

Title VI Plan

Atlanta Regional Commission

Effective December 1, 2022

ARC

TABLE OF CONTENTS

Section	Page Number
Purpose	3
Policy Statement	4
1. Title VI and FTA/FHWA Objectives	5
2. FTA/FHWA General Requirements and Guidance	6
A. Annual Certifications and Assurances	6
B. Staff Responsibility	6
C. Public Notice	7
D. Complaint Procedures	8
E. Complaints	16
F. Board Composition	16
G. Additional Information	17
H. Prepare Title VI Program	17
3. Limited English Proficiency	18
A. Providing Meaningful Access	18
B. Four-Factor Analysis	18
C. Language Assistance Plan	21
4. Public Participation	25
A. Identification	25
B. Engagement	26
C. Accessibility	28
D. Reporting	29
5. Program Specific Requirements and Guidelines for State and Administrative Agencies	31
A. Analytic Basis for Compliance	33
B. Program Administration	34

C. Subrecipient Assistance	38
D. Prepare and Submit Title VI Program	41
6. Program Specific Requirements and Guidelines for Metropolitan Planning Organizations	42
7. Program Specific Requirements and Guidelines for Local Workforce Development Boards	50
8. Program Specific Requirements and Guidelines for Area Agencies on Aging	57
Attachment 1.1: Title VI Complaints	60
Attachment 1.2: Limited English Proficiency Plan	61
Attachment 1.3: Regional Community Engagement Plans	62
Attachment 1.4: 5303 Reports	63
Attachment 1.5: Environmental Justice Analysis Methodology	68
Attachment 1.6: Board Resolution	69

Purpose

As a recipient of federal funds from the U.S. Department of Transportation and other federal agencies and in accordance with the requirements of Title VI of the Civil Rights Act of 1964, ARC has developed this ARC Title VI Plan. ARC is committed to acting with the highest level of integrity and responsibility to ensure that all activities conducted by ARC, regardless of the source of funding, are without discriminatory intent, purpose, action, or result. This program is applicable to all federal funds received by ARC. This document references USDOT, FTA, and FHWA as the required approvers of this program, but is not exclusive of all federal funding sources for ARC.

Non-Discrimination Policy Statement

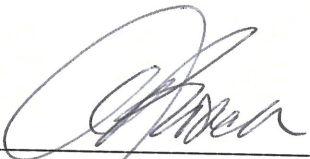
It is the policy of the Atlanta Regional Commission that no person shall on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any operation of the Atlanta Regional Commission as provided by Title VI of the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

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

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

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

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



Executive Director

9/28/2022
Date

1. Title VI and FTA/FHWA Objectives

Title VI states: 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 subjected to discrimination under any program or activity receiving Federal Financial assistance.¹ Under Title VI, FTA/FHWA have the following objectives:

- A. Ensure that the level and quality of transportation service is provided without regard to race, color, or national origin;
- B. Identify and address, as appropriate, disproportionately high, and adverse human health, and environmental effects, including social and economic effects of programs and activities on minority populations and low-income populations;
- C. Promote the full and fair participation of all affected populations in transportation decision making;
- D. Prevent the denial, reduction, or delay in benefits related to programs and activities that benefit minority populations or low-income populations;
- E. Ensure meaningful access to programs and activities by persons with limited English proficiency.²

¹ 42 U.S.C § 2000d, et seq

² Chapter II, Page II-1

2. FTA/FHWA General Requirements and Guidance

A. Provide annual Title VI certifications and assurances

The Atlanta Regional Commission (ARC) has submitted its FY 2022 Certifications and Assurances as required via TrAMS and will continue to update certifications annually.

B. Staff Responsibility for Title VI and Title VI Training

The Executive Director of the Atlanta Regional Commission is ultimately responsible for assuring full compliance with the provisions of Title VI of the Civil Rights Act of 1964 and related statutes and has directed that non-discrimination is required of all agency employees, contractors, and agents pursuant to 23 CFR Part 200 and 49 CFR Part 21. The Executive Director has designated the following Title VI Coordinator to have direct access to the Executive Director:

Ms. Brittany Zwald
Title VI Coordinator
General Counsel
Atlanta Regional Commission
229 Peachtree Street, NE, Suite 100
Atlanta, GA 30303
Phone: 470.378.1494
bzwald@atlantaregional.org

The Title VI Coordinator is responsible for:

- Submitting a Title VI plan and any reports on ARC's behalf;
- Developing procedures for the prompt processing and disposition of complaints;
- Investigating complaints, compiling a complaint log, and reporting to GDOT.
- Developing procedures for the collection and analysis of statistical data.
- Developing a program to conduct Title VI reviews of program areas;
- Conducting annual Title VI assessments of pertinent program areas;

- Developing Title VI information for dissemination;
- Establishing procedures for resolving deficiency status and reducing to writing the remedial action agreed to be necessary.

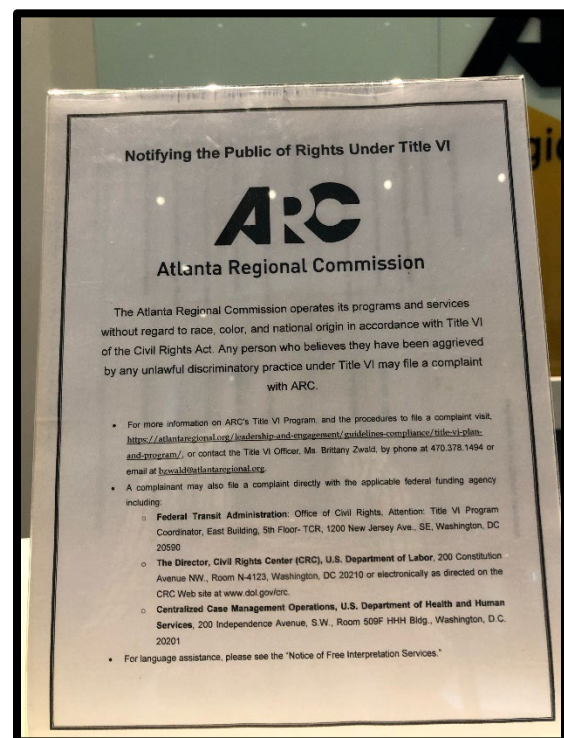
ARC is committed to devoting time during agency-wide staff meetings (each year) to remind staff of Title VI requirements and the appropriate steps to follow in responding to complaints and providing training, as necessary.

Departments may appoint a point of contact to coordinate with the Title VI Coordinator. Current designated points of contacts are:

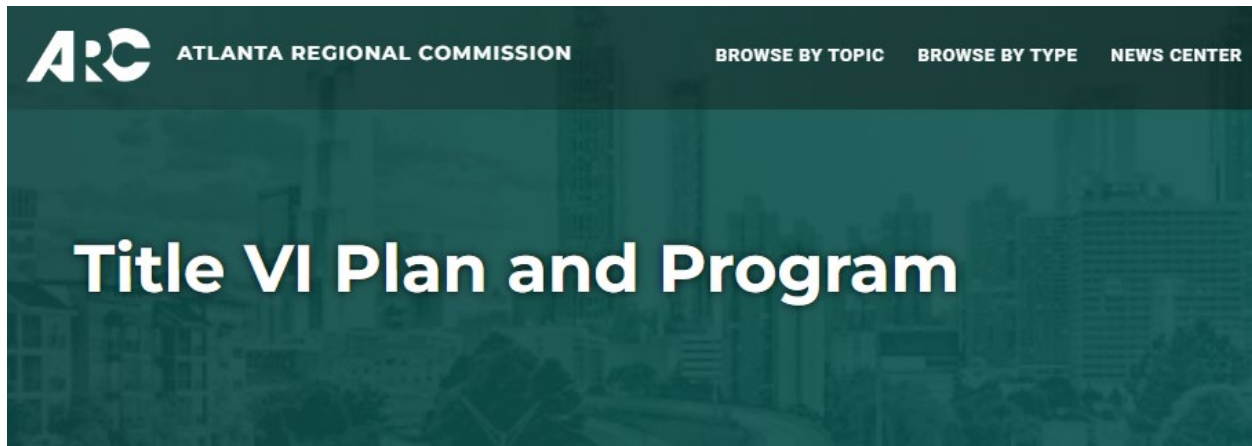
- Transportation: Elizabeth Sanford, Transportation, Access, and Mobility
- Workforce Solutions Group: Phyllis Jackson, WIOA Equal Opportunity Officer
- Aging and Independence Services: Shelly Wender, M.Ed., CRS-A/D, CRS-DC, Language Access Coordinator

C. Notify beneficiaries of their rights under Title VI

ARC has a notice to the public posted at the reception desk on the lobby level of the 229 Tower at Peachtree Center. This is the reception for the ARC offices at 229 Peachtree Street, NE, Suite 100, Atlanta, GA 30303. This reception desk is the only unsecured, publicly accessible space at the ARC office. In addition, a notice of the Title VI Coordinator, complaint process, and responsibilities is available on employee bulletin boards on the 15th, 16th, and 17th floors of the building which are secured spaces.



In addition to physical posting, ARC posts its Title VI Statement on its website and in its written materials that ARC operates without regard to race, color, or national origin. See [Title VI Plan and Program](#).



POSTED IN: [ABOUT ARC](#) [LEADERSHIP & ENGAGEMENT](#) [PLANS & REPORTS](#)

The Atlanta Regional Commission (ARC), as a federal grant recipient, conforms to Title VI of the Civil Rights Act of 1964 and its amendments.

Title VI of the Civil Rights Act of 1964 requires 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 subjected to discrimination under any program or activity receiving Federal financial assistance. Presidential Executive Order 12898 addresses environmental justice in minority and low-income populations. Presidential Executive Order 13166 addresses services to those individuals with limited English proficiency.

ARC is committed to enforcing the provisions of Title VI and to taking positive and realistic affirmative steps to ensure the protection of rights and opportunities for all persons affected by its programs.

ARC makes this statement available to its sub-recipients, given that they may adopt ARC's notice. Neither ARC, nor any ARC sub-recipients, provide fixed route services.

D. Develop Title VI complaint procedures

ARC has developed Title VI Complaint Procedures which are provided below.

Atlanta Regional Commission Title VI Complaint Process

I. Purpose

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

II. Definitions

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

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

Benefit: Federal benefits, also known as federal aid, federal assistance, or federal funds, is defined as any federal program, project, service, or activity provided by the federal government that directly assists domestic governments, organizations, or individuals in the areas of education, health, public safety, public welfare, and public works, among others.

Federal financial assistance includes:

- (1) Grants and loans of Federal funds;
- (2) The grant or donation of Federal property and interests in property;

- (3) The detail of Federal personnel;
- (4) The sale and lease of, and the permission to use (on other than a casual or transient basis), Federal property or any interest in such property without consideration or at a nominal consideration, or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient; and
- (5) Any Federal agreement, arrangement, or other contract which has as one of its purposes the provision of assistance.

III. Responsibility

The Executive Director of the Atlanta Regional Commission is responsible for Title VI and has designated Brittany Zwald, General Counsel as the Title VI Coordinator.

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

- The Atlanta Region's Plan;
- The Regional Transportation Community Engagement Plan, an updated transportation public participation plan, adopted by the ARC in 2019.
- The Stakeholder Engagement Plan, 2020; and,
- Policy for Citizen Input: Public Comment at ARC's Regularly Scheduled Board and Policy Committee Meetings;
- Implementation of procedures and guidelines for ARC's planning and participation processes in accordance with policies, including:
 - Public notice of review and comment period through a legal organ, the ARC website, media advisories and extensive mailing lists;
 - Reasonable opportunity for review and comment inclusive of established public comment periods;

- Comment documentation and distribution to policy makers and the general public;
- Opportunities for citizens to participate through focus groups, community-led workshops, listening sessions, task forces and advisory groups;
- A formal ARC committee structure for approvals and recommendations: Transportation Coordinating Committee, Transportation and Air Quality Committee and ARC Board;
- Opportunities for oral and written comment by email, social media, survey responses, fax, phone calls, regular mail, telephone conversation, public hearings, or face-to-face conversations; and,
- A participation evaluation process to assess the effectiveness of public outreach activities.

IV. Filing

- Complaints may be filed with the ARC Title VI Officer via the contact information on the form.
- Complainant may also file a complaint directly with the applicable funding agencies listed below:
 - Federal Transit Administration: Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor- TCR, 1200 New Jersey Ave., SE, Washington, DC 20590
 - The Director, Civil Rights Center (CRC), U.S. Department of Labor, 200 Constitution Avenue NW., Room N-4123, Washington, DC 20210 or electronically as directed on the CRC Web site at www.dol.gov/crc.
 - Centralized Case Management Operations, U.S. Department of Health and Human Services, 200 Independence Avenue, S.W., Room 509F HHH Bldg., Washington, D.C. 20201

V. Intake and Processing

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

VI. Investigation, Determination and Recommendation

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

VII. Communications of Findings and Complaint Resolution

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

VIII. Appeal

The complainant may appeal to the Board Chair of the Atlanta Regional Commission.

TITLE VI COMPLAINT FORM

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

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

Complainant's Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

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

E-Mail address _____

Person discriminated against, if not complainant:

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

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

E-Mail address _____

Title VI Basis: Race: _____ Color: _____ National Origin: _____

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

Date of Alleged Incident: _____ Are there any witnesses? Yes___ No___

If so, please provide their contact information (attach others as necessary):

WITNESS: _____

Address: _____

City: _____ State: _____ Zip Code: _____

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

E-Mail address _____

WITNESS: _____

Address: _____

City: _____ State: _____ Zip Code: _____

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

E-Mail address _____

Did you file this complaint with another federal, state, or local agency; or with a federal or state court? Yes ___ No ___ If answer is yes, check each agency complaint was filed with:

- ☐ State Court
- ☐ Federal Court
- ☐ Local Agency

- ☐ State Agency
- ☐ Federal Agency
- ☐ Other

Date Filed: _____

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

Complainant's Signature _____ Date _____

Please email this form to:
bzwald@atlantaregional.org

-OR- mail this form to:
Title VI Officer
Atlanta Regional Commission
229 Peachtree Street, Suite 100
Atlanta, Georgia 30303

E. Record Title VI Investigations, Complaints or Lawsuits

During the current period of October 1, 2019- October 1, 2022, ARC received 2 complaints. Both complaints were regarding operations of outside organizations over whom ARC had no jurisdiction to take action. Due to the lack of jurisdiction, the complaints were dismissed.

F. Board Composition

The Board of the Atlanta Regional Commission includes both elected officials and appointed citizen members. All members of the Commission, regardless of their race or gender, represent all persons in their community. Forty-one members comprise the ARC Board - 25 local elected officials, 15 private citizens and one non-voting representative of the Georgia Department of Community Affairs. The table below provides a breakdown of minority representation in the regional decision-making process:

Committee/Board	Total	Minority		Female	
		Count	Percentage	Count	Percentage
TAQC	34	10	29%	10	29%
ARC	39	12	31%	11	28%

Source: ARC

ARC Board (41 Members)			
	Male	Female	Total
Caucasian	17	4	21
African American	11	8	19
Hispanic	0	0	0
Asian	1	0	1
Other	0	0	0

Total	28	12	41
--------------	----	----	----

In addition to the ARC Board, the MPO Board serves as a committee to the ARC Board called the Transportation and Air Quality Committee. Below is the breakdown of the minority representation in the regional decision making specific to transportation planning processes:

Transportation and Air Quality Committee			
	Male	Female	Total
Caucasian	24	5	29
African American	12	8	20
Hispanic	0	0	0
Asian	1	0	1
Other	1	0	1
Total	38	13	51

Source: ARC

G. Provide additional information upon request

ARC will provide any additional information requested by FTA or FHWA for the purposes of determining whether ARC is in compliance with Title VI requirements.

H. Prepare and Submit Title VI program

ARC is submitting this Title VI program consistent with FTA and FHWA requirements. ARC will submit its next Title VI program in 2025.

3. Limited English Proficiency Plan

A. Provide meaningful access to services by Limited English Proficient (LEP) persons

ARC has developed a LEP Plan pursuant to the requirements of Executive Order 13166 and Title VI.

B. Four-Factor Analysis

In developing the LEP Plan, ARC used the Four Factor LEP analysis, which considers the following:

1) the number or proportion of LEP persons eligible to be served or likely to be encountered by ARC programs, activities, or services in the 20-county metropolitan planning area; 2) the frequency with which LEP individuals come in contact with ARC programs, activities or services; 3) the nature and importance of the program, activity or service provided to the LEP population; and 4) the resources available to ARC and the overall cost to provide assistance.

- I. FACTOR 1: Number or proportion of LEP persons eligible to be served or likely to encounter ARC programs, activities, or services. The U.S. Census Bureau's American Community Survey (ACS), 2016-2020, was the major data source used to determine the number of LEP persons in the 20-county metropolitan planning area. Consistent with the Safe Harbor Clause of the LEP guidance, these data also determined language groups that equal or exceed five percent of the regional population that are LEP. For our planning purposes, we are considering individuals who speak English less than "very well" as LEP persons. The 20-county metropolitan planning area has a total population of 5,560,988 persons five years old and older. Of this total, the Census estimates that 411,659 persons or 7.4 percent of the region's population are LEP. Gwinnett County accounts for the largest group of LEP persons in the region, 133,239 or 32.4 percent of the region's LEP population, followed by DeKalb County, 58,453 or 14.2 percent, Cobb County, 49,527 or 12.1 percent and Fulton County, 49,465 or 12.0

percent. There are 4,542,479 persons five years and older in the 11-county Atlanta region, with 363,807 or 8.0 percent being LEP.

Determination of Primary Non-English Languages in Atlanta Region. After consulting federal guidance and the U.S. Census data, the following languages are targeted for language assistance and will be the primary languages for the translation of vital documents: Spanish, Vietnamese, Korean, and simplified Chinese. These four languages were chosen because they are the most commonly spoken languages by LEP persons in the 20-county region. Based on ACS estimates, 241,778 or 58.7 percent of the limited English speakers five years and older in the 20-county planning area speak Spanish, followed by Vietnamese, 28,232 (6.9 percent), Chinese (all dialects), 21,745 (5.3 percent) and Korean, 19,713 (4.8 percent). Translations for these languages will potentially serve approximately 75 percent of the region's total limited English population.

- II. FACTOR 2: Frequency with which LEP individuals come in contact with programs, activities, or services. The ARC assesses the frequency of contact with LEP persons by documenting phone inquiries and surveying public meeting attendees. From January 2021 to December 2021, ARC received 1296 Language Line requests with 37 percent of requests for Korean, 25 percent for Vietnamese, 16 percent for Spanish, and 1 percent for Mandarin/Cantonese combined. There were requests for a total of 34 languages via telephone. Reception staff have provided anecdotal evidence of in-person requests for language assistance in Spanish. Requests for translation or in-person interpretation services were managed by staff volunteers or referred to the Language Line for assistance, as necessary. ARC anticipates that the size of the LEP population and number of languages spoken by the LEP population will continue to increase and, as a result, so will the probability of future contact with ARC.

In 2018, ARC launched a new website, www.empowerline.org, providing consumer information on aging and disability services. Some resource materials on the website are in Spanish and the

site offers Google Translate service. Since October 2019, there have been 199,667 sessions on the website and 377 translation requests. The primary requests have been for Spanish, Korean, Arabic, and Chinese (all dialects).

- III. FACTOR 3: Nature and importance of the program, activity, or service provided to the LEP population. ARC has analyzed the agency programs and services provided to determine their value and importance to the LEP population. Consistent with ARC's coordinated agency-wide approach to planning and service provision, the internal assessment included those involving all functional divisions within the organization. Among ARC's responsibilities directly associated with federal funds is management of comprehensive long-range regional planning. Within this role, ARC develops the Regional Transportation Plan, a 20-year plan for the region that allocates federal funds for use in transportation projects; the Unified Planning Work Program, developed annually in coordination with the state and operators of publicly owned transit; the Human Services Transportation Plan, which provides a framework for transportation and mobility for the disabled, low income and older adult populations; and the Regional Community Engagement Plan, which provides a formal participation and engagement policy and identifies opportunities to participate in ARC's planning activities. Transportation planning is central to the work of ARC and is heavily influenced by public input. However, due to the nature of long-term transportation planning, public participation only occurs on a voluntary basis. ARC continues to expand upon opportunities for people to be involved in the planning process, including ensuring inclusive, meaningful access to all segments of the population. ARC activities with more immediate reach and importance for LEP populations include transportation and mobility services for disabled, low-income, and older adult populations; information services about transportation options; aging and health services; ride-match/carpool services; and workforce training and career services.

- IV. FACTOR 4: Resources available to and overall costs to provide LEP assistance. Assessing available resources is an ongoing activity. It includes identifying staff and volunteer language interpreters, the amount paid to professional interpreters and translation services, appropriate documents for critical translation and appropriate financial and in-kind sources needed. Typically, translation is priced as a per-word cost, based on the number of words in the original source content. For professional translation via a translation agency, costs may vary, depending on the language, turnaround times and specialized content. ARC is committed to providing professional and cost-effective language services. There are many potential partners available to work with ARC for translation or interpreter needs that offer professional, certified translations of a wide variety of documents in various languages. ARC also works closely with organizations that directly serve the region's LEP populations and offer effective translation and interpretation services for the predominant languages spoken in the region. Various resources are available for Sign Language Interpretation, including the Georgia Registry of Interpreters for the Deaf (www.rid.org) and the Georgia Perimeter College Sign Language Interpreter program. ARC maintains a list of potential translation and interpretive services.

C. ARC'S LANGUAGE ASSISTANCE PLAN

The following sections provide additional information on how ARC provides assistance to LEP populations, based on the Four Factor Analysis.

- I. How to Identify LEP Persons Who Need Language Assistance: In order to identify the potential need for language assistance for populations or individuals who come into contact with ARC, ARC will:
- » Utilize U.S. Census data to identify the highest LEP populations in the region, and to monitor any emerging LEP population of a particular language;
 - » Examine agency records of requests for language assistance;

» Utilize the Census Bureau’s “I Speak” cards to identify language needs and direct to on-site staff interpreters, when available. The “I speak” cards can be downloaded at <https://www.lep.gov/ISpeakCards2004.pdf> and are also available on ARC’s staff intranet.

II. Language Assistance Measures

» When an interpreter is needed on the telephone, the responder should use ARC’s Language Line services for immediate assistance. Instructions for accessing services through the Language Line are included in Appendix D.

» Pages of the ARC website can be accessed in Arabic, Chinese (Simplified), French, German, Hindi, Italian, Japanese, Korean, Portuguese, Russian, Spanish, and Vietnamese using the Google Translate plug-in.

Based upon the agency’s Four Factor Analysis, involving staff representing all function areas, the following documents are considered vital and are translated into Spanish, Vietnamese, Korean, and Simplified Chinese:

- » Notification of Title VI Rights
- » Title VI Complaint Forms
- » ARC’s Policy for Citizen Input
- » “About ARC” info and services provided
- » Notice of free language assistance services for additional documents

Additionally, upon reasonable request, ARC will make attempts to provide an oral summary or translation of other documents not considered vital.

III. Staff Training: Staff are trained during onboarding on Title VI of the Civil Rights Act of 1964 and Executive Order 13166 LEP responsibilities, language assistance services offered, procedures for identifying an LEP person and accessing a staff interpreter, documentation of language assistance requests, procedures for handling a Title VI complaint. This information is also integrated into periodic overviews during staff meetings.

- IV. Providing Notice of Available Language Service to LEP Persons: To provide adequate notice of available language services, ARC will make every attempt to:
- » Post signs in the ARC reception area indicating that language assistance and translation services are available;
 - » Post translated statements on the ARC website indicating that available language assistance and translation services are available;
 - » Provide statement that free language assistance is available with advance notice for public meetings in which public comment is solicited;
 - » Work with organizations with ties to LEP populations to inform LEP individuals of ARC's programs and services, including the availability of language assistance.
- V. Best Practices ARC will consider the following best practices for potential implementation:
- » Provide legal notices and announcement of official public comment periods on major plans to local multilingual newspapers and magazines;
 - » Distribute notices of available language assistance for upcoming ARC sponsored public workshops, conferences, or other public events to partner organizations located in or known to serve the major language groups;
 - » When presentations are made or planned by ARC staff in a geographic location with a known concentration of LEP persons, special efforts will be taken to have meeting notices, fliers, advertisements, or agendas printed in other appropriate languages
- VI. Monitoring and Updating the LEP Plan: ARC subrecipients shall comply with the terms of Title VI and the LEP Executive Order. Subrecipient compliance shall be verified through the ARC Monitoring Policy. ARC will follow the Title VI Program monitoring and reporting schedule for the LEP Plan which includes yearly reports to the USDOT, FHWA and FTA.

- VII. Dissemination of the LEP Plan: This plan is posted on ARC's website at <http://www.atlantaregional.org> and available to others upon request. Copies of the plan will also be available to the ARC Board and other jurisdictional and community partners upon request. LEP persons may obtain copies/translations of the plan upon request.

4. Ensure inclusive public participation

ARC engages in an extensive public participation process. Through its planning process, ARC seeks to provide an engagement process that facilitates identification of community values, development of policies and implementation of plans that matter to residents and communities. ARC engages with various communities on a regular basis. These efforts are monitored and documented, then summarized every four years as part of the Regional Transportation Plan Update. (See Attachment 1.3, ARC Regional Transportation Community Engagement Plan, for the most recent summary. The next summary will be compiled in 2023.)

In addition to diversity amongst decision makers, ARC has always taken numerous steps to engage low-income, minority, LEP and disabled persons in its community engagement and public participation process. However, with the signing of Executive Order 14008 in January 2021 and the establishment of the Justice40 Initiative, ARC is developing an even more robust engagement strategy to expand outreach in historically disadvantaged communities. As is customary, this strategy will take into account the specific needs and characteristics of identified groups.

ARC's activities are discussed below, and broken down into four categories of activity:

- I. Identification (of minority and LEP community to target for outreach)
- II. Engagement
- III. Accessibility (location, language)
- IV. Reporting (efforts, activities, outcomes)

A. *Identification—Establish criteria to determine low-income, minority and LEP persons/communities to target for outreach*

ARC relies on demographic data and geographic mapping tools to identify areas where there is concentration of LEP, low income, minority, or disabled communities. This data provides an

initial baseline characterization of where additional outreach efforts are likely needed. ARC then works closely with officials, local staff, and interest group to customize outreach strategies and provide access to low-income, minority and LEP persons/communities. These stakeholder groups include:

- ARC Board and Committees
- Local Governments
- State legislators
- Chambers of Commerce and other business organizations
- Advocacy groups
- Educational institutions
- Metropolitan Planning Organization (MPO) interested parties
- Targeted private/public professional organizations
- Citizens groups
- Neighborhoods
- General Public

In the upcoming engagement plan development, ARC will be exploring how better to partner with local government and municipal staff to identify and reach communities that have historically been overlooked. This added emphasis and intention of Justice40, along with new digital tools that have helped reach new audiences, will be used to expand, and deepen our relationships with stakeholder groups.

B. Engagement—Develop techniques to engage low-income, minority and LEP Persons in discussions on transportation planning efforts

ARC utilizes several techniques to engage low-income, minority and LEP persons in ARC transportation planning activities. Below is a summary of the techniques that have been or are being utilized by ARC:

- Publish notices of public meetings and official opportunities to comment on transportation planning activities in major media and media targeted to minority communities, such as Mundo Hispanico;
- Regularly calendared meetings of a Transportation Equity Advisory Group, Advisory Committee on Aging, Regional Housing stakeholders,
- Formation of special committees and partnerships to inform ARC studies and plan development processes. Specific groups were brought together to inform the Chattahoochee River Plan, ARC's Demand Response Implementation Plan (a supplemental outgrowth of the HST plan), the Regional Intelligent Transportation System (ITS) Strategy, Regional Safety Plan, Freight Cluster Plans, and assorted local recipient projects around the region. Various perspectives were crucial to these stakeholder efforts, specifically low income, transit dependent, older age cohorts, ability-challenged, and limited English proficiency. Host public meetings and, working sessions, throughout the region customized and presented to specific audiences.
- Present a curriculum of 23 webinars in 2020-2022 to bring programmatic topics to regional audiences. Five of these webinars (21%) were designed to address diversity and equity topics. These webinars were conducted in lieu of our traditional engagement activities, such as:
 - Participating in speaking engagements on transportation issues targeted to diverse groups throughout the region.
- Attending community events to share information on regional planning, such as the pop-up community open houses conducted in fall 2019. develop informational packages targeted to low-income, minority and LEP persons, such as community outreach flyers, plan brochures, digital newsletters, blog posts and PowerPoint presentations.
- Ensure all Board and Committee meetings are open to the public, including Transportation Coordinating Committee (TCC), Transportation & Air Quality Committee (TAQC) meetings, Advisory Committee on Aging (ACA) and Atlanta Region Workforce Development Board.

- Utilize media, ARC's website, and ARC's social media to communicate ARC's work and regional plans.

Activities in which ARC has been engaged for the period FY 2019 to date as it relates to public participation were severely hampered by the Covid Pandemic. In-person engagement was limited to the Area Agency on Aging's client-based provision of services. Much of this in-person work was to meet the needs of low-income, minority and LEP persons. Activities planned prior to the pandemic had to be reimagined to align with the limitations of the pandemic. Creative outreach was implemented, however most of it, by necessity, has been digital engagement, as listed in Attachment 1.4.

C. Accessibility

I. Identify locations, facilities and meeting times that are accessible to low-income, minority and LEP Persons

Utilizing Environmental Justice maps and input from ARC's community partners, ARC attempts to identify locations within diverse communities that are accessible to all groups. Particular focus is given to ensuring that locations promote comfort and trust by participants to speak openly and candidly and timeframes facilitate maximum participation.

II. Conduct sessions in languages other than English and develop criteria to determine when translation services are required, including accommodations for the hearing-impaired.

ARC translates key plans and documents into Spanish, and in some cases, Korean, Vietnamese, and Simplified Chinese, as needed or requested. ARC has the capacity to translate documents into the following languages on an as needed basis: Arabic, Simplified Chinese, French, German, Haitian Creole, Hindi, Ibo, Italian, Japanese, Kiswahili, Korean, Portuguese, Russian, Spanish, and Vietnamese. Other measures to determine when translation services are needed or will be performed are identified in the LEP Plan.

D. Reporting

I. Provide reports that reflect ARC's achievement of its efforts to outreach to low-income, minority, and LEP persons.

The pandemic's impact on traditional engagement activities added emphasis and importance to ARC's on-going relationships with equity stakeholders in the region, many of whom participate in the Transportation Equity Advisory Group (TEAG). TEAG began in 2017 and has consistently met on a regular basis to discuss a diverse number of topics and assist the ARC in integrating equity into its planning process. The group is primarily made up of nonprofit organization representatives with deep ties to communities in the region. After a brief hiatus during the early months of the pandemic, the group commenced meeting virtually. In 2021, they met every other month, providing important input to discuss project funding and the RTP, planning studies and regionally significant projects, the regional safety strategy, performance measures for equity, and TIP solicitation funding decisions. In 2022, the group met 5 times covering several topics including Transportation Improvement Program (TIP) project solicitation requirements and prioritization methodology, how to best leverage increased federal funding sources for disadvantaged communities, the ATL 2022 Regional Transit Plan and transit planning on the Campbellton Road Corridor, a review of the submitted TIP Solicitation applications, and an overview of the upcoming Regional Transportation Electrification Plan and Human Services Transportation Plan. Future meetings this year will include reviewing the recommended project selections from the TIP solicitation and reviewing the group's goals and vision for 2023.

Currently, ARC reports information related to equity and inclusion in various plans, reports and on its website:

- ARC includes a discussion of the outcomes of its outreach efforts in various documents, such as the Stakeholder Engagement Plan and the evaluation reports specific to outreach for The Atlanta Region's Plan. Public comment summaries for the TIP are available upon request. Additional information about outreach activities can be found in each of the transportation plans and studies conducted by ARC during the FY 2019 reporting period.

- ARC responds to the Annual Title VI Questions for MPOs.
- ARC includes Equity and Inclusion information in various sections of its website, including within the Transportation Community Engagement section, the Regional Equity and Inclusion section, the Transportation Equity Advisory Group page, the Public Plans and Guidelines page, as well as the Atlanta Region's Plan microsite.
- ARC also reports its activities as it relates to low-income, minority and LEP persons in quarterly and monthly Section 5303 reports in attachment 1.4.

II. Provide anecdotal summaries of community engagement sessions and/or survey results targeted to low-income, minority and LEP persons

ARC has conducted a regionwide public opinion survey, each year since 2013. This survey has been statistically significant to the county level since 2014. Metro Atlanta Speaks (MAS) questions have been used to assess the attitudes and concerns of members of the regional community across a series of topics including land use, transportation, public safety, and economic/ workforce issues. Many of the MAS questions are repeated year over year, and newer questions have a very direct equity focus. The demographic information of survey respondents is collected, including race, gender, age, income, working status, tenure, and geographic location (zip code). Though specific address data is not requested from or provided by respondents, ARC could often determine, using the zip code, whether the respondent lives in a location identified as an equitable target area (or transportation equity area) by ARC's Environmental Justice Analysis.

5. Program-Specific Requirements and Guidelines for State Departments of Transportation or Other Administering Agencies

Federal transportation legislation largely determines how ARC allocates funding towards target populations such as 1) individuals with disabilities, 2) older adults, and 3) individuals with low income. This approach of meeting the needs of these 3 target populations has been referred to as Human Services Transportation (HST). HST became a common reference with The Safe, Affordable, Flexible, and Efficient Transportation Equity Act – A Legacy for Users (SAFETEA–LU).

The Bipartisan Infrastructure Law (BIL), the current surface transportation funding authorization legislation, requires projects funded from the Elderly Individuals and Individuals with Disabilities (Section 5310) and the Job Access and Reverse Commute/Low Income (JARC, Section 5307) programs be derived from a locally developed, coordinated public transit-human services transportation plan (“coordinated human services transportation plan”). As the MPO, ARC is required to develop and maintain the regional CHST plan. ARC has produced a number of HST Plans to meet these requirements. The most recent HST planning effort, the Regional Demand Response Implementation Plan was completed and adopted in 2020. Prior to that, the more comprehensive CHST plan update, Managing Mobility in the Atlanta Region, was adopted in March 2017. It is available online at: <https://atlantaregional.org/transportation-mobility/transit/human-services-transportation/>.

For Section 5307 and 5311, JARC-type project funding amounts and project types are decided at the discretion of the local/regional level. The federal government does not require MPOs to explicitly demonstrate how and where these funds are spent.

However, Section 5310 has absorbed NF-type projects in a more structured way. At least 55 % of program funds must be used on capital or “traditional” (non-NF) 5310 projects...The remaining 45 % is for other “nontraditional” projects. Under MAP-21, the program was modified to include projects eligible under the former 5317 New Freedom program...” Section 5310 is now called

'Enhanced Mobility of Seniors and Individuals with Disabilities Program'. The Georgia Department of Human Services (DHS) is the direct recipient from FTA for Section 5310 – ARC's Aging and Independence Services Section also the Area Agency on Aging (AAA), oversees ARC's competitive selection process for 5310 projects in the Atlanta Urbanized Area.

ARC staff primarily relies on the following sources for HST coordination plan development guidance:

- Circular FTA C 9070.1F (05/01/2007) -
- Circular FTA C 9030.1E (01/16/2014) -
- The Federal Register, Vol. 81, No. 30 (02/16/2016) -
www.federalregister.gov/articles/2016/02/16/2016-02821/notice-of-fta-transit-program-changes-authorized-funding-levels-and-implementation-of-federal-public#h-66

Below are some of the noteworthy requirements and guidance from the sources, that ARC staff relies on:

- All JARC funded services and projects must have been derived from a locally developed, coordinated public transit – human services transportation plan;
- FTA encourages public transit systems in all areas to continue to participate in the coordinated public transit–human service transportation planning process in order to identify and develop job access and reverse commute projects for funding under Section 5307;
- Public transit systems in UZAs in which a recipient is applying for funds under Section 5310 are required to continue to participate in the coordinated public transit–human service transportation planning process;
- FTA requires the following elements, at a minimum, be included in the coordination plans:
 - An assessment of available services that identifies current transportation providers (public, private, and nonprofit);
 - An assessment of transportation needs for individuals with disabilities and seniors;
 - Strategies, activities, and/or projects to address the identified gaps between current services and needs, as well as opportunities to achieve efficiencies in service delivery; and,
 - Priorities for implementation based on resources (from multiple program sources), time, and feasibility for implementing specific strategies and/or activities identified

- Additionally, the [coordination] plan must be developed and adopted with representation from seniors, individuals with disabilities, representatives of public, private, nonprofit transportation and human services providers, and other members of the public;
- Section 5307 (LARC/Low Income) recipients must certify that projects were selected from this process and must refer to the plan in the program of projects, which is described below.

To comply with Title VI requirements regarding Section 5310 funds, ARC has developed compliance procedures in the following areas:

- Analysis Basis for Ensuring Compliance
- Program Administration
- Process for Monitoring of sub-recipients

A. Analytic Basis for Ensuring Compliance

Based on Title VI requirements and USDOT's Order on Environmental Justice, ARC maintains an analytic basis for certifying compliance with Title VI in order to integrate into ARC's planning activities. ARC's methodology is discussed below in Section 4.A.

Further, ARC has developed updated the Human Services Transportation Plan (2017) as well as the 2020 Demand Response Implementation Plan, which take a more strategic approach to ensuring the inclusion and full integration of HST issues and for making HST transportation service delivery more effective and more efficient. This action has been necessitated to ensure that federal funding sub-recipients are adequately considering and planning for the needs of underserved populations. ARC's strategic approach focuses on two components:

1. Needs Assessment: ARC conducted a needs assessment to ensure that it can properly evaluate project options and funding strategies, as well as train sub-recipients, based on actual qualitative and quantitative data regarding the limitations on and challenges regarding the transit options for underserved populations.

2. Targeted Improvements: With the needs assessment in hand, ARC offers categories of tactics, that when deployed by sub-recipients, may be effective in addressing the limitations and challenges outlined in the needs assessment. Tactics includes project strategies, collaborative requirements, and funding options.

Using this strategic approach overlaid with tactical operations, ARC is working toward results and outcomes for underserved populations, in a manner that is fully integrated in The Atlanta Region's Plan.

B. ARC Program Administration

ARC passes through Federal Transit Administration (FTA) funds under Section 5307/5310 - Enhanced Mobility of Seniors and Individuals with Disabilities Program without regard to race, color, or national origin and that minority populations are not being denied the benefits of or excluded from participation in these programs.

Below is a discussion of the methodology utilized by ARC to administer Section 5307 and Section 5310 formula funds.

Program Goals

FTA 5307 JARC/Low-Income Component

Recipients of the regional 5307 JARC/Low-Income set-aside amount are required to present their proposed program of projects to ARC and the Atlanta-Region Transit Link Authority (ATL) and demonstrate that the proposed program(s) are consistent with the federal goals and guidelines provided in FTA Circular 9030.1E (Urbanized Area Formula Program: Program Guidance and Application Instructions). Upon successful demonstration of consistency with the programmatic goals and guidelines, ARC and the ATL make a recommendation, with concurrence from the Transit Operators Group (TOG), to sub-allocate the set-aside amount to the eligible recipients. In

addition to the set-aside funding, JARC/Low Income-related programs and projects can also be funded by recipients' general Section 5307 sub-allocation amounts.

FTA 5310

The FTA Section 5310 program provides grant funds based on the allocations and directives from DHS for capital and operating expenses to recipients for:

- Public transportation projects planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable;
- Public transportation projects that exceed the requirements of the Americans with Disabilities Act (ADA) of 1990 (42 U.S.C. 12101 et seq.);
- Public transportation projects that improve access to fixed-route service and decrease reliance on complementary paratransit; and
- Alternatives to public transportation projects that assist seniors and individuals with disabilities with transportation.

The Atlanta Regional Commission's overarching goal for FTA Section 5310 projects is to improve mobility for older adults and individuals with disabilities in the metro region through activities and projects that remove barriers to transportation services and expand mobility options. The criteria for projects funded through Section 5310 are based on the priorities and recommendations from ARC's Human Services Transportation (HST) Plan.

Atlanta Region HST Goals

- Improve accessibility and mobility for seniors and persons with disabilities;
- Improve customer service for HST users; and,
- Promote effectiveness, efficiency, and coordination among transportation providers.

Eligibility Details

'Traditional' Projects

‘Traditional’ projects include public transportation projects planned, designed, and carried out to meet the needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable. Mobility Management projects are considered ‘Traditional’ projects under the FTA Section 5310 program. Mobility Management projects consist of several different types of activities, including the hiring of mobility manager staff positions and related program costs, the conducting of short-range planning or demonstration projects and the use of technology such as scheduling software and hardware. Mobility Management projects are intended to build coordination among existing public transportation providers and other transportation service providers with the result of expanding the availability of service. The following types of applicants are eligible to apply for funding for ‘Traditional’ projects:

- A private non-profit organization with an administrative office located in a county within the Atlanta Urbanized Area;
- A state or local governmental authority in the Atlanta Urbanized Area that is approved by the State to coordinate services for seniors and persons with disabilities; or,
- A state or local governmental authority in the Atlanta Urbanized Area that certifies that there are no non-profit organizations readily available in the area to provide the service.

‘New Freedom’ Projects

Projects eligible under the former Section 5317 New Freedom program, include those that exceed the ADA minimum requirements, improve access to fixed route service, decrease reliance by individuals with disabilities on ADA complementary paratransit service, or provide alternatives to public transportation that assist seniors and individuals with disabilities with transportation. The following types of applicants are eligible to apply for funding for ‘New Freedom’ projects:

- A state or local governmental authority in the Atlanta Urbanized Area;

- A private non-profit organization with an administrative office located in a county within the Atlanta Urbanized Area; or,
- An operator of public transportation in the Atlanta Urbanized Area that receives a Section 5310 grant indirectly through a recipient.

A competitive request for proposals is issued by ARC as funds become available, an evaluation process is conducted by ARC's HST internal team, and awards are based on the quality of the applications submitted. The evaluation process involves ranking the degree to which the projects demonstrated effective approaches, had well-defined implementation plans, and exhibited cost effectiveness.

Proposal Evaluation Criteria

Organizational Capacity, Implementation Strategy, and Measures of Effectiveness

- The applicant has a service history and technical capability to carry out the proposed tasks in a timely and efficient manner;
- The proposed project contains a well-defined implementation plan; and,
- The proposed project's outcomes are specific and measurable.

Project Description

- The proposed project provides clear project details including eligibility, geographic coverage, operating procedures, trip type (if applicable), and unit costs (if applicable);
- The proposed project clearly describes how it will remove of barriers to transportation services, fill of gaps within existing transportation options available in the geographic area, and expand mobility options;
- The proposed project demonstrates coordination with existing transportation providers in the proposed geographic area including linkages with other transportation services to fill gaps in existing transportation infrastructure; and,
- The proposed project offers maximum flexibility in allowing consumers to travel when and where they desire to go.

Budget

- The applicant has demonstrated capability to carry out the proposed activities in a financially efficient manner wherein the costs per ride are reasonable compared to regional and national rates or reasons for higher rates are clearly explained;
- The applicant demonstrates long-term commitment and ability to sustain the proposed project beyond the grant period; and,
- The applicant clearly identifies and demonstrates capacity to provide required match funds.

C. ARC Process for Monitoring 5307 JARC Sub-recipients and 5310 Sub-recipients

Each sub-recipient is visited as least annually by an ARC Staff member to review the annual checklist. The annual checklist covers Title VI and other related federal compliance topics, and other topics such as the American with Disabilities Act, LEP Plans, Equal Employment Opportunity, DBE, Public participation, and outreach.

Title VI – Civil Rights

Through contract agreements, sub-recipients agree to comply with all applicable civil rights statutes and regulations. These include Title VI of the Civil Rights Act, EEO, and the ADA.

Title VI – ARC signs the “FTA Annual List of Certifications and Assurances for FTA Grants and Cooperative Agreements.” Each recipient must have a signed Title VI Assurance and FTA Civil Rights Assurance on file with ARC. The subrecipient or third-party contractor must ensure that no person shall, on the grounds of race, color, or national origin, be excluded from participating in, or be denied the benefits of, or be subject to discrimination under any program, or activity receiving Federal financial assistance. The subrecipient must ensure that federally supported transit services and related benefits are distributed in an equitable manner. Subrecipients and third-party contractors are responsible for ensuring that they comply with Title VI requirements such as: notifying customers of their rights under Title VI; having Title VI complaint procedures;

taking reasonable steps to ensure access to Limited English Proficiency (LEP) populations; and seeking out the viewpoints of minority, low-income and LEP populations when conducting public outreach and involvement activities. ARC should be informed of any Title VI complaints received by its subrecipients or third-party contractors.

Title VI Public Notification of Rights – Sub-recipients are instructed to notify the public of their rights under Title VI Civil Rights. Notification takes place through notices posted on vehicles and (in transit facilities), on printed publicity materials and websites. ARC staff will verify the presence of public notification on the Annual Checklist. Neither ARC nor its sub-recipients operate fixed route services.

Investigation of Complaints/Lawsuits – ARC gathers information from sub-recipients during the annual visits and any findings are documented on annual monitoring checklists.

ARC prepares a Title VI report for submission to the FTA every three years. Compliance with Title VI Civil Rights takes place through monitoring of complaints. When a complaint is deemed a civil rights issue, it is referred to the ARC Title VI Coordinator.

Disadvantaged Business Enterprise (DBE) – Sub-recipients must sign a certification and assurance for fair and open third-party contracting opportunities to include DBE companies.

Limited English Proficiency (LEP) populations – Assessment of need is made to determine if language assistance is necessary for participation in FTA programs or projects.

Americans with Disabilities – The ADA certification is required for compliance with ADA accessibility for FTA funded transit operations and capital projects and is signed by each sub-recipient as part of the JARC and New Freedom grant contract.

Vehicle Maintenance Use and Disposition – The sub-recipients vehicle maintenance program is monitored as a part of the annual on-site review, as is their use of vehicle(s), and the disposition policy and requirements of FTA before useful life expires.

Drug-Free Work Policy –Sub-recipients are required to provide proof of a “drug and Alcohol-free Workplace Policy” of all sub-recipients. 5310 subgrantees are exempt from Drug and Alcohol testing programs.

Financial Management – Sub-recipients must undergo an on-site, annual review by ARC on invoicing adequate books on expenditures, shared costs charged to ARC, and reimbursements to third parties.

Single Audit Review - Subrecipients receiving more than \$ 750,000.00 annually in federal financial assistance, from ARC and any other sources, are required to submit a single audit to ARC. Audits are reviewed by the ARC Financial Services Manager, and any finding are noted and transmitted to the cognizant budget manager.

Equal Employment Opportunity - Subrecipients and third-party contractors must ensure that no person in the United States shall on the grounds of race, color, religion, national origin, sex, age, or disability be excluded from participating in, or denied the benefits of, or be subject to discrimination in employment under any project, program, or activity receiving Federal financial assistance.

Procurement - ARC must ensure that subrecipients and third-party contractors that procure goods and services using comply with ARC procedures and cognizant funding agency requirements. ARC should ensure that subrecipient and third-party contractor agreements contain the required federal and cognizant funding agency clauses and should periodically review a sample of procurements undertaken by the subrecipients or third-party contractors for compliance with these requirements.

Compliance Record Keeping – ARC must fully document all compliance monitoring efforts conducted on subrecipients and third-party contractors.

Customer Complaint Procedures - For contracts and subcontracts providing service to the public, customer complaint management is critical to successful program implementation. ARC must

elicit customer feedback to increase customer satisfaction and ensure that subrecipients and third-party contractors are meeting the needs of the public.

Final Financial and Program Reports Closeout - The subrecipient and contractor will be required to maintain all books, documents, payroll documentation, accounting records, and other evidence pertaining to costs incurred under a federal grant award during the period of the grant and for three years thereafter. These records must be available for inspection by any authorized representatives of ARC or the Federal Government.

D. Requirement to Prepare and Submit a Title VI Program

To ensure compliance with 49 CFR Section 21.9(b), ARC provides the following procedures.

- I. A copy of the procedures used for certifying that the statewide planning process complies with Title VI.

ARC is not responsible for the statewide planning process as such this element is not applicable to ARC.

- II. A description of the procedures the agency uses to pass-through FTA financial assistance in a non-discriminatory manner.

See Section 3.B, ARC Program Administration above.

- III. A description of the procedures ARC uses to provide assistance to potential sub-recipients applying for funding in a non-discriminatory manner.

See Section 3.D, ARC Process for Providing Assistance to sub-recipients above.

- IV. A description of how ARC monitors its sub-recipients for compliance with Title VI and a summary of the results of this monitoring.

See Section 3.C, ARC Process for Monitoring Sub-recipients above.

6. Program-Specific Requirements for Metropolitan Planning Organizations

Title VI requires agencies to develop specific policies and procedures aimed at increasing the participation of low-income and minority persons in ARC's transportation planning activities. It further requires ARC to establish a process to maximize the benefits of and minimize the burdens of transportation investments on low-income and minority communities. Below is a discussion of ARC's efforts to address the inclusion of low-income and minority persons in the transportation planning process and in transportation investments.

A. Analytic Requirements to Ensure Compliance

Based on Title VI requirements and USDOT's Order on Environmental Justice, ARC maintains an analytic basis for certifying compliance with Title VI in order to integrate into ARC's planning activities. ARC's basis addresses the three Title VI requirements below:

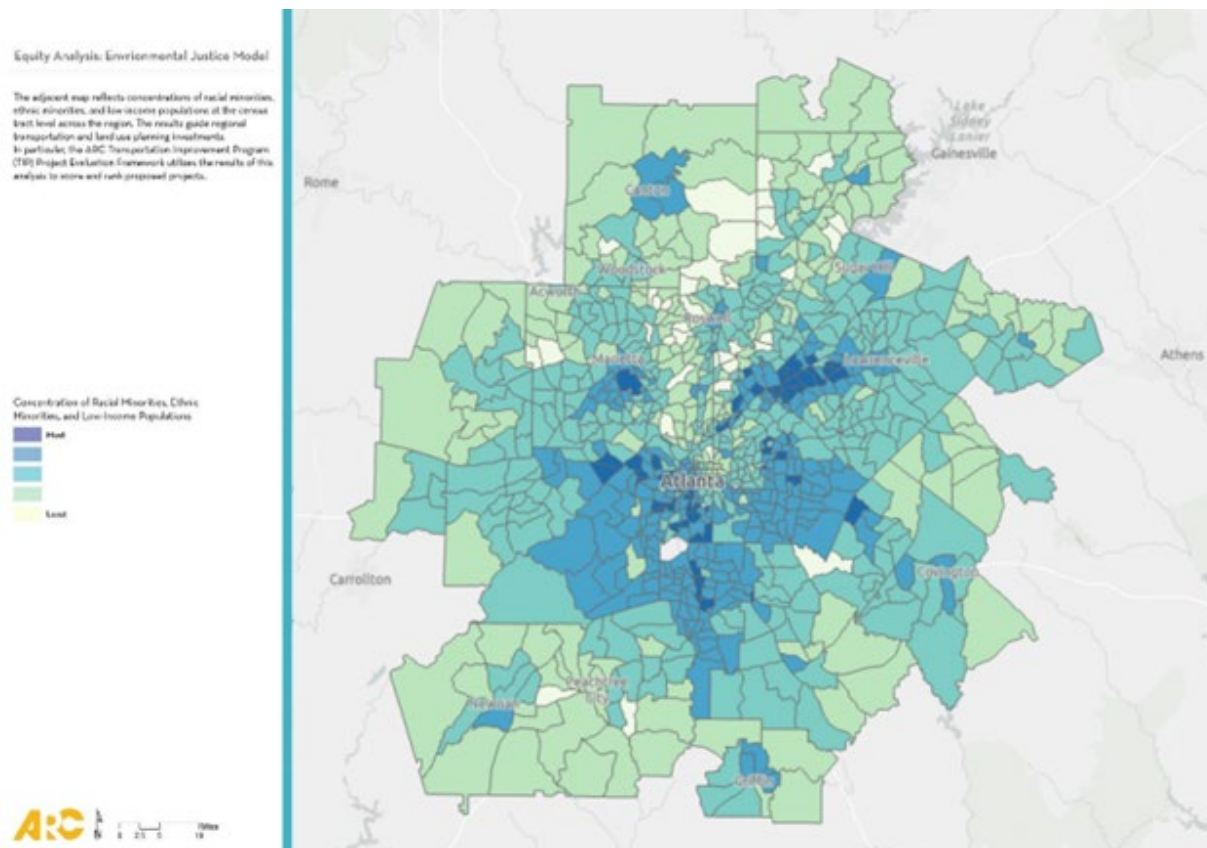
- I. *A demographic profile of the metropolitan area that includes identification of the locations of socioeconomic groups, including low-income and minority populations as covered by the Executive Order on Environmental Justice and Title VI.*

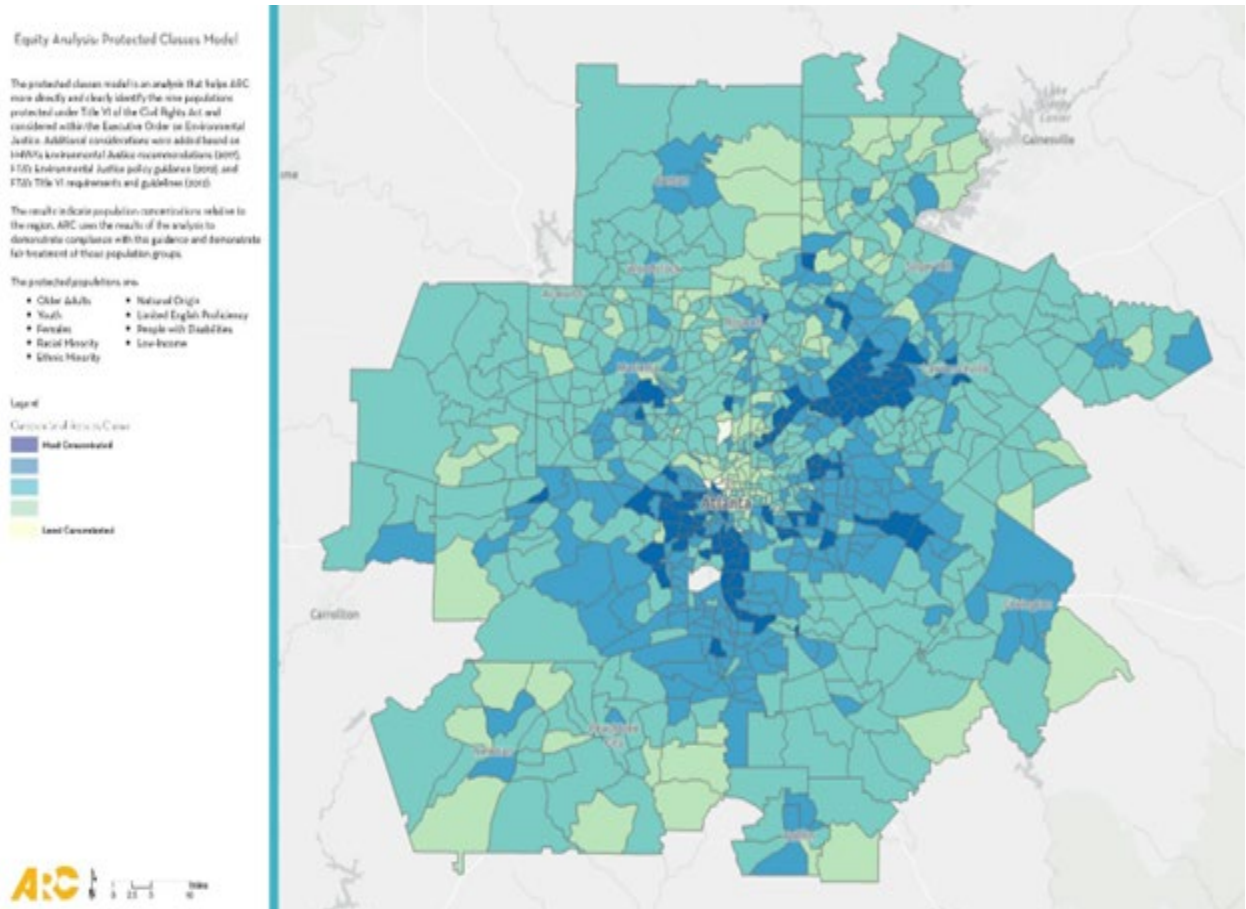
ARC has developed an Environmental Justice analysis that examines racial minority, ethnic minority, and low-income populations by Census tracts. Our most recent data is from the 2019 American Community Survey results. To learn more about the EJ Model Methodology, please visit ARC's Racial Equity and Inclusion page, Equity Analyses section. As illustrated on the maps provided below, ARC makes the following observations:

- An estimated 5,434,923 people lived in the region in 2019 across 876 Census tracts.
- 55% of the entire region's population is a racial minority (i.e., non-White)
- 11% of the entire region's population is an ethnic minority (i.e., Hispanic or Latino)
- 11% of the entire region's population lives below the federal poverty line, and an average of 26% of families live below 200% of the poverty line.

- Clayton County has the highest percentage of racial minorities at 90% and roughly 255,000 people. Fulton County, Gwinnett County, and DeKalb County rank highest for number of racial minorities, though, with roughly 625,000, 574,000, and 531,000 racial minorities, respectively. The MPO area in Dawson County has the lowest percentage and number of racial minorities at 9% and roughly 1,400 people.
- Gwinnett County has the highest percent and number of ethnic minorities at 21% (194,000 citizens).

ARC has also developed a Protected Classes analysis that examines racial minority, ethnic minority, and low-income populations, as well as females, foreign born, limited English proficiency (LEP), older adults, people with disabilities, and youths. To learn more about the Protected Classes Model, please visit ARC's Racial Equity and Inclusion page, Equity Analyses section.





Transportation Equity Analysis

Access to transit is critical for getting to jobs and essential services. One way to analyze transit accessibility is by looking generally at the location on transit stops. Using the Environmental Justice Model, 84% of all transit stops are located within census tracts with medium to high concentrations of EJ population. Paratransit services from the combined regional transit operators serve 83% of census tracts with medium to high concentrations of EJ residents and 88% of census tracts with medium to high concentrations of Protected Class residents. The following are additional statistics and measures that are now available in the 2021 ARA:

- There are 499,126 low-income households in the region:
 - 173,271 (34.7%) have access to fixed-route transit
 - 32,697 (6.6%) households have access to frequent transit (15-minute headways).
- The minority population in the region is 2,868,228:
 - 827,037 (28.8%) have access to fixed-route transit

- 129,093 (4.5%) have access to frequent transit (15-minute headways)
- About one-quarter (23 percent) of the region's population lives within walking distance to fixed-route transit.
- Greater proportions of low-income households and minority residents have access to fixed-route transit (35 and 29 percent, respectively).
- A very small portion of the region's total population (4.0%) had walking-distance access to fixed-route transit.

In March 2020, most transit operators abruptly stopped service in response to decreased demand due to the COVID-19 pandemic. Shortly thereafter, operators prioritized service primarily for critical routes and frontline workers. Also, according to the ARA, the differences in impact of service cuts between environmental justice communities and the region's population as a whole, was minimal. Localized access to food, healthcare, and jobs (30 minutes) was less affected by service cuts compared to longer-distance job access (45 minutes).

Also noteworthy, is the increased demand and shift to alternative modes of travel since the pandemic. For example, there are now six microtransit services either in operation or primed to be operating within the next several months:

- Center for Pan-Asian Community Services (CPACS)
- Cherokee Area Transportation System (CATS)
- Gainesville-Hall County ("WeGo")
- Gwinnett County Transit
- Henry County Transit
- Livable Buckhead TMA ("The Buc")
- MARTA/Georgia Tech ("Reach").

In addition to microtransit, demand for shared-use and micromobility has also increased in certain parts of the region. For example, Fulton County Senior Services now leverages transportation network companies (TNCs) to help provide some of the requested trips, pursuant to FTA guidelines.

- II. *A metropolitan transportation planning process that identifies the needs of low-income and minority populations.*

ARC has a well-established planning process as espoused in its The Atlanta Region's Plan (see <http://www.atlantaregionsplan.org>). ARC specifically identifies the needs of low-income and minority populations within its planning process through the following actions:

- Establishing partnerships with federal, state, and local governmental planning partners, such as the U.S. Department of Transportation, U.S. Environmental Protection Agency, Georgia Department of Transportation, Georgia Regional Transportation Authority, the staff of ATL, MARTA, and Cobb County Transit, and local government transportation staff;
- Utilizing ARC's existing committee structure, including the ARC Transportation Equity Advisory Group (TEAG), the Community Engagement Network, and Bicycle and Pedestrian Task Force;
- Collaborating with ethnically/racially focused community partners to obtain critical feedback on needs of low-income and minority populations, and to facilitate greater access to the targeted populations;
- Working across ARC agency lines to identify issues impacting low-income and minority populations, as well as the disabled and elderly; and,
- Identifying and conducting interviews with political, business, educational, environmental leaders representing low-income and minority persons regarding their views on the impact of ARC's transportation plans on their constituencies.

- III. *An analytical process that identifies the benefits and burdens of metropolitan transportation system investments for different socioeconomic groups, identifying imbalances and responding to the analyses produced.*

A copy of ARC's Environmental Justice Analysis Methodology is provided in Attachment 1.5.

Through its Environmental Justice Analysis Methodology, ARC analyses the impact of metropolitan transportation system investments. Below is a summary of ARC's proposed investments for different ARC service offerings and their anticipated impact on Environmental Justice communities:

Proposed Investments	Anticipated Impact on ETA Communities
Investing in Transportation Access and Mobility	
<ul style="list-style-type: none"> • \$172.6 billion for The Atlanta Region's Plan transportation investments through the year 2050: <ul style="list-style-type: none"> ⊖ \$102.3 billion for System Maintenance and Modernization: includes programs and projects that focus on maintaining the safe and efficient operation of the existing transportation network, such as bridge replacements, traffic signal upgrades, and investments in clean fuel transit vehicles. ⊖ \$38.3 billion for System Expansion: includes programs and projects that build on existing infrastructure, such as the expansion of the managed lanes network, the construction of the BeltLine, and other projects that provide premium and high-capacity transit service and those that add capacity to the roadway system. ⊖ \$9.8 billion for Demand Management: includes programs and projects that promote non-single-occupancy-vehicle modes and comprehensive infrastructure, such as the Livable Centers Initiative (LCI), Transportation Demand Management (TDM) projects that reduce the number and length of trips, and last-mile connectivity projects that expand walking and bicycling opportunities. 	<ul style="list-style-type: none"> • These projects potentially improve connectivity to employment centers, housing options, human services and health facilities, parks, recreational facilities, and other services. • These projects improve the quality of life for all users of transportation facilities, including drivers, transit riders, bicyclists, and pedestrians, as travel times are improved, and congestion is reduced. • These projects may have positive health and environmental benefits on people living adjacent to the projects as emissions are reduced-- improving air quality and safety improvements are made. • 419 of 464 constrained projects in the draft regional transportation plan intersect with census tracts census tracts with medium to high concentrations of EJ residents. • 441 of 464 constrained projects in the draft regional transportation plan intersect with census tracts census tracts with medium to high concentrations of Protected Class residents. • The 419 projects that intersect with medium to high concentrations of EJ census tracts have this project type distribution: <ul style="list-style-type: none"> ○ Roadway = 317 ○ Active Mode = 67 ○ Transit = 34 ○ Scoping = 1 • Using the Protected Class Analysis, 89% of transit stops are located within census tracts with medium to high concentrations of Protected Class residents. • The 441 projects that intersect with medium to high concentrations of Protected Class

	<p>census tracts have this project type distribution:</p> <ul style="list-style-type: none"> ○ Roadway = 341 ○ Active Mode = 66 ○ Transit = 33 ○ Scoping = 1 <ul style="list-style-type: none"> • The Atlanta Regional Transit Vision will further integrate HST populations into the transit planning process. It will also include a strong emphasis on advanced technological improvements to support transit access and operations.
Investing in Communities	
<ul style="list-style-type: none"> • \$31.8 billion (18.3%) of the overall RTP total investment is allocated towards transit operations and capital replacement. • \$10.8 billion (6.2%) of the overall RTP total investment is allocated towards transit expansion. • With the adoption of The Atlanta Region's Plan in 2020, ARC extended its commitment to Livable Centers Initiative (LCI) projects by \$600 Million -- adding to the initial commitment of \$500 Million for a total of \$1.1 Billion by 2050 for LCI Infrastructure projects. To date approximately \$300 Million has already been allocated to LCI projects, leaving \$800 Million remaining to be allocated between now and 2050. • \$316,500 for Regional Alliances 	<ul style="list-style-type: none"> • As of Dec. 2021, 76 of the 119 LCI projects approximately 64%, intersect census tracts with high concentration of Environmental Justice Communities, according to the Environmental Justice Model. • As of Dec. 2021, 65 of the 119 LCI projects, A approximately 55% intersect census tracts with high concentrations of protected classes According to the Protected Classes Model. • As of 2022, of 137 LCI projects, 72% are within one mile of transit, and 67% are within ¼-mile. • ARC has created several projects which support regional alliances. These include the following: • TransFormation Alliance, funded through a Ford Foundation grant, is a coalition of agencies, staffed by ARC that invest in Non-profit organizations that advocate for community needs specific to equitable transit-oriented development. • Atlanta Regional Housing Forum is a quarterly gathering of nonprofit, business, governmental, educational and grassroots organizations to discuss matters related to affordable housing and related topics, such as transportation and land use; and, • Neighborhood Nexus is a collaborative formed to offer universal access to data for community building.
Investing in Technology and Innovation	
<ul style="list-style-type: none"> • \$20.3 billion in road system optimization and safety. 	<ul style="list-style-type: none"> • These programs are targeted to optimize the performance of the existing transportation infrastructure. • ARC is investigating the impacts of disruptive technologies on the transportation system and land use through a scenario planning process, including impacts on disadvantaged communities.
Environmental Stewardship	

<ul style="list-style-type: none"> • AREES Tool • Clean Air Act requirements 	<ul style="list-style-type: none"> • The AREES tool makes it possible for ARC to look at near-road emissions on a neighborhood level scale. ARC can use this tool to evaluate different transportation scenarios for their impact on community air quality. The tool is also useful for the siting of sensitive land uses that may be impacted by roadway emissions in EJ communities; facilities like schools, playgrounds, parks, and trails can all be sited with more knowledge of local air quality impacts. • ARC convenes an interagency committee with state, local and federal partners to ensure transportation compliance with federal Clean Air Act requirements. This committee ensures the transportation planning process complies with all federal requirements to ensure emissions are limited to protect public health.
--	---

ARC will continue to work to identify the benefits and burdens of metropolitan transportation system investments for different socioeconomic groups and to identify imbalances. ARC has established a framework in which to conduct this analysis in The Atlanta Region’s Plan Policy Framework. To meet its vision of developing a world class infrastructure, ARC has developed a goal of “ensuring a comprehensive transportation network, incorporation regional transit and 21st Century technology.” In meeting this goal, ARC has further established an objective of promoting an accessible and equitable transportation system through the following means:

1. Maintain and expand transportation options that serve the region’s most vulnerable populations;
2. Improve connectivity around transit stations and bus stops for all users;
3. Increase funding for Human Services Transportation (HST) and Medicaid transportation services; and,
4. Increase access to areas with essential services, including healthcare, education, recreation, entertainment, and commercial retail.

7. Program-Specific Requirements and Guidelines for Local Workforce

Development Areas

A. Funding

The Workforce Innovation and Opportunity Act (WIOA) is a United States public law that replaced the previous Workforce Investment Act of 1998 (WIA) as the primary federal workforce development legislation to bring about increased coordination among federal workforce development and related programs. WIOA is designed to strengthen and improve our nation's public workforce system and help get Americans, including youth and those with significant barriers to employment, into high-quality jobs and careers and help employers hire and retain skilled workers. ARC receives WIOA funding from the U.S. Department of Labor through the Technical College System of Georgia. The Atlanta Regional Commission's Workforce Solutions Department manages WorkSource Atlanta Regional, which is the program name for the advisory Workforce Development Board and Workforce Area. This program provides services to help meet the needs of today's employers and job seekers in Cherokee, Clayton, Douglas, Fayette, Gwinnett, Henry, and Rockdale counties. WorkSource Atlanta Regional provides services at Career Resource Centers located throughout its seven-county service area. The Mobile Career Lab is also stationed weekly at convenient locations in the program area.

B. Monitoring

The Workforce Solutions Department has an inhouse monitoring team. The team has developed a specialized tool and policy to fit the programmatic requirements. In house monitoring services of WIOA subgrantees covers financial monitoring. The team utilizes a centralized complaint method for all participants where both programmatic and discriminatory complaints are brought directly to the ARC staff from all participants regardless of subgrantee responsibility or program.

C. Equal Opportunity Complaint Policy

WorkSource Atlanta Regional/ Atlanta Regional Workforce Development Board (ARWDB) adheres to final rule issued by the U.S. Department of Labor on "Implementation of the

Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act,” published 12/07/2016. It is against the law for this recipient of Federal financial assistance to discriminate on the following basis: race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, and sex stereotyping), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or, against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of the Workforce Innovation and Opportunity Act (WIOA), on the basis of the individual's citizenship status or participation in any WIOA Title I-financially assisted program or activity.

The recipient must not discriminate in any of the following areas: (1) Deciding who will be admitted, or have access, to any WIOA Title I-financially assisted program or activity; (2) providing opportunities in, or treating any person with regard to, such a program or activity; or (3) making employment decisions in the administration of, or in connection with, such a program or activity.

Recipients of federal financial assistance must take reasonable steps to ensure that communications with individuals with disabilities are as effective as communications with others. This means that, upon request and at no cost to the individual, recipients are required to provide appropriate auxiliary aids and services to qualified individuals with disabilities.

D. Complaints

A complaint is an allegation of discrimination on the grounds a person, or any specific class of individuals, has been or is being discriminated against on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions), national origin (including limited English proficiency), age, disability, political affiliation or belief, citizenship status, or participation in any WIOA Title I-financially assisted program or activity as prohibited by WIOA or part 29 CFR 38.69. An allegation of retaliation, intimidation, or reprisal for taking action or

participating in any action to secure rights protected under WIOA will be processed as a complaint.

Persons who may file include any person requesting aid, benefits, services or training through the WorkSource Atlanta Regional workforce system; eligible applicants and/or registrants; participants; employees, applicants for employment; service providers, eligible training providers (as defined in the Workforce Innovation and Opportunity Act), and staff with the workforce system that believes he/she has been or is being subjected to discrimination prohibited under the Nondiscrimination and Equal Opportunity Provisions 29 CFR Part 38 and Section 188 of the Workforce Innovation and Opportunity Act (WIOA). Participants who feel they may have been discriminated against may file a complaint within 180 days from the date of the alleged violation with either:

- The Workforce Solutions Equal Opportunity Officer:

PHYLLIS JACKSON, EO OFFICER
WORKFORCE SOLUTIONS DEPARTMENT
229 PEACHTREE STREET N.E / SUITE 100
ATLANTA, GEORGIA 30303
(470)-371-1118
TDD: 711, voice: 1-800-255-0056,
wioacomplaints@atlantaregional.org

- The Director, Civil Rights Center (CRC), U.S. Department of Labor, 200 Constitution Avenue NW., Room N-4123, Washington, DC 20210 or electronically as directed on the CRC Web site at www.dol.gov/crc.

If a participant files a complaint with ARC, they must wait either until ARC issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center. If ARC does not give the participant a written Notice of Final Action within 90 days of the day on which the complaint was filed, then they may file a complaint with CRC

before receiving that Notice. If ARC does give a written Notice of Final Action on the complaint, but the participant is dissatisfied with the decision or resolution, the participant may file a complaint with CRC. The complaint must be filed with CRC within 30 days of the date on which you received the Notice of Final Action.

Each complaint must be filed in writing, either electronically or in hard copy, and must contain the following information:

- The complainant's name, mailing address, and, if available, email address (or another means of contacting the complainant).
- The identification of the respondent (the individual or entity that the complainant alleges is responsible for the discrimination).
- A clear description of the allegations in sufficient detail including the date(s) and timeline that the alleged violation occurred to allow the recipient, as applicable, to decide whether: (1) what agency has jurisdiction over the complaint; (2) the complaint was filed in time; and (3) the complaint has apparent merit; in other words, whether the complainant's allegations, if true, would indicate noncompliance with any of the nondiscrimination and equal opportunity provisions of WIOA or part 29 CFR Part 38.
- The written or electronic signature of the complainant or the written or electronic signature of the complainant's representative.

E. Complaint Processing Procedure

An initial written notice to the complainant will be provided within fifteen (15) days of receipt of the complaint. The notice will

include the following information pursuant to part 29 CFR 38.72:

- Acknowledgement of complaint received including date received; notice that the complainant has the right to be represented in the complaint process; notice of rights contained in §38.35; and notice that the complainant has the right to request and receive, at no cost, auxiliary aids and services, language assistance services, and that this

notice will be translated into the non-English languages as required in §§38.4(h) and (i), 38.34, and 38.36.

- A written statement of issue(s) which includes a list of the issues raised in the complaint; for each issue, a statement of whether or not the issue is accepted for investigation or rejected and the reasons for each rejection after performing a period of fact-finding.
- Notice that the complainant may resolve the issue Alternative Dispute Resolution (ADR) any time after the complaint has been filed, but before a Notice of Final Action has been issued.

If the complaint does not fall within the Workforce Innovation and Opportunity Act jurisdiction for processing complaints alleging discrimination under Section 188 or Equal Opportunity and Nondiscrimination provisions at 29 CFR Part 38.74, the complainant will be notified in writing within five (5) business days of making such determination. The notification shall include the basis of the determination as well as a statement of the complainant's right to file with the Civil Rights Center (CRC) within thirty (30) days of the determination.

F. Complaint Processing Time Frame

A complaint will be processed, and a Notice of Final Action will be issued within ninety (90) days of receipt of the complaint pursuant to 29 CFR 38.72. Complainant may elect to file his or her equal opportunity complaint with the Technical College System of Georgia (TCSG) Office of Workforce Development (OWD). TCSG OWD's address and information is as follows: Attention: Compliance & Legal Affairs Director, 1800 Century Place N.E., Suite 150, Atlanta, Georgia 30345-4304; (404) 679-1371; wioacompliance@tcsg.edu.

If WorkSource Atlanta Regional/ARWDB has not provided complainant with a written decision within ninety (90) days of the filing of the complaint, complainant need not wait for a decision to be issued. Complainant may file a complaint with TCSG or CRC within thirty (30) days of the expiration of the 90-day period. If complainant is dissatisfied with WorkSource Atlanta Regional/ARWDB's resolution of his or her equal opportunity complaint, complainant may file a

complaint with TCSG. Such complaint must be filed within thirty (30) days of the date you received notice of WorkSource Atlanta Regional/ARWDB's proposed resolution.

OR

Complaints may be initially filed or appealed to the Director, Civil Rights Center (CRC) U.S. Department of Labor, 200 Constitution Avenue, N.W. Room N-4123, Washington, DC 20210 or electronically as directed on the CRC website at www.dol.gov/crc within thirty (30) days of complainant's receipt of either WorkSource Atlanta Regional/ARWDB Notice of Final Action or TCSG Notice of Final Action. In other words, within one hundred twenty (120) days Complainant may file his or her appeal.

Resolution Process

Alternative Dispute Resolution: Complainant must be given a choice as to the manner in which they have their complaint resolved. After an investigation is conducted by the Equal Opportunity Officer, ADR may be chosen by the complainant to resolve the issues, as long as a Notice of Final Action has not been issued. Mediation is recommended ADR and will be conducted by an impartial mediator. Complainant must notify the Equal Opportunity Officer within ten (10) days of receiving the Notice of Issue Statement letter of whether ADR is selected to resolve the dispute. WorkSource Atlanta Regional/ARWDB will provide an impartial mediator and will provide interested parties information regarding the arrangements (date, time, and location).

Time Frame: The period for attempting to resolve the complaint through mediation will be thirty (30) days from the date the complainant chooses mediation; but must be performed within ninety (90) days of the initial filing date.

Successful Mediation: Upon completion of successful mediation, the complainant and respondent will both sign a conciliation agreement attesting that the complaint has been resolved. A copy of the conciliation agreement will be provided to Technical College System of

Georgia, Office of Workforce Development within ten (10) days of the date the conciliation agreement was signed.

Unsuccessful Mediation: In the event mediation was not successful, WorkSource Atlanta Regional/ARWDB shall proceed with issuing a Notice of Final Action within the ninety (90) day limit.

Complainant Responsibility: The complainant may amend the complaint at any point prior to the beginning of mediation or the issuance of the Notice of Final Action. The complainant may withdraw the complaint at any time by written notification.

Breach of Agreement: Any party to any agreement reached under ADR may file a complaint in the event the agreement is breached with the Compliance & Legal Affairs Director, Technical College System of Georgia, Office of Workforce Development, 1800 Century Place N.E., Suite 150, Atlanta, Georgia 30345-4304; (404) 679-1371; wioacompliance@tcsg.edu; or Director, Civil Rights Center (CRC) U.S. Department of Labor, 200 Constitution Avenue, N.W. Room N-4123, Washington, DC 20210 or electronically as directed on the CRC website at www.dol.gov/crc The non-breaching party may file a complaint within thirty (30) days of the date that party learns of the alleged breach (29 CFR 38.72).

8. Program-Specific Requirements and Guidelines for Area Agencies on Aging

A. Funding

The Older Americans Act of 1965 was the first federal level initiative aimed at providing comprehensive services for older adults. It created the National Aging Network comprising the Administration on Aging in the U.S. Department of Health and Human Services (HHS) on the federal level, State Units on Aging at the state level, and Area Agencies on Aging at the local level. The network provides funding - based primarily on the percentage of an area's population 60 and older - for nutrition and supportive home and community-based services, disease prevention/health promotion services, elder rights programs, and the National Family Caregiver Support Program. The Act was first signed into law by President Lyndon Johnson on July 14, 1965. In 2020, Congress reauthorized the Act in its entirety, effective through FY 2025. As the federally designated Area Agency on Aging (AAA), ARC receives funding from the federal Older Americans Act for much of the work performed by the agency's Aging & Independence Services Department and partners within the counties of Cherokee, Clayton, Cobb, DeKalb, Douglas, Fayette, Fulton, Gwinnett, Henry, and Rockdale. ARC receives these funds through the Georgia Department of Human Services, Division of Aging Services (DAS). Most of the funding is passed through to jurisdiction local governments and non-profits to provide the services directly to the target populations. This sub-allocation process has a formula basis and is subject to a call for projects in association with the development of the Area Plan on Aging. This plan is issued every four years and call for projects is issued every two years.

Additional funding for the Aging and Independence Services Department is provided by the federal Social Services Block Grant, Medicaid waiver programs, federal AmeriCorps Senior, and a range of state programs, along with a variety of public and private grants. ARC also provide services through public/private partnerships with health care providers and insurers and housing providers

B. Monitoring

The Aging and Independence Services Department has an in-house monitoring team. The team monitors subgrantees utilizing a tool provided by DAS. The team also provides the monitoring services for the 5310 subgrants described herein. For DAS services, the tool includes checking for notices of accessibility and non-discrimination policies and participant complaint procedures and ensuring that program staff are trained in policies on non-discrimination and Americans with Disabilities Act requirements.

C. Complaints

To file a complaint directly to HHS, your complaint must be filed in writing by mail, fax, e-mail, or via the OCR Complaint Portal, include the name the health care or social service provider involved, and describe the acts or omissions, you believe violated civil rights laws or regulations, and be filed within 180 days of when you knew that the act or omission complained of occurred. More information can be found here: <https://www.hhs.gov/civil-rights/filing-a-complaint/complaint-process/index.html>. Email to OCRComplaint@hhs.gov or print and mail the completed complaint and consent forms to:

Centralized Case Management Operations
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Room 509F HHH Bldg.
Washington, D.C. 20201

D. Other Requirements

ARC is subject to the DHS Language Access for Limited English Proficient and Sensory Impaired Customers Policy #1701. ARC is responsible for providing meaningful access to LEP/SI customers as recipients of federal HHS funding and DAS contractors. Sensory Impaired refers to individuals who are deaf, deafened, hard of hearing, blind, low vision or deaf and blind, or have manual impairments and/or speech impairments. Sensory Impairment is covered by Section 504 of the Rehabilitation Act of 1973, Title II of ADA, and Sections 307 and 321 of the Older Americans Act.

In the Area Plan on Aging, ARC lists the top three non-English speaking populations in accordance with the ARC Limited English Proficiency Plan and describes how ARC and its providers will effectively perform outreach, deliver information, and provide services to LEP/SI consumers. The Aging and Independence Services Department has designated a Language Access Coordinator to receive DAS LEP/SI resources and training, provide PSA-level technical assistance, and offer training staff and providers as needed. The DAS Statewide Language Access Coordinator provides resources, customized training, and technical assistance Language Access Coordinators as needed. A Notice of Free Interpretation Services is posted in the reception area of the Atlanta Regional Commission offices. This notice informs the public of ARC's LEP policy.

The following contractors are available on the Team Georgia Marketplace State-wide contractors list. ARC may use any contractors that deliver services through qualified interpreters, transcriptionists, communications assistants, and other language professionals.

- Lionbridge
- Ad Astra
- Interpreters Unlimited

The Division of Aging Services, Area Agencies on Aging, and service providers are encouraged to use Georgia Relay, a free state-funded service, for TDD/TTY calls.

ARC is required to provide the following information to the DAS Statewide Language Access Coordinator upon request:

- Number of LEP/SI clients served
- Types of language assistance provided

The Division of Aging Services recommends that Area Agencies on Aging keep the above information on record in clients' files and in separate reports.

Attachments

Attachment 1.1: Title VI Complaints for the Period 2019-2022 with Disposition

Title VI Complaints Last Three Years

Complaint Date:	August 5, 2020
Name of Complainant:	Ben Howard
Reason for Complaint:	Ethics concerns with a municipal Neighborhood Planning Unit
Disposition of Complaint:	Dismissed due to lack of jurisdiction
Date Resolved:	August 27, 2020
Complaint Date:	August 22, 2022
Name of Complainant:	Van Long Le
Reason for Complaint:	Wrongful termination based on racial discrimination by private employer
Disposition of Complaint:	Dismissed due to lack of jurisdiction
Date Resolved:	September 1, 2022

Attachment 1.2: Translated versions of ARC's Title VI Complaint Form

- [English](#)
- [Spanish](#)
- [Vietnamese](#)
- [Korean](#)
- [Simplified Chinese](#)

Attachment 1.3: ARC Regional Community Engagement Plan

To guide ARC's regional transportation planning public participation process, ARC maintains a Regional Community Engagement Plan. This plan serves as 1) a regional planning community engagement guide for the public; 2) as the official participation policy for transportation planning for ARC; and 3) as an ARC response to the U.S. Department of Transportation directive to develop a participation plan for the Regional Transportation Plan (RTP) and the Transportation Improvement Program (TIP).

This plan has been revamped into a series of user-friendly, graphical modules, customized for various audiences. It is hoped that this plan, updated into this series of guidebooks will serve as a useful tool for advocates, neighborhood groups and the general public, as well as, elected officials, and transportation planning staff.

The Regional Transportation Community Engagement Plan for the Atlanta Metropolitan Region consists of the following modules:

[A Resident's Guide to Regional Transportation Planning](#)

[A Guide to Metropolitan Planning Organization \(MPO\) Basics](#)

[Community Engagement: Values, Techniques, and Process](#)

Additionally, The Atlanta Region's Plan includes a Stakeholder Engagement Plan found here: <http://documents.atlantaregional.com/The-Atlanta-Region-s-Plan/Stakeholder-Engagement-Plan.pdf>

Attachment 1.4: Summary of ARC 5303 Reports

ARC 5303 Summary Report for Transportation Equity and Public Involvement

4 th Qtr. 2019	<p><u>Public Involvement</u> (ARC Cost Center 906FPT)</p> <ul style="list-style-type: none"> Continued to work on the development of strategic community engagement plans in support of The Atlanta Region's Plan (2020), including outreach, messaging, and marketing plans. Continued efforts to coordinate and plan a series of fall open houses in support of The Atlanta Region's Plan (2020), including logistical planning and content development and design. Continued to host and promote ARC's Civic Dinner initiative (public engagement, meeting-in-a-box tool) to support a Future Focus ATL long range visioning public dialogue. Continued to promote the SHRP2 exploratory scenario planning public facing online survey tool. Responded to partner and public requests on The Atlanta Region's Plan and other planning activities, including public involvement process for the Transportation Improvement Program Amendment. Advised various ARC divisions on public involvement practices. Responded to partner and public requests on The Atlanta Region's Plan and other planning activities. Developed content and published the biweekly Community Engagement Network newsletter. Transportation Equity Advisory Group - Staff planned for upcoming TEAG October meeting. Staff held a meeting with TEAG to discuss process for how the group can assist in reviewing TIP applications received. TEAG was given background to understand process and metrics. TEAG reviewed applications. Continued to update ARC's website to reflect new activities and recently prepared draft documents associated with regional transportation planning and well as The Atlanta Region's Plan. Staff continues to develop and monitor metrics for each community engagement activity as well as overall engagement program. Finalized the public comment period for the 2020 updated to TARP and began work to comply and respond to public comments received.
1 st Qtr. 2020	<p><u>Public Involvement</u> (ARC Cost Center 006FPT)</p> <ul style="list-style-type: none"> Evaluation of Public Involvement Techniques, including a full report and summary of community engagement activities undertaken during the development of the most recent Atlanta Region's Plan. Final public comment report of the RTP/TIP Update completed and posted to the website. Continued to update ARC's website to reflect new activities and final draft documents associated with regional transportation planning as well as The Atlanta Region's Plan. Continued to work with regional partners in conducting community engagement.

	<ul style="list-style-type: none"> Completed engagement and debriefed process to begin to plan for ongoing outreach. Re-evaluated timeline for TIP Amendment #1 based on recent COVID-19 concerns. Began working with national, regional, and local partners to research challenges and best practices related to virtual meetings and virtual public engagement needs. This research was compiled into a resource guide and staff presented related webinars to support internal and external partners. Especially with the implication of COVID-19 pandemic, staff considered how to expand virtual engagement procedures moving forward. This, along with ongoing thinking about community engagement improvements will be implemented over time. A series of webinars are being hosted by ARC and staff organized several national association webinars about inclusive virtual community engagement. Staff participated in several national association webinars on virtual community engagement.
2 nd Qtr. 2020	<p><u>Public Involvement</u> (ARC Cost Center 006FPT)</p> <ul style="list-style-type: none"> RTP/TIP Update Engagement - Discussions regarding upcoming Amendments as well as TIP solicitation process were held, including potential needs to revisit schedule for public involvement. Staff also researched various virtual engagement platforms for upcoming year and ongoing virtual environment due to Covid-19. Discussions underway about potential community-wide focus groups to better understand the impact of transportation planning decisions on underserved communities. Staff prepared public notice/legal ad for Amendment #1 as well as all supporting materials, including virtual public hearing procedures. Ad was submitted to FCDR and Mundo Hispanico and all information was posted on various webpages and sent to mailing lists of interested parties. Community Engagement Network - A series of webinars are being hosted by ARC and staff organized several about inclusive virtual community engagement. Staff also participated in several national association webinars on virtual community engagement. Discussions continue on how to enhance the ability to engage partners and stakeholders in a virtual environment. Ongoing planning continues for how to expand partnerships within a virtual, COVID-19 world. Staff is conducting internal-based discussions about how to streamline outreach across the planning functions of ARC, in an even stronger way than before. Several meetings have occurred amongst staff and leadership to discuss ways to expand external partnerships throughout 2020 and 2021. Several deeper dive discussions have been set up with advocacy groups for August. Transportation Website - The newly updated Covid-19 data and resources page continues to be updated on a weekly basis and staff has begun updating various committee webpages as well, in support of new virtual committee meetings. Staff has also started discussing how to further enhance the ARC website to support a new, predominantly virtual environment.

	<ul style="list-style-type: none"> Evaluation of Public Involvement Techniques - We are working to host, join, and convene discussions about inclusive virtual community engagement and how to improve our own efforts, as well as various regional efforts. Staff also participated in several national association webinars and discussions on improving virtual community engagement. Discussions continued on how to enhance the ability to engage partners and stakeholders in a virtual environment. Staff participated in several nationally called committee meetings for TRB and AMPO to understand how to best leverage and be more effective in virtual public involvement. The Covid-19 data and resources page continue to be updated on a weekly basis and staff continued updating various committee webpages as well, in support of new virtual committee meetings. Staff also continued discussing how to further enhance the ARC website to support a new, predominantly virtual environment.
3 rd Qtr. 2020	<p><u>Public Involvement</u> (ARC Cost Center 006FPT)</p> <ul style="list-style-type: none"> Transportation Website - A new library of weekly webinars, including postings of new webinars, recordings and supporting materials for past webinars has been created and posted, with weekly updates to content. The COVID-19 webpage was updated weekly. The Amendment #1 as well as transportation committee webpages were also updated throughout the month to reflect current planning efforts. Evaluation of Public Involvement Techniques - Staff participated in a series of planning meetings with FHWA and SE counterparts to organize a series of Virtual Public Involvement workshops. Staff also met internally to discuss what public engagement efforts are strong and how the agency would like to improve. RTP/TIP Update Engagement - Staff completed the public engagement period for Amendment #1 including incorporating comments received and preparing final engagement report. Community Engagement Network - Engaged local advocacy groups in several small group meetings to consider their concerns with region planning and local engagement with an eye toward ongoing improvements between the community and regional planning efforts. Transportation Website - Staff kept webpages up to date with latest webinar info as well as info from the Amendment #1 process. Staff also began work on a new interactive data dashboard for the TIP solicitation process.
4 th Qtr. 2020	<p><u>Public Involvement</u> (ARC Cost Center 006FPT)</p> <ul style="list-style-type: none"> Community Engagement Network - ARC continues to expand regional partnerships through ongoing webinars, trainings, and coordination. Transportation Website - Staff kept webpages up to date with latest webinar info as well as info from the Amendment #1 process. Staff also began work on a new interactive data dashboard for the TIP solicitation process. Provided information on upcoming webinars hosted by ARC. Updated TIP webpage to include information on 4th quarter administrative modifications, project solicitation recommendations and the schedule for Amendment #2 (to begin in January 2021).

	<ul style="list-style-type: none"> • Evaluation of Public Involvement Techniques - Engagement process improvement was discussed with FHWA, AMPO committees, GDOT, internally, and with a local graduate school class at GA Tech. • Equity Policies - Met with members in small working groups to review specific projects eligible for TIP funding allocations. • RTP/TIP Update Engagement - Development of materials for public comment on TIP/RTP Amendment #2. Comment period scheduled to begin in mid-January 2021.
1 st Qtr. 2021	<p><u>Public Involvement</u> (ARC Cost Center 106FPT)</p> <ul style="list-style-type: none"> • Equity and Environmental Justice Outreach - Planned and convened the first TEAG meeting of the year to debrief group on the TIP Solicitation funding decisions. • Equity and Environmental Justice Outreach - Scheduled the rest of TEAG meetings for 2021. • Public Meetings - Attended various public meetings related to planning studies and regionally significant projects. • Regional Community Engagement Plan - Reviewed components of Regional Community Engagement Plan for adherence to federal requirements as part of preparation for FTA Triennial Review.
2 nd Qtr. 2021	<p><u>Public Involvement</u> (ARC Cost Center 106FPT)</p> <ul style="list-style-type: none"> • Equity and Environmental Justice Outreach - Planned and held a Transportation Equity Advisory group meeting focused on current and upcoming initiatives at ARC. Reviewed performance measures around equity and began planning outreach to TEAG to provide them with an opportunity to comment. Advised the Regional Safety Strategy team on equity and began planning the next TEAG meeting. • Public Meetings - Attended various public meetings related to planning studies and regionally significant projects.
3 rd Qtr. 2021	<p><u>Public Involvement</u> (ARC Cost Center 106FPT)</p> <ul style="list-style-type: none"> • Equity and Environmental Justice Outreach - Planned the August TEAG meeting to focus on the Regional Safety Strategy to get feedback from the group. Began to set the agenda for the October meeting. Held a meeting of the Transportation Equity Advisory Group to discuss project funding and the RTP. • Public Meetings - Attended various public meetings related to planning studies and regionally significant projects.

<p>4th Qtr. 2021</p>	<p><u>Public Involvement</u> (ARC Cost Center 106FPT)</p> <ul style="list-style-type: none"> • Equity and Environmental Justice Outreach - Held a meeting of the Transportation Equity Advisory Group to discuss project funding and the RTP. Worked internally to determine the best time for the next TEAG meeting. Determined a schedule for the 2022 year for TEAG meetings. • Public Meetings - Attended various public meetings related to planning studies and regionally significant projects. • Innovative Public Involvement Techniques - Continued to conduct remote engagement activities related to studies and committee meetings led by ARC.
<p>1st Qtr. 2022</p>	<p><u>Public Involvement</u> (ARC Cost Center 206FPT)</p> <ul style="list-style-type: none"> • Transportation Equity Advisory Group (TEAG) met in January to discuss upcoming ARC initiatives and were given an overview of projects submitted to the TIP. TEAG met in February and discussed how to best leverage new federal funding sources for disadvantaged communities and equitable electric vehicle planning. TEAG met in March and discussed ATL's 2022 Regional Transit Plan and transit for the Campbellton Road Corridor. • Began routine of documentation to identify potential edits reflecting community engagement strategies employed during pandemic. • Began coordinating staff to update ARC's Title VI, LEP, and DBE plans. • Began drafting RFP for Community Engagement Strategy and RTP outreach support. • Held job interview for the vacant Community Engagement Program Manager position.
<p>2nd Qtr. 2022</p>	<p><u>Public Involvement</u> (ARC Cost Center 206FPT)</p> <ul style="list-style-type: none"> • TEAG met in April and were given an overview of all the TIP solicitation applications. • Continued review of documentation to identify potential edits reflecting community engagement strategies employed during pandemic. Continued internal discussions related to creation of fourth document in the set to comprise a participation plan for the 2024 RTP update. • Conducted a DBE stakeholder participation workshop.

Attachment 1.5: ARC's Environmental Justice Analysis Methodology

Information on ARC's Environmental Justice Analysis Methodology, updated in 2019 can be found here: [Equity Analyses Methodology](#)

Attachment 1.6: ARC Board Resolution

The ARC Board is expected to adopt the Title VI Program updates on September 14, 2022. Pending adoption, the resolution will be attached.



DATE: September 14, 2022

ISSUE SUMMARY:

TITLE VI PROGRAM & PLAN

FROM: Brittany Zwald, General Counsel

IMPORTANCE:

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

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

ARC continues to follow and expand upon its current 2019 Title VI Program & Plan that meets the requirements prescribed by Title VI of the Civil Rights Act of 1964, Executive Order 12898, Executive Order 13166 and as may be further enforced by its federal funders. This updated 2022 Title VI Program & Plan demonstrates ARC's commitment to taking meaningful steps to ensure the protection of rights for all persons affected by its programs.

ACTION REQUIRED:

ARC adoption



ATLANTA REGIONAL COMMISSION

**A RESOLUTION ADOPTING THE
ATLANTA REGION COMMISSION'S
2022 TITLE VI PROGRAM & PLAN**

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

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

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

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

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

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

WHEREAS, in 2019, ARC did develop and adopt an expanded Title VI Plan & Program as required by the Federal Transit Administration and ARC adopted an updated transportation participation plan, the Regional Community Engagement Plan in 2019; and

NOW, THEREFORE, BE IT RESOLVED that the Atlanta Regional Commission certifies compliance with policies, procedures and plans with regard to Title VI of the Civil Rights Act of 1964 (as amended) and additional Assurances as required and hereby adopts its 2022 Title VI Program & Plan; and

BE IT FURTHER RESOLVED that the Atlanta Regional Commission directs staff to begin efforts immediately to implement the provisions of the 2022 Title VI Program & Plan.

I do hereby certify that the foregoing resolution was adopted by the Atlanta Regional Commission on September 14, 2022.

A handwritten signature in cursive script that reads "Charissa White-Fulks". The signature is written in dark ink and is positioned above a horizontal blue line.

Charissa White-Fulks, ARC Executive Assistant/Board Secretary