was the complaint also submitted to DRPT or FTA?)
- iv. The complaint shall be submitted to Kristie B. Jordan, Roanoke County's Assistant Director of Human Resources, Title VI Coordinator, 5204 Bernard Drive, Suite 300-A, Roanoke VA 24018, (540) 772-2018 or via email at [kjordan@roanokecountyva.gov](mailto:kjordan@roanokecountyva.gov).
  - v. Complaints received by any other County employee will be promptly forwarded to the Coordinator.
  - vi. In the case where a complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to the Coordinator. Under these circumstances, the complainant will be interviewed, and the Coordinator will record or memorialize the interview.
- b. Upon receipt of a complaint, the Coordinator will promptly:
    - i. notify DRPT, VDOT or other appropriate state or federal agency;
    - ii. notify the County Administrator;
    - iii. ensure that the complaint is entered in the complaint database.

## 2) How Are Complaints Routed?

FHWA Division Offices do not investigate Title VI complaints. Likewise, State DOTs and its sub-recipients do not investigate complaints filed against themselves. Finally, FHWA is responsible for all decisions regarding whether a complaint should be accepted, dismissed, or referred to another agency.

With this understanding, complaints should be routed in the following ways:

- a. All 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 the County (a sub-recipient of Federal financial assistance).
- b. Complaints should 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 the County, the County will forward the complaint to VDOT or the DRPT, which will forward the complaint to the VDOT's FHWA Division Office, which will forward the complaint to HCR. If a complaint is filed with VDOT, DRPT, or any other



relative state/federal agency, they will forward the complaint to the VDOT's FHWA Division Office, which should forward the complaint to HCR.

- c. VDOT, DRPT, or any other relative state/federal agency and County will log all complaints received.
- d. When HCR decides on whether to accept, dismiss, or transfer the complaint, HCR will notify the Complainant, the FHWA Division Office, VDOT, and the County.

- e. Complaints may also be sent to HCR or the CRCL directly at:

**Federal Highway Administration**

**U.S. Department of Transportation Office of Civil Rights**

1200 New Jersey Avenue, SE

8th Floor E81-105

Washington, DC 20590

Email: [CivilRights.FHWA@dot.gov](mailto:CivilRights.FHWA@dot.gov)

Fax (202) 366-1599

Questions? (202) 366-0693

**U.S. Department of Homeland Security Office for Civil Rights and Civil Liberties (CRCL)**

U.S. Department of Homeland Security

Office for Civil Rights and Civil Liberties

Compliance Branch, Mail Stop #0190

2707 Martin Luther King, Jr. Ave., SE

Washington, D.C. 20528

E-mail: [CRCLCompliance@hq.dhs.gov](mailto:CRCLCompliance@hq.dhs.gov) (fastest method)

Fax: (202) 401-4708

3) What are the potential outcomes for processing a complaint?

There are four (4) potential outcomes for processing complaints:

- a. **Accept:** if a complaint is timely filed, contains sufficient information to support a claim under Title VI, and concerns matters under FHWA's jurisdiction, then HCR will send to the complainant, the respondent agency, and the FHWA Division Office a written notice that it has accepted the complaint for investigation.
- b. **Preliminary review:** if it is unclear whether the complaint allegations are sufficient to support a claim under Title VI, then HCR may (1) dismiss it or (2) engage in a preliminary review to acquire additional information from

the complainant and/or respondent before deciding whether to accept, dismiss, or refer the complaint.

- c. **Procedural Dismissal:** if a complaint is not timely filed, is not in writing and signed, or features other procedural/practical defects, then HCR will send the complainant, respondent, and FHWA Division Office a written notice that it is dismissing the complaint.
- d. **Referral/Dismissal:** if the complaint is procedurally sufficient but FHWA (1) lacks jurisdiction over the subject matter or (2) lacks jurisdiction over the respondent entity, then HCR will either dismiss the complaint or refer it to another agency that does have jurisdiction. If HCR dismisses the complaint, it will send the complainant, respondent, and FHWA Division Office a copy of the written dismissal notice. For referrals, FHWA will send a written referral notice with a copy of the complaint to the proper Federal agency and a copy to the USDOT Departmental Office of Civil Rights.

The HCR is responsible for conducting all investigations of State DOTs and other primary Recipients. In the case of a complaint filed against a sub-recipient, HCR may either conduct the investigation itself, or it may delegate the investigation to VDOT. If HCR chooses to delegate the investigation of a sub-recipient, HCR will communicate its acceptance of the complaint to the complainant and respondent, but VDOT will conduct all data requests, interviews, and analysis.

VDOT will then create a Report of Investigation (ROI), which it will send to HCR. Finally, HCR will review the ROI and compose a Letter of Finding based on the ROI.

4) Where can one file?

Complaints related to the Federal-aid highway program may be filed with VDOT, FHWA Division Office, the FHWA Headquarters Office of Civil Rights (HCR), the USDOT Departmental Office of Civil Rights, or the USDOJ.

5) When must one file?

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.

6) What should a complaint look like?

Complaints should be in writing and signed and may be filed by mail, fax, in person, or e-mail. However, the complainant may call the receiving agency and provide the allegations by telephone, and the agency should transcribe the allegations of the complaint as provided over the telephone and send a written



complaint to the complainant for correction and signature. A complaint should contain the following information:

- A written explanation of the alleged discriminatory actions;
- The complainant's contact information, including, if available: full name, postal address, phone number, and email address;
- The basis of the complaint (e.g., race, color, national origin);
- The names of specific persons and respondents (e.g., agencies/organizations) alleged to have discriminated;
- Sufficient information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity that receives Federal financial assistance; and
- The date(s) of the alleged discriminatory act(s) and whether the alleged discrimination is on-going.

7) What are the timeframes for investigation?

For FHWA, there is no regulatory timeframe for completing investigations. However, FHWA strives to complete all tasks within 180 days from the date of acceptance.

If VDOT is delegated an investigation from FHWA, VDOT must complete the investigation within 60 days of receipt (meaning the date it receives the delegated complaint from FHWA) as stipulated in 23 CFR §200.9(b)(3)

8) How does the Investigating Agency gather information?

There are no regulatory requirements for how information is gathered, but VDOT and Roanoke County are required to keep detailed records on how they comply with Title VI and to provide USDOT with access to documents and persons with relevant information. 49 CFR §21.9. Typically, the respondent will receive at least one Request for Information and Position Statement (RFI) to gather documents, and additional requests if necessary. Concurrently, the HCR or VDOT investigator will schedule interviews with relevant parties and conduct site visits as necessary.

9) Once FHWA starts an investigation, what are the potential outcomes?

First, at any time during the investigation, either FHWA or the respondent may initiate informal negotiations to resolve the issues. The FHWA always strives to resolve Title VI complaints informally, if possible.

In the absence of such negotiations, HCR (or an investigator for VDOT) will draft a Report of Investigation, which should contain all relevant data and findings, with legal conclusions and potentially include recommendations for action. FHWA is responsible for the final disposition of all complaints, including initiation and conduct of informal negotiations and the issuance of Letters of Finding (LOFs).

There are five potential outcomes for concluding an investigation:

- i. The FHWA makes a finding of no violation and the case will be closed with no further action. The FHWA will issue an LOF stating in sufficient detail the reasons for the determination of no violation.

- ii. If, by a preponderance of the evidence, FHWA determines the respondent has failed to comply with its Title VI requirements or threatens to fail to comply by action or inaction, then FHWA will inform the respondent and the matter will be resolved by informal means whenever possible.
  - o If FHWA informally resolves the matter with the respondent by agreement, then FHWA will hold the complaint in abeyance until the respondent completes its corrective actions. If the corrective actions are completed to the FHWA's satisfaction, then the complaint will be dismissed with no further action.
  - o If FHWA cannot informally resolve the matter or the respondent does not complete agreed upon corrective actions, then FHWA may issue a LOF stating that the Recipient is in noncompliance with its Title VI obligations.
- iii. If FHWA issues a LOF of noncompliance to the respondent, the LOF will request that the respondent provide to FHWA, within 90 days, an action plan that implements the recommendations in the LOF.
- iv. If FHWA approves the action plan, then the respondent will be given a reasonable amount of time to implement the plan. At the end of the implementation period, FHWA will assess whether the respondent has sufficiently corrected the deficiencies.
- v. If FHWA does not approve the action plan, or the respondent is nonresponsive/uncooperative, then FHWA may seek administrative sanctions, including, but not limited to, suspension or termination of Federal funds or any other means authorized by law such as referral to USDOJ for enforcement.
  - o If USDOT seeks to suspend or terminate funds, it must provide the respondent with an opportunity for a hearing on the record. If the Secretary of Transportation determines that the respondent has not complied with Title VI and voluntary compliance cannot be secured, USDOT must notify Congress before that finding goes into effect. 49 CFR

## V. REVIEW OF AGENCY DIRECTIVES

The Title VI Staff employs the following process to review the County's directives, policies and practices:

- The Title VI Coordinator works collaboratively with designated Title VI Specialists to create, revise and implement policies as warranted. The Title VI Staff work to ensure the County directives remain in accord with Title VI of the Civil Rights Act of 1964 and other federal nondiscrimination mandates.
- The Title VI Staff is included in the review process when County directives are drafted and policies implemented. This process affords the Title VI Staff an opportunity to review for any possible Title VI issues.
- The Title VI Specialists review all environmental documents, public meeting and hearing transcripts to ensure the Coordinator is aware of any potential Title VI issues.



- The Coordinator serves on decision-making committees as a Civil Rights Advisor to ensure the County directives are in accordance with the federal and state nondiscrimination laws, rules, and regulations; and,
- The Title VI Staff works cooperatively with FHWA Division Civil Rights staff to implement federal nondiscrimination directives.

## VI. COMPLIANCE AND ENFORCEMENT PROCEDURES

### **Remedial Action**

The goal for Title VI and regulatory enforcement is to achieve voluntary compliance. If deficiencies are found during a Title VI review, the Compliance Review Report will include a draft corrective action plan (CAP) with projected due dates. The program area staff/Title VI Liaison or the Subrecipient will be able to propose remedial actions to correct the deficiencies. Program areas and Subrecipients are expected to correct all deficiencies according to their CAP and provide periodic updates to the Title VI Coordinator/Specialist assigned to the review. The Title VI Coordinator/Specialist will provide technical assistance, as needed, and work with the (program area's) Title VI Liaison or Subrecipient's Title VI Coordinator to ensure implementation of the CAP. When the Title VI Coordinator/Specialist has determined that a sub-recipient's deficiencies are sufficiently corrected, the program area Title VI Liaison or the Subrecipient will be notified that the review process is complete and no further progress reporting is needed. The Subrecipient will receive an official Closeout Letter signed by the County's Title VI Coordinator.

### **Affecting Compliance**

When an internal program area refuses to cooperate or comply with Title VI, the Title VI Specialist will elevate the matter to the Coordinator, after which, the matter may be referred to the State DOT Civil Rights Coordinator or responsible USDOT Operating Administration (OA).

When a Subrecipient fails to take appropriate corrective action in response to the findings of deficiencies in the compliance report, the Subrecipient moves from a "deficiency status" to noncompliance; Roanoke County will submit two copies of the case file to the State DOT or FHWA with a recommendation that the sub-recipient be found in noncompliance; and/or, may, with the concurrence of the State DOT or FHWA (or other USDOT OA), initiate proceedings to impose sanctions for noncompliance.

### **Sanctions**

In the event that a Subrecipient or contractor ("recipient") fails or refuses to comply with Title VI, the first step taken by the internal program area with oversight of the recipient will be Roanoke County's attempt to resolve the issue using the program area's normal administrative solutions. However, Roanoke County may take any or all of the following steps, with the concurrence of VDOT or USDOT (i.e., FHWA), if the recipient is uncooperative or nonresponsive during attempts by Roanoke County to voluntarily resolve the compliance issue:

- a. Cancel, terminate, or suspend the contract or agreement in whole or in part;

- b. Refrain from extending any further assistance to the recipient under the program with respect to which the failure or refusal occurred until satisfactory assurance of future compliance has been received from the recipient;
- c. Take such other action that may be deemed appropriate under the circumstances, until compliance or remedial action has been accomplished by the recipient; and/or,
- d. Refer the case to the appropriate federal agency for appropriate administrative or legal proceedings. Other means authorized by law.

## VII. AUTHORITIES

This section is a reference source of the applicable authorities related to Title VI of the Civil Rights Act of 1964 as amended.

**Title VI of the 1964 Civil Rights Act (42 USC 2000d et seq)** requires 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.”

**The Civil Rights Restoration Act of 1987, P.L. 100-209** further clarified the intent of Title VI to include all programs and activities of entities whether those programs and activities are federally funded or not.

**49 CFR Part 21**, the U.S. Department of Transportation’s Implementing Regulations of Title VI of the Civil Rights Act of 1964.

**23 Code of Federal Regulations (CFR) Part 200**, the Federal Highway Administration’s Title VI Program Implementation and Review Procedures.

**USDOT Order 1050.2A**

**Section 162(a) of the Federal-Aid Highway Act of 1973** (Section 324, Title 23 U.S.C.) prohibits discrimination based on sex (gender).

**Executive Order 12898** (issued February 11, 1994) addresses disproportionate adverse environmental, social, and economic impacts that may exist in communities, specifically minority and low-income populations.

**Executive Order 13166** (issued August 16, 2000) addresses access to services for persons whose primary language is not English and who have limited ability to read, write, speak or understand English.



## VIII. TITLE VI ASSURANCES (STANDARD DOT TITLE VI ASSURANCES -USDOT 1050.2A)

### TITLE VI/NONDISCRIMINATION ASSURANCES

DOT Order No.1050.2A

*Roanoke County*, (herein referred to as the "Recipient"), HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through the *Federal Highway Administration*, is subject to and will comply with the following:

#### Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled *Nondiscrimination In Federally-Assisted Programs Of The Department Of Transportation – Effectuation Of Title VI Of The Civil Rights Act Of 1964*);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

#### General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

*"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity," for which the Recipient receives Federal financial assistance from DOT, including the Federal Highway Administration.*

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Nondiscrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

#### Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its federally assisted Highway Program:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

2. The Recipient will insert the following notification in all solicitations for bids, Requests for Proposals for work, or material subject to the Acts and the Regulations made in connection with all Federal-Aid Highway Program and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

*" Roanoke County, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."*

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
  - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
  - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the 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, or 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 provision of similar services or benefits; or
  - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to



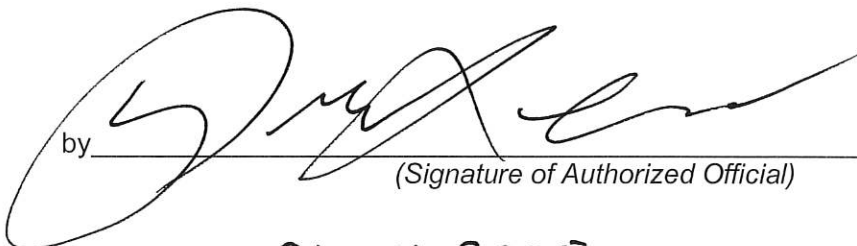
give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.

10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, *Roanoke County* also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the *USDOT* access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the *USDOT*. You must keep records, reports, and submit the material for review upon request to *USDOT*, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

*Roanoke County* gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the *Federal-Aid Highway Program*. This ASSURANCE is binding on the *Commonwealth of Virginia*, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors, transferees, successors in interest, and any other participants in the *Federal-Aid Highway Program*. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

\_\_\_\_\_  
Roanoke County

by  \_\_\_\_\_  
(Signature of Authorized Official)

DATED 01-24-2025

## APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, the Federal Highway Administration, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Nondiscrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Federal Highway Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the Federal Highway Administration, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
  - a. withholding payments to the contractor under the contract until the contractor complies; and/or
  - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.



## APPENDIX B

### CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that *Roanoke County* will accept title to the lands and maintain the project constructed thereon in accordance with the Virginia General Assembly, the Regulations for the Administration of the Federal-Aid Highway Program and the policies and procedures prescribed by the *Federal Highway Administration* of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto *Roanoke County* 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 *Roanoke County* 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 *Roanoke County*, its successors and assigns.

*Roanoke County* in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]\* (2) that *Roanoke County* will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended[, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].\*

(\*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

## 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 *Roanoke County* pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:
  - 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Nondiscrimination covenants, *Roanoke County* will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.\*
- C. With respect to a deed, in the event of breach of any of the above Nondiscrimination covenants, *Roanoke County* 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 *Roanoke County* and its assigns.\*

(\*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)



## 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 *Roanoke County* pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Nondiscrimination covenants, *Roanoke County* will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.\*
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, *Roanoke County* will there upon revert to and vest in and become the absolute property of *Roanoke County* and its assigns.\*

(\*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

## APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following nondiscrimination statutes and authorities; including but not limited to:

### **Pertinent Nondiscrimination Authorities:**

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, And resulting agency guidance, national origin discrimination includes discrimination because of Limited English Proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 *et seq.*).



## APPENDIX F



### POLICY AND NOTICE OF NONDISCRIMINATION

Roanoke County complies with Federal civil rights laws and is committed to providing its programs and services without discrimination in accordance with:

- *Title VI of the Civil Rights Act of 1964*, which prohibits discrimination based on **race, color, or national origin** (including **language**).
- *Section 504 of the Rehabilitation Act of 1973 & Title II of the Americans with Disabilities Act of 1990*, which prohibits discrimination based on **disability**.
- *Title IX of the Education Amendments Act of 1972*, which prohibits discrimination based on **sex** in education programs or activities.
- *Age Discrimination Act of 1975*, which prohibits discrimination based on **age**.
- *U.S. Department of Homeland Security regulation 6 C.F.R. Part 19*, which prohibits discrimination based on **religion** in social service programs.

**It is against the law for Roanoke County to retaliate against anyone who takes action to oppose discrimination, files a complaint, or participates in the investigation of a complaint in accordance with the above authorities.**

#### To File a Complaint

If you think that Roanoke County has failed to provide these services or discriminated in another way based on race, color, national origin (including language), disability, sex, age, religion, or other protected characteristic, you can file a complaint in person or by mail, fax or email with the Department of Human Resources:

**Attn: Kristie B. Jordan,**  
**Assistant Director/Civil Rights Coordinator**  
**5204 Bernard Drive, Suite 300-A**  
**Roanoke, VA 24018**  
**Phone: 540-772-2018**  
**Email: [kjordan@roanokecountyva.gov](mailto:kjordan@roanokecountyva.gov)**

You can also file a civil rights complaint with the U.S. Department of Homeland Security Office for Civil Rights and Civil Liberties (CRCL):

**E-mail: [CRCLCompliance@hq.dhs.gov](mailto:CRCLCompliance@hq.dhs.gov)**

*(email is fastest method to submit your complaint)*

**Fax: 202-401-4708**

**U.S. Mail: U.S. Department of Homeland Security**

Office for Civil Rights and Civil Liberties  
Compliance Branch, Mail Stop #0190  
2707 Martin Luther King, Jr. Ave., SE  
Washington, D.C. 20528

For additional information: [www.dhs.gov/crci](http://www.dhs.gov/crci) Phone: 202-401-1474 Toll-Free: 1-866-644-8360

## **Information and Services for Persons with Disabilities and Persons with Limited English Proficiency**

### **Roanoke County**

- Provides free aids and services, such as qualified sign language interpreters and written information in other formats (large print, audio, accessible electronic formats, etc.), to communicate effectively with persons with disabilities.
- Provides free language services, such as qualified foreign language interpreters and information written in other languages, to ensure meaningful access to programs and activities for persons with limited English proficiency.

### **If you need these services, please contact:**

***Attn: Kristie B. Jordan,***  
***Assistant Director/Civil Rights Coordinator***  
***5204 Bernard Drive, Suite 300-A***  
***Roanoke, VA 24018***  
***Phone: 540-772-2018***  
***Email: [kjordan@roanokecountyva.gov](mailto:kjordan@roanokecountyva.gov)***

This Public Notice is located in every Roanoke County building in which the public has access and in a location easily viewable to the public. These locations are:

|                                                            |
|------------------------------------------------------------|
| <b>Roanoke County Administration Center</b>                |
| <b>Clerk of Circuit Court</b>                              |
| <b>Commonwealth Attorney's</b>                             |
| <b>Roanoke County Public Safety Building</b>               |
| <b>Fire &amp; Rescue – Multiple Locations</b>              |
| <b>General Services</b>                                    |
| <b>Library – Multiple Locations</b>                        |
| <b>Parks Recreation &amp; Tourism – Multiple Locations</b> |
| <b>RCACP</b>                                               |
| <b>Registrar</b>                                           |
| <b>RVTV</b>                                                |
| <b>Sheriff Office – Multiple Locations</b>                 |
| <b>Social Services</b>                                     |



## APPENDIX G



### TITLE VI DISCRIMINATION COMPLAINT FORM

**Instructions:** Please fill out this form completely in blue or black ink or type. Sign and submit to the Title VI Coordinator, Human Resources Department, 5204 Bernard Dr., Roanoke, VA 24018. For assistance please call (540) 777-2018

**THIS FORM IS OPTIONAL AND IS PROVIDED FOR YOUR CONVENIENCE.**

Complainant Name: \_\_\_\_\_

Address: \_\_\_\_\_ E-mail: \_\_\_\_\_

Home Telephone: \_\_\_\_\_ Work: \_\_\_\_\_ Cell: \_\_\_\_\_

If an authorized representative is filing this complaint on behalf of another person, his/her personal information must also be included:

Representative Name: \_\_\_\_\_

Address: \_\_\_\_\_ E-mail: \_\_\_\_\_

Home Telephone: \_\_\_\_\_ Work: \_\_\_\_\_ Cell: \_\_\_\_\_

Please tell us why you believe the discrimination occurred: Race, Color, National Origin, Other (Specify):

\_\_\_\_\_

Date of Incident: \_\_\_\_\_ Time of Incident: \_\_\_\_\_

Location or Address of Incident: \_\_\_\_\_

Describe your complaint: \_\_\_\_\_

\_\_\_\_\_

What type of corrective action would you like to see be taken? \_\_\_\_\_

\_\_\_\_\_

If the incident involved a Roanoke County employee, please list his/her name: \_\_\_\_\_

Names and contact information of witnesses: \_\_\_\_\_

\_\_\_\_\_

If your complaint is being filed on behalf of another person or group of people, all complaints must be identified by name: \_\_\_\_\_

Complainant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Authorized Representative Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## APPENDIX H

| Civil Rights List of Investigations, Complaints, or Lawsuits |                      |                                                                                                                         |        |                 |
|--------------------------------------------------------------|----------------------|-------------------------------------------------------------------------------------------------------------------------|--------|-----------------|
|                                                              | Date<br>(MM/DD/YYYY) | Summary (include<br>basis of<br>complaint: race,<br>color, or national<br>origin, age,<br>disability,<br>religion, sex) | Status | Action(s) Taken |
| <b>Investigations</b>                                        |                      |                                                                                                                         |        |                 |
|                                                              |                      |                                                                                                                         |        |                 |
|                                                              |                      |                                                                                                                         |        |                 |
|                                                              |                      |                                                                                                                         |        |                 |
| <b>Lawsuits</b>                                              |                      |                                                                                                                         |        |                 |
|                                                              |                      |                                                                                                                         |        |                 |
|                                                              |                      |                                                                                                                         |        |                 |
|                                                              |                      |                                                                                                                         |        |                 |
| <b>Complaints</b>                                            |                      |                                                                                                                         |        |                 |
|                                                              |                      |                                                                                                                         |        |                 |
|                                                              |                      |                                                                                                                         |        |                 |
|                                                              |                      |                                                                                                                         |        |                 |



# APPENDIX I

## Summary of Outreach Efforts

### DEMOGRAPHIC SURVEY

Pursuant to Title VI of the Civil Rights Act of 1964 and related nondiscrimination authorities, Roanoke County collects responses to the questions below in order to evaluate access to public meetings for ALL persons in the community. Disclosure of the information is strictly voluntary and anonymous.

1. Please check the block for the racial group and the ethnicity with which you identify:

☐ White

- |                                  |                                  |
|----------------------------------|----------------------------------|
| <input type="checkbox"/> German  | <input type="checkbox"/> Irish   |
| <input type="checkbox"/> English | <input type="checkbox"/> Italian |
| <input type="checkbox"/> Polish  | <input type="checkbox"/> French  |

Other - Please indicate below:

☐ Black / African American

- |                                           |                                   |
|-------------------------------------------|-----------------------------------|
| <input type="checkbox"/> African American | <input type="checkbox"/> Jamaican |
| <input type="checkbox"/> Haitian          | <input type="checkbox"/> Nigerian |
| <input type="checkbox"/> Ethiopian        | <input type="checkbox"/> Somali   |

Other - Please indicate below:

☐ Hispanic / Latino or Spanish

- |                                                      |                                     |
|------------------------------------------------------|-------------------------------------|
| <input type="checkbox"/> Mexican or Mexican American |                                     |
| <input type="checkbox"/> Puerto Rican                | <input type="checkbox"/> Cuban      |
| <input type="checkbox"/> Dominican                   | <input type="checkbox"/> Salvadoran |

Other - Please indicate below:

☐ Middle Eastern or North African

- |                                   |                                   |
|-----------------------------------|-----------------------------------|
| <input type="checkbox"/> Lebanese | <input type="checkbox"/> Iranian  |
| <input type="checkbox"/> Egyptian | <input type="checkbox"/> Syrian   |
| <input type="checkbox"/> Moroccan | <input type="checkbox"/> Algerian |

Other - Please indicate below:

☐ American Indian / Alaskan Native

☐ Asian

- |                                       |                                     |
|---------------------------------------|-------------------------------------|
| <input type="checkbox"/> Chinese      | <input type="checkbox"/> Filipino   |
| <input type="checkbox"/> Asian Indian | <input type="checkbox"/> Vietnamese |
| <input type="checkbox"/> Korean       | <input type="checkbox"/> Japanese   |

Other - Please indicate below:

☐ Native Hawaiian or other Pacific Islander

- |                                          |                                      |
|------------------------------------------|--------------------------------------|
| <input type="checkbox"/> Native Hawaiian | <input type="checkbox"/> Samoan      |
| <input type="checkbox"/> Fijian          | <input type="checkbox"/> Chamorro    |
| <input type="checkbox"/> Tongan          | <input type="checkbox"/> Marshallese |

Other - Please indicate below:

☐ Some other Race or Ethnicity: \_\_\_\_\_

2. Please indicate your age group:

- |                                   |                                |
|-----------------------------------|--------------------------------|
| <input type="checkbox"/> Under 18 | <input type="checkbox"/> 18-25 |
| <input type="checkbox"/> 26-39    | <input type="checkbox"/> 40-65 |
| <input type="checkbox"/> Over 65  |                                |

3. Do you speak a language other than English?

- |                                  |                                |
|----------------------------------|--------------------------------|
| <input type="checkbox"/> Spanish | <input type="checkbox"/> Other |
|----------------------------------|--------------------------------|

If other, please specify:

4. Were special accommodations requested to access the meeting facility?

- |                              |                             |
|------------------------------|-----------------------------|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|------------------------------|-----------------------------|

If yes, were the accommodations provided?

- |                              |                             |
|------------------------------|-----------------------------|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|------------------------------|-----------------------------|

5. Were special accommodations such as language translation, sign language, Braille or large print documents, etc. requested for participation in this public meeting?

- |                              |                             |
|------------------------------|-----------------------------|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|------------------------------|-----------------------------|

If yes, were the accommodations provided?

- |                              |                             |
|------------------------------|-----------------------------|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|------------------------------|-----------------------------|

6. Please indicate how you found out about this public meeting:

- |                                     |                                                |
|-------------------------------------|------------------------------------------------|
| <input type="checkbox"/> Mailing    | <input type="checkbox"/> Newspaper             |
| <input type="checkbox"/> Flyer      | <input type="checkbox"/> Internet/Social Media |
| <input type="checkbox"/> Television | <input type="checkbox"/> Other                 |

If other, please specify:

If you have any questions or need assistance, please contact the Roanoke County Department of Planning at: (540) 772-2065 or [planning@roanokecountyva.gov](mailto:planning@roanokecountyva.gov)



FOR OFFICE USE ONLY

Project Name: \_\_\_\_\_

Project Location: \_\_\_\_\_

Type of Meeting: \_\_\_\_\_

Date of Meeting: \_\_\_\_\_

# APPENDIX J

## I Speak Card

### I SPEAK...



|                                            |                                                         |                                    |                                       |
|--------------------------------------------|---------------------------------------------------------|------------------------------------|---------------------------------------|
| ARABIC<br>أتكلم العربية                    | FRENCH<br>Je parle le français                          | LAOTIAN<br>ຂ້ອຍເວົ້າພາສາລາວ        | SPANISH<br>Yo hablo español           |
| ARMENIAN<br>հայերեն եմ հայտնի:             | FRENCH CREOLE (HAITIAN CREOLE)<br>M pale kreyòl ayisyen | LITHUANIAN<br>Aš kalbu lietuviškai | SWAHILI<br>Nazungumza kiswahili       |
| BENGALI<br>আমি বাংলায় কথা বলি             | GERMAN<br>Ich spreche Deutsch                           | MANDARIN (CHINESE)<br>我说普通话        | SWEDISH<br>Jag pratar svenska         |
| BOSNIAN<br>Ja govorim bosanski             | GREEK<br>Μιλώ ελληνικά                                  | NORWEGIAN<br>Jeg snakker norsk     | TAGALOG<br>Marunong akong mag-Tagalog |
| BULGARIAN<br>Аз говоря български           | GUJARATI<br>હું ગુજરાતી બોલું છું                       | POLISH<br>Mówię po polsku          | THAI<br>ฉันพูดภาษาไทย                 |
| BURMESE<br>ကျွန်တော် မြန်မာစကား ပြောတတ်သည် | HEBREW<br>אני מדברת עברית                               | PORTUGUESE<br>Eu falo português    | TURKISH<br>Ben Türkçe konuşuyorum     |
| CAMBODIAN<br>ខ្ញុំ គឺ ជា ខ្មែរ             | HINDI<br>मैं नहीं बोलता हूँ                             | PUNJABI<br>ਮੈਂ ਪੰਜਾਬੀ ਬੋਲਦਾ ਹਾਂ    | UKRAINIAN<br>Я розмовляю українською  |
| CANTONESE<br>我会讲粤语 (中文)                    | HMONG<br>Kuv has lus Moob                               | ROMANIAN<br>Vorbesc romaneste      | URDU<br>میں اردو بولتا ہوں۔           |
| CROATIAN<br>Govorim hrvatski               | HUNGARIAN<br>Beszélek magyarul                          | RUSSIAN<br>Я говорю на русском     | VIETNAMESE<br>Tôi nói tiếng Việt      |
| CZECH<br>Mluvím česky                      | ITALIAN<br>Parlo italiano                               | SERBIAN<br>Ja говорим српски       | YORUBA<br>Yoruba ni mo n so           |
| DUTCH<br>Ik spreek Nederlands              | JAPANESE<br>私は日本語を話します                                  | AMERICAN SIGN LANGUAGE<br>         |                                       |
| FARSI (PERSIAN)<br>من فارسی صحبت می کنم    | KOREAN<br>나는 한국말을 한다                                    | SLOVAK<br>Hovorím po slovensky     |                                       |