Roanoke Valley-Alleghany REGIONAL commission

Roanoke Valley Transportation PLANNING ORGANIZATION
Staffed by the REGIONAL commission

Title VI Implementation Plan

Approved: Augst 27th, 2026

Amended:

Adjusted:

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ABSTRACT

The Title VI Implementation Plan describes the measures of the Roanoke Valley-Alleghany Regional Commission (RVARC) to ensure compliance with Title VI of the Civil Rights Act of 1964, which prohibits discrimination based on race, color, or national origin. Any agency that receives federal financial assistance must comply with Title VI. RVARC and the organizations and programs are subject to the Title VI Implementation Plan.

ACKNOWLEDGMENT

RVARC acknowledges and thanks the assistance from the other Planning District Commissions within the Commonwealth of Virginia. This document was prepared in cooperation with the Virginia Department of Transportation (VDOT), the Virginia Department of Rail and Public Transit (VDRPT), the Greater Roanoke Transit Company (Valley Metro), and the Federal Transit Administration (FTA). The contents do not necessarily reflect the official views or policies of the VDOT, VDRPT, GRTC, or FTA.

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ACRONYMS

Name	Acronym
Virginia Department of Transportation	VDOT
Virginia Department of Rail and Public Transportation	DRPT
Greater Roanoke Transit Company	GRTC
Federal Highway Administration	FHWA
Federal Transit Administration	FTA

Roanoke Valley-Alleghany Regional Commission and Roanoke Valley Transportation Planning Organization

Supported by RVARC Staff

Our Mission: Our goal is to provide a regional and collaborative partnership that serves as a resource of data and support to the localities, other service providers, and partners within the Roanoke Valley-Alleghany Regional Commission or Transportation Planning Organization footprint to elevate and support transportation funding and direct federal funding to improve our communities' transportation systems.

The Roanoke Valley-Alleghany Regional Commission: The Roanoke Valley-Alleghany Regional Commission (RVARC) footprint spans in the 5th planning district commission which includes the following localities: Alleghany County, City of Covington, Town of Clifton Forge, Craig County, Botetourt County, Roanoke County, City of Salem, City of Roanoke, Town of Vinton, Bedford County, Montgomery County, Franklin County, Town of Boones Mill and Rocky Mount.

Encouraging regional collaboration between partners, including local governments, private and public service providers, and community-based organizations. The Regional Commission strives to utilize our role as a regional support system to advance our communities in Transportation, Economic Development, Community Development, Housing, Environmental Resilience, and supporting community wellness and fighting the Opioid and Addiction Crisis.

RVARC supports RVTPO and ensures Title VI compliance for all federally funded programs.

The Roanoke Valley Transportation Planning Organization: The Roanoke Valley Transportation Planning Organization (RVTPO) footprint is the urban core of the previous list, which includes the following localities: Botetourt County, Roanoke County, City of Salem, City of Roanoke, Town of Vinton, Bedford County, and Montgomery County.

The RVTPO develops and manages the federally required planning documentation for TPO/MPOs, including the Public Participation Plan, Metropolitan Transportation Plan or Long-Range Transportation Plan, Congestion Management Plan, and Transportation Improvement Program. The Title VI Plan is a requirement due to the organization's utilization of federal funding.

ACCESSING THIS PLAN

The Title VI plan and additional documentation, maps, or resources can be found on the RVARC website at https://rvarc.org/policy/title-iv-ada-notices/ and https://engage.rvarc.org/title-vi-program.

Physical documentation of the plan or other resources can be viewed at the RVARC office at 313 Luck SW, Roanoke, VA 24010.

We can give additional guidance or assistance in retrieving the information when needed. We will support your access through the following avenues:

PUBLIC RECORDS REQUEST

Under the Freedom of Information Act (FOIA), anyone can request records by visiting the following page: https://rvarc.org/policy/freedom-of-information-act-foia-requests/.

The RVARC FOIA officer is Virginia Mullen, vmullen@rvarc.org, and the additional contact would be Jeremy Holmes, Executive Director.

ADA ACCOMMODATION

Under the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), the Roanoke Valley-Alleghany-Regional Commission (RVARC) and the Roanoke Valley Transportation Planning Organization (RVTPO) will not discriminate against qualified individuals with disabilities based on disability in its services, programs, or activities.

For additional information, forms, or to request accommodations, visit the following page: https://rvarc.org/policy/title-iv-ada-notices/.

LANGUAGE ACCESS PLAN/POLICY

RVARC takes all reasonable measures to ensure timely and meaningful access for individuals requesting access to translated materials. Those in need of translation services can contact RVARC at rvarc@rvarc.org or submit a request through the RVARC online contact form: https://engage.rvarc.org/title-vi-program

POLÍTICA DE ACCESO LINGÜÍSTICO EN ESPAÑOL

RVARC se compromete a tomar todas las medidas razonables para garantizar que las personas que enfrentan barreras con el idioma inglés tengan acceso oportuno y significativo a sus servicios a través de su plan de acceso lingüístico. Si necesita servicios de traducción, puede comunicarse con RVARC por correo electrónico a rvarc@rvarc.org o enviar una solicitud mediante el formulario de contacto en línea disponible en el sitio web de RVARC. https://engage.rvarc.org/title-vi-program

LETTER FROM THE EXECUTIVE DIRECTOR

The Roanoke Valley-Alleghany Regional Commission has served our member governments since 1968, providing a range of community development, economic development, and transportation planning services for our diverse range of communities.

The Regional Commission also staffs the Roanoke Valley Transportation Planning Organization (RVTPO), which manages transportation planning and state and federal compliance issues for the urban Roanoke Valley. Regional Commission staff support the RVTPO's Policy Board and Transportation Technical Committee with a number of administrative, planning, and regulatory support services to make sure our work products comply with federal and state law. This includes developing and maintaining the region's Long Range Transportation Plan, various modal plans such as the Transit Vision Plan and Active Transportation Plan, managing the Transportation Improvement Program, and providing technical support for project implementation through funding programs such as Virginia's SMART SCALE.

This letter serves to confirm the Regional Commission's steadfast commitment to adhering to all Title VI non-discrimination practices concerning our plans, processes, and systems. This commitment applies both specifically to the RVTPO and generally to the Regional Commission.

The Regional Commission values the opportunity to collaborate with our Federal and State partners to perform high-quality transportation planning and programming that includes a robust, proactive public process. This approach actively engages all of our residents in projects impacting the communities where they live and work.

SECTION 1: UNDERSTANDING THE DOCUMENT

The Roanoke Valley-Alleghany Regional Commission (RVARC) serves as the Roanoke Valley Transportation Organization (RVTPO) fiscal agent. It receives federal financial assistance, including a pass-through to sub-recipients and contract consultants. We are fully committed to compliance with Title VI of the Civil Rights Act of 1964 and related laws.

This document will act as a living document that will be updated annually to reflect demographic changes, implementation trials and success, and report on any complaint occurrences.

La Comisión Regional de Roanoke Valley-Alleghany (RVARC) sirve como agente fiscal de la Organización de Transporte del Valle de Roanoke (RVTPO). Recibe asistencia financiera federal, incluida una transferencia a los subreceptores y consultores contratados. Estamos totalmente comprometidos con el cumplimiento del Título VI de la Ley de Derechos Civiles de 1964 y las leyes relacionadas. Este documento actuará como un documento vivo que se actualizará anualmente para reflejar los cambios demográficos, las pruebas de implementación y el éxito, e informar sobre cualquier ocurrencia de queja.

PURPOSE OF THIS DOCUMENT

The purpose of the Title VI Plan is to set guidelines and guidance for the organization's transportation planning program(s) and compliance with federal funding requirements. This document will include other programs within the Regional Commission umbrella, as well as awareness of other funding requirements surrounding Title VI and nondiscrimination. This plan will cover the background on RVARC and RVTPO, Title VI and related laws, Title VI and connection with planning programs, discrimination complaint documentation and processes, available resources, and demographics.

NOTICE TO THE PUBLIC

RVARC assures that no person shall, on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 (Public Law 100.259), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. RVARC further assures that every effort will be made to ensure nondiscrimination in all its programs and activities, whether those programs and activities are federally funded or not.

RVARC asegura que ninguna persona, por motivos de raza, color u origen nacional, según lo dispuesto por el Título VI de la Ley de Derechos Civiles de 1964 y la Ley de Restauración de los Derechos Civiles de 1987 (Ley Pública 100.259), será excluida de la participación, se le negarán los beneficios o será objeto de discriminación en cualquier programa o actividad. RVARC asegura además que se hará todo lo posible para garantizar la no discriminación en todos sus programas y actividades, ya sea que esos programas y actividades estén financiados por el gobierno federal o no.

OUR COMMITMENT

RVARC and RVTPO are guided by federal laws, but we are constantly learning and assessing strategies that create a more transparent and accessible planning process for everyone.

WHAT IS TITLE VI?

The Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color, or national origin by agencies that receive federal financial assistance. As a recipient of federal financial assistance, the Roanoke Valley-Alleghany Regional Commission (RVARC) and its programs do not discriminate based on race, color, or national origin (see).

The Title VI Implementation Plan outlines the measures RVARC adopts to ensure compliance with Title VI across four key areas: Title VI Program, Language Access Plan (LAP), Coordinators, and Discrimination Complaints. The Title VI Program details how RVARC promotes nondiscrimination in communications and public participation, planning and programming, consultant contracts, and education and training. The Language Access Plan (LAP) affirms RVARC's commitment to providing meaningful access for individuals who face language barriers, describes the implementation of language assistance activities, and outlines procedures for monitoring and updating these services. The designated coordinators for these efforts are the Title VI Manager and the ADA Coordinator. The Discrimination Complaints section explains the procedures for addressing and resolving complaints related to discrimination.

Regional Planning Before Title VI: Title VI plays a critical role in protecting communities from being harmed by unfair policies that seem harmless on the surface. Before Title VI was implemented into planning practices, a series of urban renewal projects.

Roanoke, Virginia: Urban renewal began in 1955 with the Commonwealth Project, located in the Northeast vicinity of what is now the Civic Center. This project included the widening of Williamson Road and the removal of homes, schools, businesses, and churches to make property available for commercial redevelopment. Planning policies have frequently contributed to displacement, segregation, and harm against marginalized communities.

Redlining, banned in 1968, was a discriminatory banking practice that prevented people of color from obtaining mortgages, further entrenching racial and socioeconomic inequality.

Transportation Timeline:

- **Title VI of the Civil Rights Act of 1964 (July 2nd):** Following the implementation of Title VI, a series of acts were incorporated into federal legislation regarding programs that receive federal funding, such as RVARC.
- **The National Environmental Policy Act of 1969:** One of the first laws establishing a broad national framework for protecting the environment.
- **The 1973 Federal Aid Highway Act (23 O.S.C 302):** Ensures no person shall be discriminated against on the grounds of sex.

- **Section 504 of the Rehabilitation Act of 1973 (29 U.S.C 790):** Prohibits discrimination on the basis of disability in programs or activities receiving federal financial assistance from the U.S. Department of Education.
- **The 1975 Age Discrimination Act (Section 6101):** Prohibits discrimination on the basis of age in programs or activities receiving federal financial assistance.
- **The 1987 Restoration Act:** Specifies that entities receiving federal funds must comply with civil rights legislation in all of their operations.
- **The 1990 Americans with Disabilities Act (42 U.S.C 126):** Extends the framework of federal civil rights laws to protect the 43 million Americans with disabilities in various aspects of public life, including jobs, schools, transportation, and all public and private places open to the general public.

Executive Orders following Title VI: While not laws, executive orders obtain the force of law.

Title VI and Comprehensive Climate and Public Health Planning: The National Environmental Policy Act of 1969 (42 U.S.C. §4321 et seq.) was one of the first laws to establish a broad national framework for protecting the environment. NEPA's basic policy is to ensure that all branches of government give proper consideration to the environment before undertaking any major federal action that significantly affects the environment. NEPA requirements are invoked when airports, buildings, military complexes, highways, parkland purchases, and other federal activities are proposed. Environmental Assessments (EAs) and Environmental Impact Statements (EISs) are required from all federal agencies and are the most visible NEPA requirements.

Clean Air Act of 1970: Transportation conformity is required by the Clean Air Act section 176(c) (42 U.S.C. 7506(c)) to ensure that federal funding and approval are given to highway and transit projects that are consistent with ("conform to") the air quality goals established by a state air quality implementation plan (SIP). Conformity to the purpose of the SIP means that transportation activities will not cause new air quality violations, worsen existing violations, or delay timely attainment of the national ambient air quality standards.

Civil Rights Restoration Act of 1987: This act was a direct response to and rejection of the 1964 Supreme Court decision in Grove City College v. Bell. It restored the original intent and scope of Title VI to include all programs and activities of federal aid recipients and contractors, whether federally funded or not.

COMPLIANCE, COMMUNICATIONS, AND PUBLIC PARTICIPATION. To ensure Title VI Compliance, RVARC staff and the decision-makers of its organizations and programs will not discriminate based on race, color, or national origin.

- RVARC staff evaluate and monitor compliance with nondiscrimination authorities in its:
  - Communications and Public Participation
  - Planning and Programming
  - Consultant Contracts
  - Education and Training

To comply with Title VI, RVARC/RVTPO will:

- Maintains current Title VI Assurances (Appendix A/B: Certificate of Assurance)
- Promptly correct any deficiency identified
- Conduct regular reviews of program areas and contractors
- Document and prepare reports of Title VI efforts on a regular basis
- The RVARC executive director designates a Title VI Manager.

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

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

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

FILING A COMPLAINT AND FORMS

In writing, electronically, or verbally.

Discrimination Complaint Form found in Appendix G

- The discrimination complaint form is available below and online (link: https://rvarc.org/transportation/title-vi-and-ada-notices/) or digitally at

https://engage.rvarc.org/title-vi-program. The complaint form can be submitted by email, by mail, or in person at 313 Luck Ave SW, Roanoke, VA. The Title VI Manager can assist the person in filing a complaint if needed.

- Complaint processing (full procedure in Appendix C)
    - Complaints will be sent to the FHWA Headquarters Office of Civil Rights (HCR) for processing. HCR is responsible for all determinations regarding whether to accept, dismiss, or transfer Title VI complaints filed against State DOTs or subrecipients of Federal financial assistance.
    - Complaints will be forwarded from the initial receiving agency through the Federal-aid highway oversight hierarchy until the complaint reaches HCR. For example, suppose a complaint is filed with RVARC. In that case, RVARC will forward the complaint to the Virginia Department of Transportation, which should forward the complaint to Virginia's FHWA Division Office, which should forward the complaint to HCR.
    - RVARC will log all complaints received.
    - When HCR decides on whether to accept, dismiss, or transfer the complaint, HCR will notify the Complainant, the FHWA Division Office, the Virginia Department of Transportation, and RVARC.

LANGUAGE ACCESS PLAN

The Language Access Plan (LAP) is developed using the language demographics available from the American Community Survey (ACS) and analyzes factors that determine the need and resources for language translation.

LAP Statement of Commitment: Meaningful translation access to people means ensuring effective communication. RVARC will take reasonable steps to ensure people have meaningful access to programs, activities, services, and information that are normally provided in English. Failure to ensure that people can effectively participate in federally assisted programs and activities may violate the prohibition against national origin discrimination under Title VI of the Civil Rights Act of 1964.

Individuals who do not speak English as their first language are entitled to reasonable translation services. Language barriers can hinder access to services, understanding rights, and fulfilling responsibilities. They may qualify for free language assistance for federally funded programs.

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

When staff encounters people in need of language assistance, use the following guidelines to determine what assistance can be provided. Staff will contact the Title VI Manager or Executive Director for assistance.

The Title VI Manager will ensure:

- Post written notices on the website and/or in a public area regarding the right to free language assistance for people conducting business with RVARC in the most likely to be encountered languages (as determined using the four-factor analysis).
- Ensure that public notices and publications include statements that RVARC provides reasonable accommodation for people who require special assistance to participate in public involvement opportunities.
- Maintain the language assistance resource list, updating with current resources.
- Ensure staff understand:
    - The right to free language assistance for people.
    - How to use language assistance resources.
    - To include statements in public notices and publications that RVARC provides reasonable accommodation.
    - Monitoring and Updating Processes
    - RVARC will monitor its LAP and practices, review them regularly with the four-factor analysis, and update them as needed.
    - Review RVARC activities regularly to provide meaningful access to people.
    - Document requests for translation services and encounters with people and provide reports when requested.

LANGUAGE ACCESS ANALYSIS

The analysis is to be used to assess the need for language assistance services:

Factor One: Demographics – *The knowledge of knowing where people are:*

RVARC/RVTPO has compiled census data from the 2023 American Community Survey to analyze the number and proportion of non-English speaking persons served and languages spoken in the service area. This data indicates the extent to which translations into other languages are needed to meet the needs of people learning the English language.

Language Group	Population	Percentage of Total Population
Spanish	7,262	22.8%
Indo-European	4,536	13.6%

Asian and Pacific Island Languages	3,284	9.3%
Other	1,080	3%
Total Population	16,162	48.7%

Table 1: Language by Population totals for localities.

The tables below present data on limited English-speaking households by locality, based on the 2023 American Community Survey:

Localities	All Households	Spanish	Indo-European	Asian and Pacific Island Languages	Other
Bedford County	32,698	721	493	253	48
Botetourt County	13,105	260	82	57	0
Roanoke County	39,231	1,386	1,052	612	194
City of Salem	10,140	264	167	78	34
City of Roanoke	43,429	2,692	1,178	624	339
Franklin County	22,484	542	144	78	24

Table 2: Limited English Speaking Households in the listed localities

Factor Two: Frequency – *The rate of contact with the service or program:*

The RVARC staff have limited contact with individuals who need language translation services. The following data shows the frequency of communications between RVARC staff members and Language Access individuals. Additionally, RVARC and RVTPO host several committee meetings each month.

Staff were surveyed to determine the frequency of Language Access interaction within the organization. The survey results are shown below:

Staff reported that 33% had interactions in languages other than English in the past six months. Of these, 8.3% communicate with speakers of other languages monthly, while 91.7% rarely or never do so. The additional languages mentioned were Bulgarian and Spanish.

Factor Three: Importance – *The nature and importance of the program/service to people's lives. RVARC/RVTPO provides translation materials and other assistance appropriate for English learning populations if needed for the project. RVARC/RVTPO ensures equitable access, safety, compliance, and community integration and inclusion.*

Factor Four: Resources – *The available resources, including language assistance services. The RVARC/RVTPO provides translation resources listed below:*

- *Cost alone will not determine whether a request is granted. Language assistance services deemed appropriate will be made available at the expense of RVARC.*
- *Requests for under $100: Will be granted. For Spanish, a phone call that might last up to 30 minutes or a document that is 1 typed page in English is likely to fit this criterion.*

- *Requests for over $100: Title VI Manager and the RVARC Executive Director review based on the four-factor analysis and grant if deemed vital.*

The Title VI Manager will:

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

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

- *Roanoke Refugee Partnership*
- *Roanoke Spanish or Casa Latina*
- *City of Roanoke Division of Human Services*
- *Roanoke County Department of Social Services*
- *Virginia Department of Social Services*
- *Council of Community Services*

Other paid or online services to translate include:

- CyraCom: RVARC has a Pay-As-You-Go account with CyraCom – On Demand Over-the-Phone Interpretation (www.cyracom.com). CyraCom maintains telephone-assisted interpretation capability for over 100 languages ($2.49/minute) and written translation services for a fee.

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

If a complaint addresses a particular service provider, the complaint should be lodged with that provider. For complainants who may be unable to file a written complaint, verbal information will be accepted by RVARC at 540-343-4417 or in person.

To submit a formal complaint or to request additional information on Title VI obligations, contact Alison Stinnette, RVARC Title VI Manager, 313 Luck Avenue, SW, Roanoke, Virginia, 24016; phone 540-343-4417; email astinnette@rvarc.org.

The secondary contact for Title VI issues is Jeremy Holmes, (540) 343-4417, email jholmes@rvarc.org.

STAFF TRAINING

- To ensure compliance through education and training, the RVARC Title VI Manager will:
- Distribute information to staff, board, and committee members, and other stakeholders on training programs regarding Title VI and related nondiscrimination authorities.
- Offer onboarding and annual training to staff in Title VI non-discrimination and implementation.
- Track Title VI nondiscrimination training of staff, board, and committee members.
- Develop Title VI educational information for dissemination to the public.

CONSULTANT CONTRACT

RVARC is responsible for the selection, negotiation, and administration of its consultant contracts. RVARC complies with all relevant federal and state laws in contract selection. RVARC/RVTPO has a checklist being developed for contracting purposes to ensure that appropriate assurances are incorporated. RVARC staff evaluate and monitor consultant contracts for compliance with nondiscrimination authorities. See Appendix H for form.

RVARC staff will:

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

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

RVARC/RVTPO SUPPORTS THE OBJECTIVES OF THE BUSINESS ENTERPRISE PROGRAM:

To ensure equal access in the award and administration of Federal Highway Administration-assisted contracts

- To create a level playing field on which disadvantaged businesses can compete fairly for Federal Highway Administration-assisted contracts.
- To ensure the program is narrowly tailored in accordance with applicable law.
- To ensure that only firms that fully meet 49 CFR, Part 26 eligibility standards are permitted to participate in the program.
- To help remove barriers to the participation of disadvantaged businesses in Federal Highway Administration-assisted contracts.
- To assist the development of firms that can compete successfully in the marketplace outside of the program.
- To provide appropriate flexibility to recipients of federal financial assistance in establishing and providing opportunities for disadvantaged businesses.

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

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

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

Effective Communication: *The RVARC and the RVTPO will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in Virginia Department of Rail and Public Transportation (DRPT) programs, services and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing or vision impairments.*

Other policies regarding employment and modifications to policies and procedures can be found at the link below.

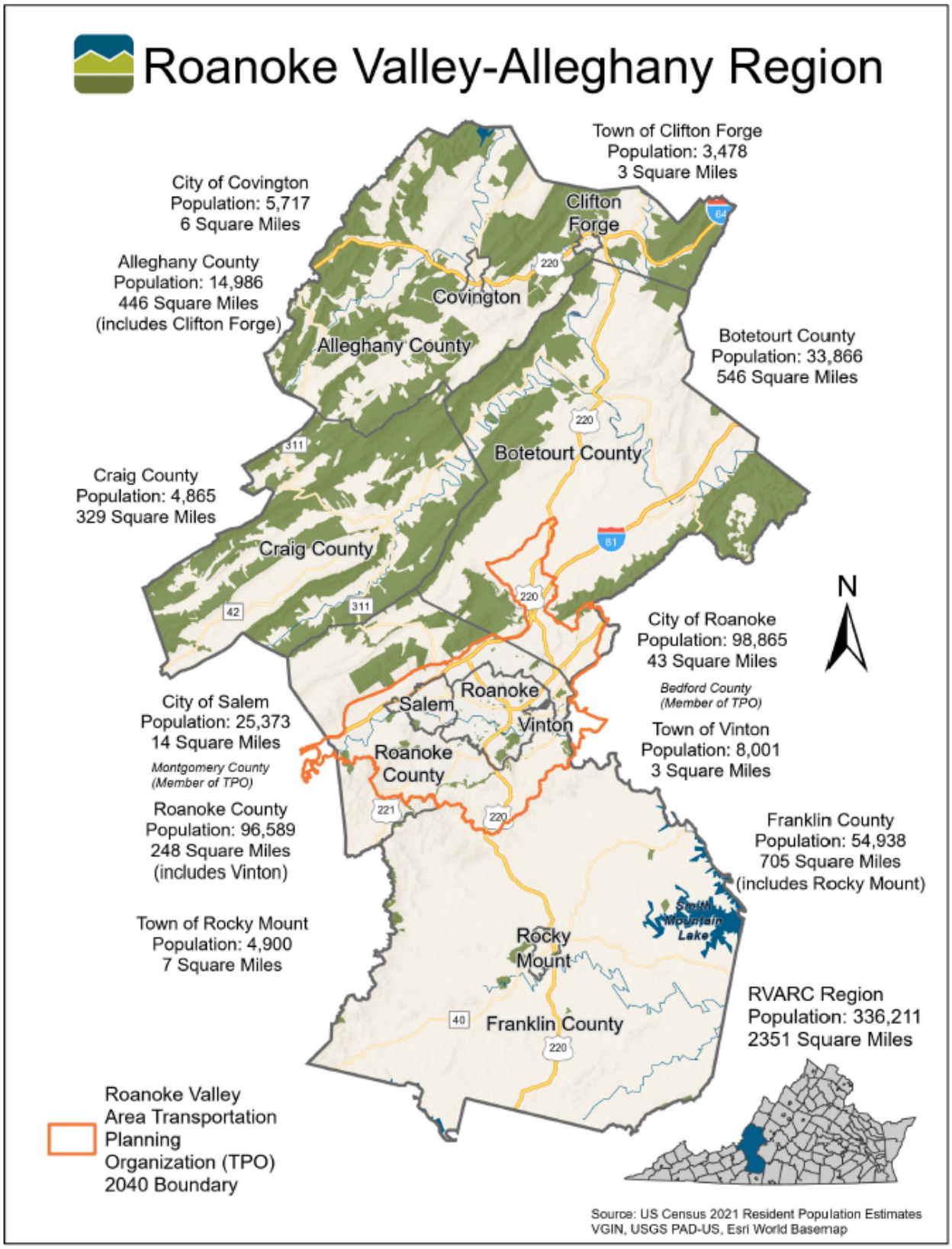
https://rvarc.org/policy/title-iv-ada-notices/#american-disabilities

PUBLIC ADVERTISEMENT ASSURANCE STATEMENT

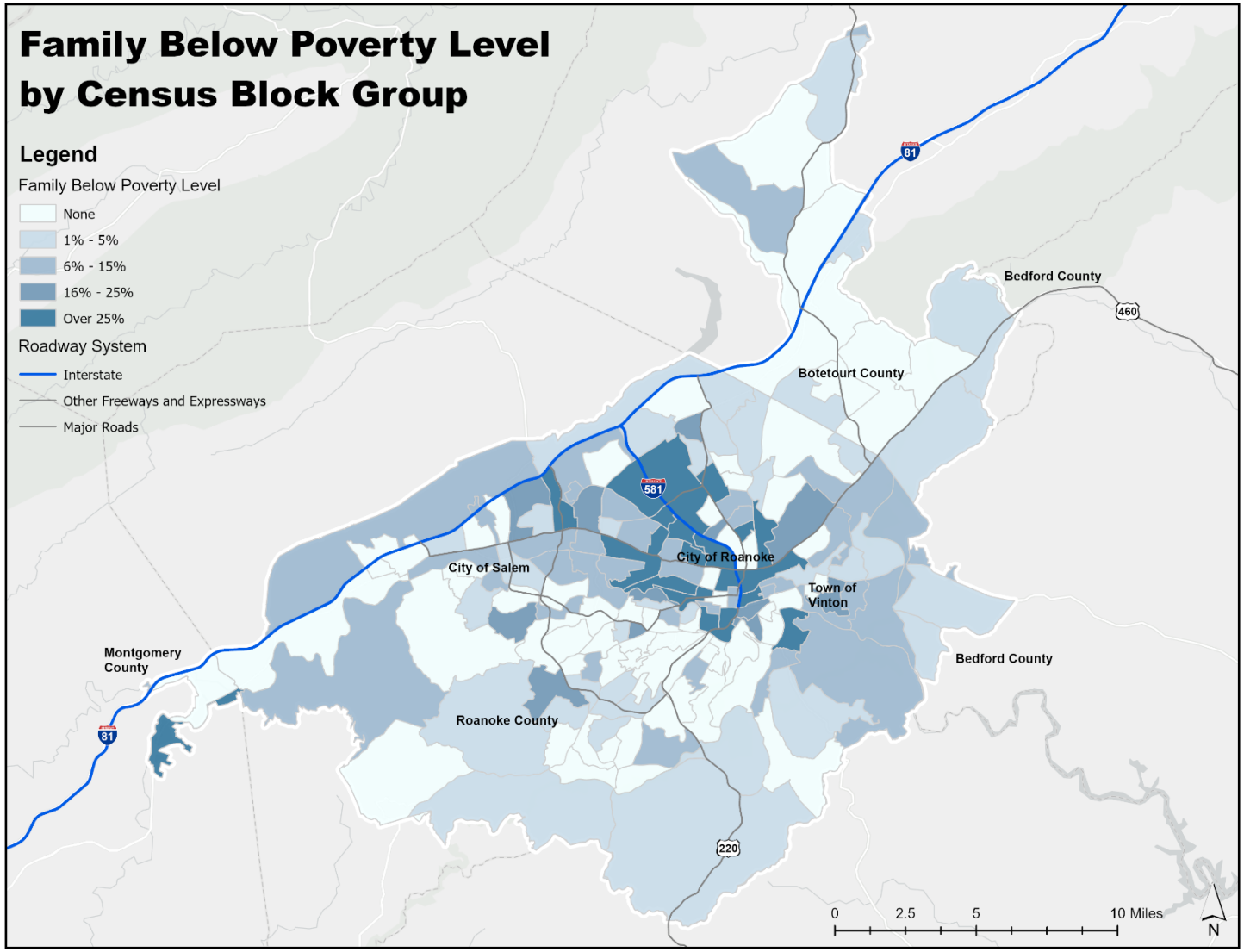
There will be a required language statement to be incorporated during public notifications to increase accessibility to participation. A variation of the following statement will be required for transportation projects:

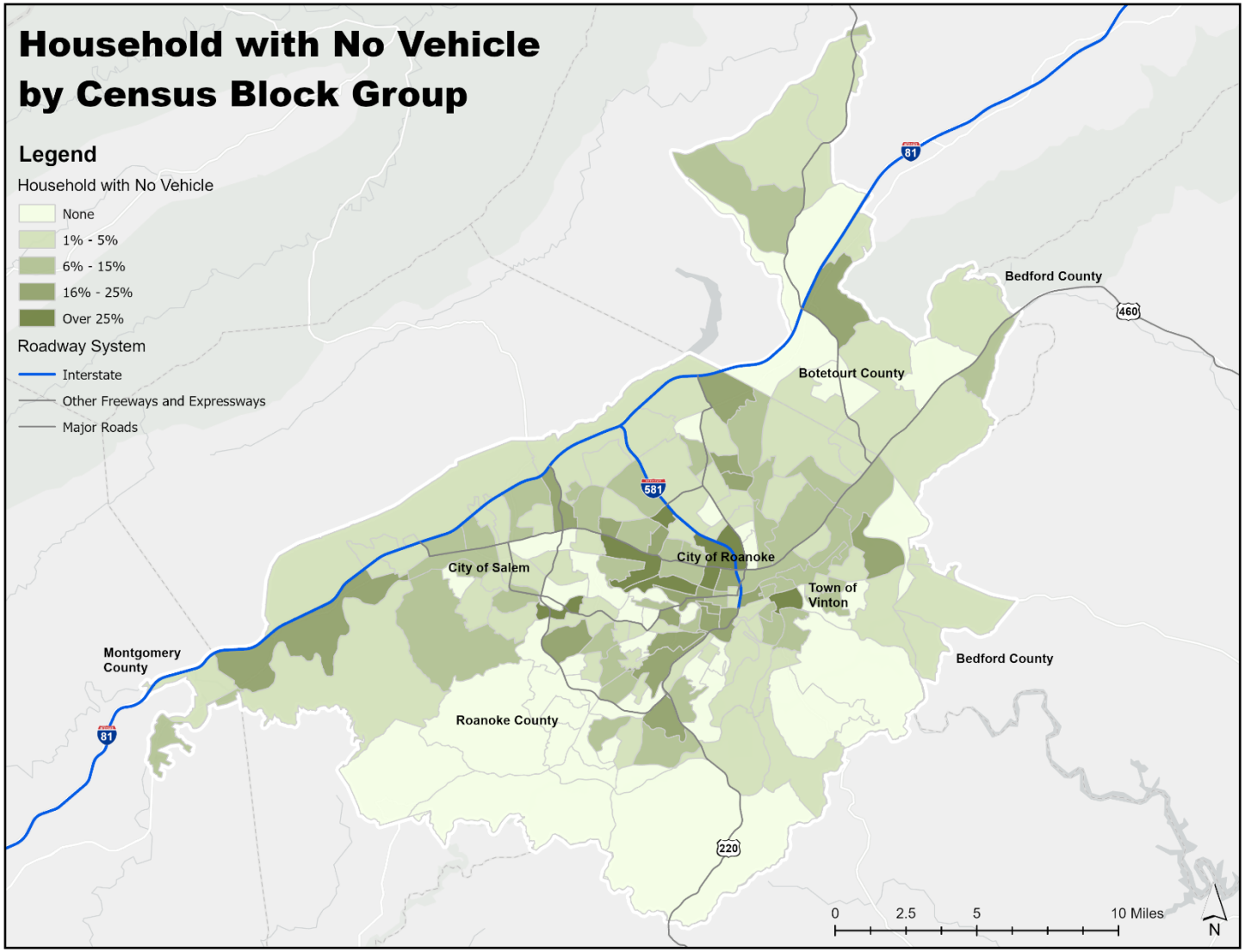
RVARC/RVTPO ensures nondiscrimination and equal employment in all programs and activities in accordance with Title VI of the Civil Rights Act of 1964. If you have questions or concerns about your civil rights or need special assistance for persons with disabilities or language translation services, contact the Title VI Manager at 540-343-4417 or by email at astinnette@rvarc.org or rvarc@rvarc.org.

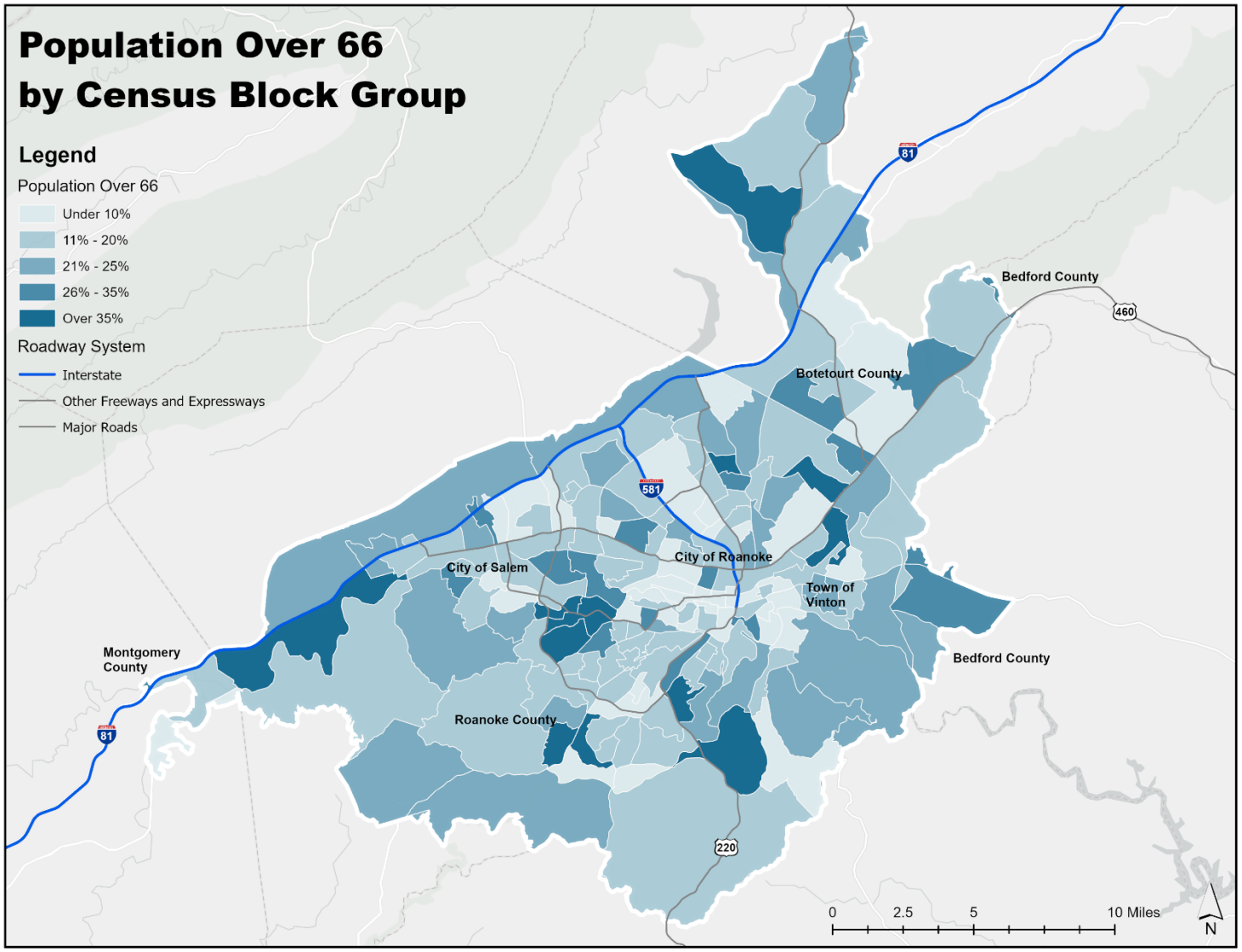
SERVICE AREA MAP

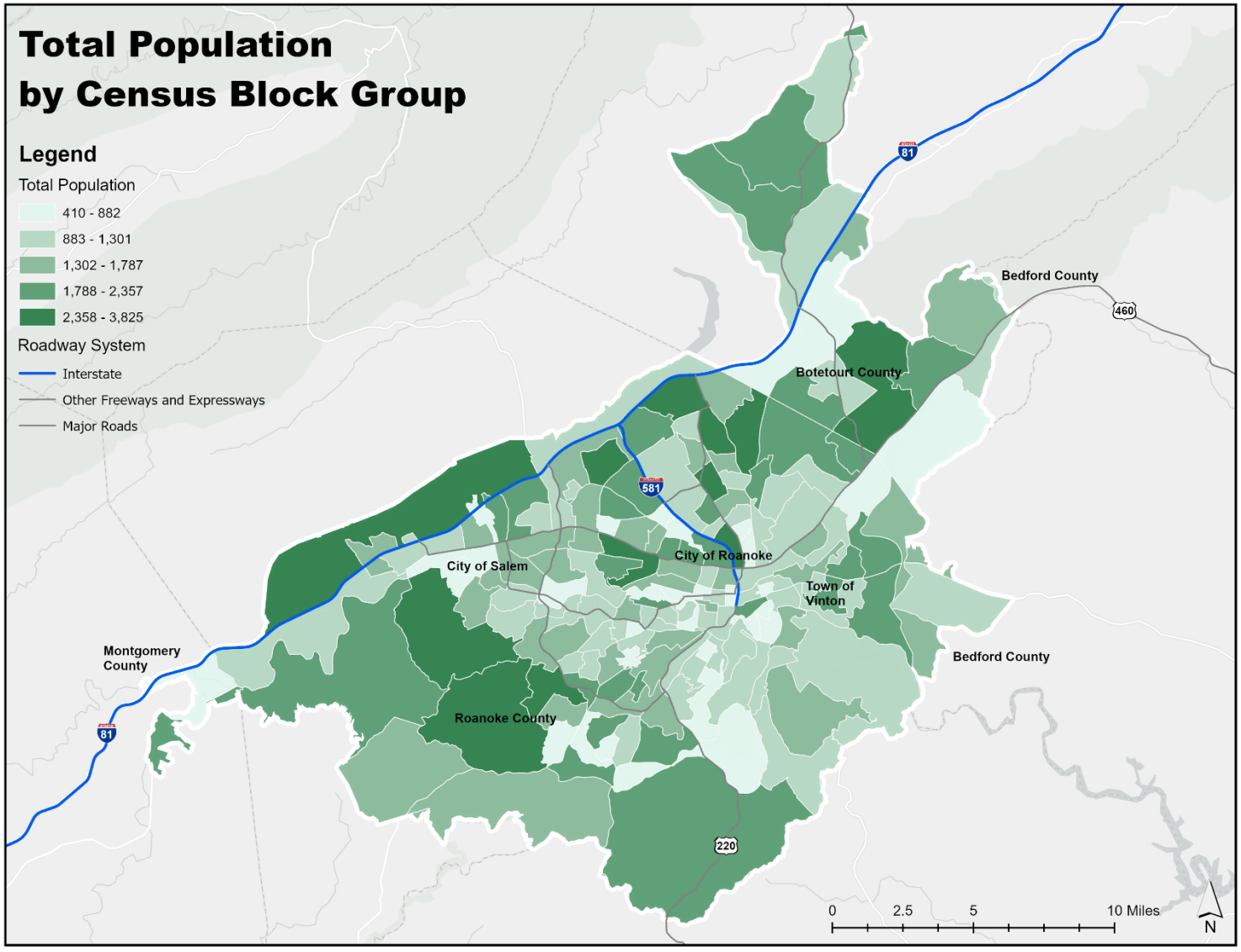


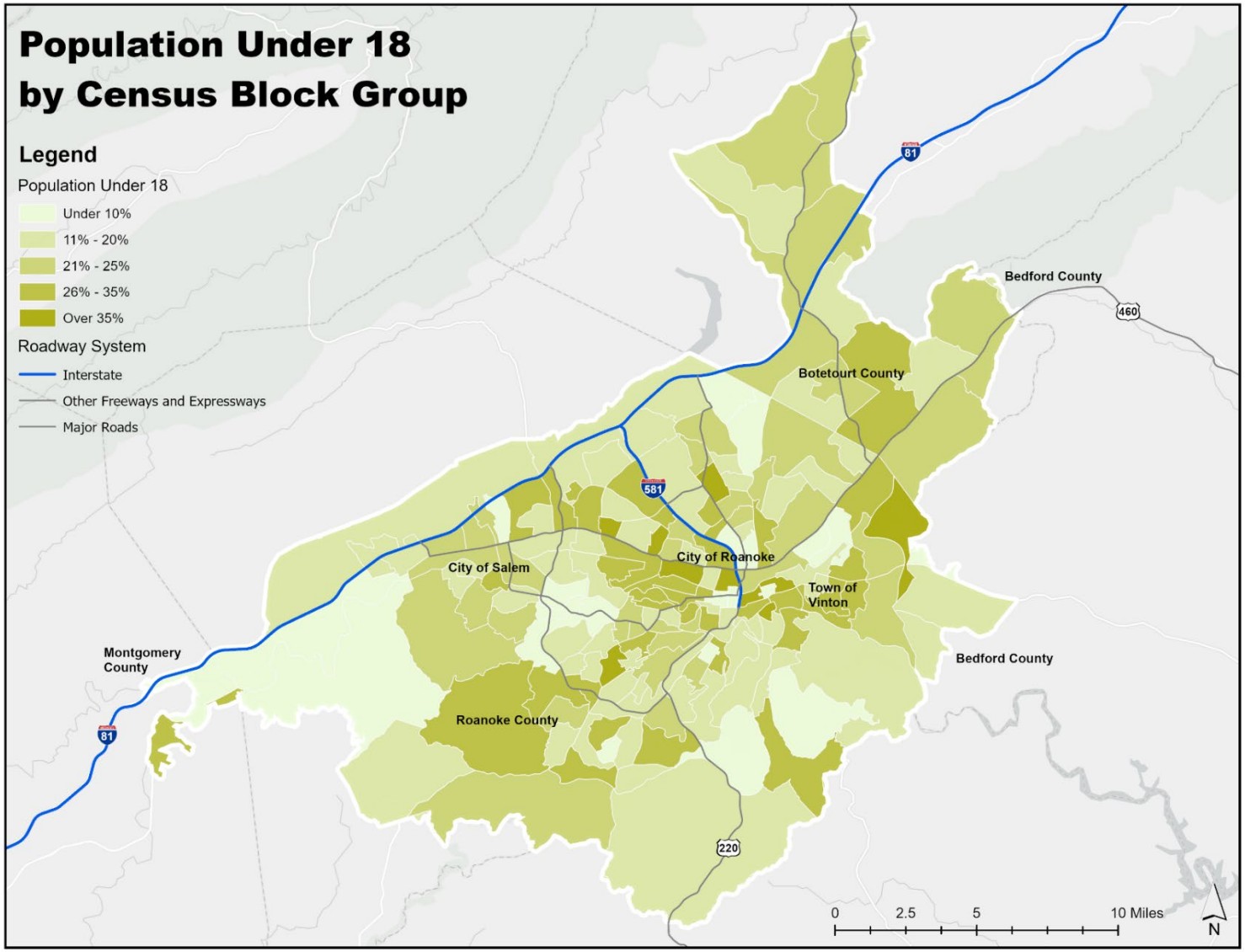
DEMOGRAPHIC MAPS




Household with No Vehicle by Census Block Group
Legend
Household with No Vehicle
None
1% - 5%
6% - 15%
16% - 25%
Over 25%
Roadway System
Interstate
Other Freeways and Expressways
Major Roads
Bedford County
Botetourt County
City of Salem
City of Roanoke
Town of Vinton
Montgomery County
Roanoke County
Bedford County
81
581
460
220
0
2.5
5
10 Miles
N


Population Over 66
by Census Block Group
Legend
Population Over 66
Under 10%
11% - 20%
21% - 25%
26% - 35%
Over 35%
Roadway System
Interstate
Other Freeways and Expressways
Major Roads
Bedford County
Botetourt County
City of Salem
City of Roanoke
Town of Vinton
Bedford County
Montgomery County
Roanoke County
81
460
581
220
0
2.5
5
10 Miles
N


Total Population
by Census Block Group
Legend
Total Population
410 - 882
883 - 1,301
1,302 - 1,787
1,788 - 2,357
2,358 - 3,825
Roadway System
Interstate
Other Freeways and Expressways
Major Roads
Bedford County
Botetourt County
City of Roanoke
City of Salem
Town of Vinton
Montgomery County
Roanoke County
Bedford County
81
460
581
81
220
0
2.5
5
10 Miles
N


Population Under 18
by Census Block Group
Legend
Population Under 18
Under 10%
11% - 20%
21% - 25%
26% - 35%
Over 35%
Roadway System
Interstate
Other Freeways and Expressways
Major Roads
Bedford County
Botetourt County
City of Salem
City of Roanoke
Town of Vinton
Montgomery County
Roanoke County
Bedford County
81
460
581
220
0
2.5
5
10 Miles
N

ORGANIZATIONAL STRUCTURE

RVARC Board of Directors							
‖							
Executive Director	═	**Office Manager**	═	**Public Engagement Manager**			
		FOIA Officer					
‖							
Deputy Director							
Unfilled							
‖							
Director of RVCR	═	**Project Manager: Grant Program Administrator**	═	**Project Manager: Peer Recovery Lead**	═	**Project Manager: Communications**	
				Unfilled		*Unfilled*	
‖							
Director of TDM Programs	═	**Regional Planner III: Greenway and Recreation**					
‖							
Director of Transportation	═	**Regional Planner III: Transportation**	═	**Regional Planner II: Transportation**	═	**Regional Planner I: Transportation**	
		Title VI Manager				*ADA Coordinator*	
‖							
Director of Community Development	═	**Regional Planner II: Environment and Resiliency**	═	**Regional Planner I: Community and Economic Development**	═	**Regional Planner: Housing and Rural Development**	
						Unfilled	
‖							
Director Of Finance							

RVARC/RVTPO'S PROGRAMS & PROCESSES

We will prepare and update publicly available demographic profiles of the region using the most current and appropriate statistical information.

Consider a high-level overview of the benefits and burdens of transportation projects on minority and low-income populations, using maps and demographic data to identify projects that could affect these populations. Lead agencies in individual projects are responsible for in-depth analyses of demographics and diverse representation as they move forward.

Conduct an environmental and community health analysis during the development of the Roanoke Valley Transportation Planning Organization Long-Range Transportation Plan,

analyzing the relative distribution of costs and benefits from transportation investment strategies and policies on minority or low-income populations.

Review directives to determine if there are Title VI implications and interpret how directives impact Title VI program areas.

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

RVARC/RVTPO'S DATA COLLECTION PROCESS

- RVARC/RVTPO will collect Decennial Census and American Community Survey data annually and every 10 years. There will be a review of demographic data and the provision of relevant tables for Title VI-related assurances.

TRANSPORTATION NEEDS AND EXISTING PROJECTS

- RVTPO Needs Overlap Web Experience tool that was developed during the Long-Range Transportation Plan, which identifies transportation projects and community needs.

CORE DOCUMENTS RVARC AND RVTPO

Transportation-Specific Core Documents

Roanoke Valley-Alleghany Regional Commission Rural Transportation Core Functions and Products:

- Rural Long Range Transportation Plan
    - The plan outlines the regional transportation network, demographic and land use trends, system and performance recommendations for roadways, public transportation, bicycle and pedestrian facilities, airports, freight, and travel demand management.

Roanoke Valley Transportation Planning Organization Core Functions and Products:

- Roanoke Valley Transportation Plan (MTP)
    - The Constrained Long Range Transportation Plan, also known as the Metropolitan Transportation Plan. This plan houses the vision and constrained list of projects that receive federal funding and that are regionally significant.
- Roanoke Valley Transportation Improvement Program (TIP)
    - The Transportation Improvement Program is a compiled list of grouped and ungrouped projects that are regionally significant or have federal funds supporting the projects. The TIP in Virginia is updated every 3 years. There is also a Statewide Transportation Improvement Program (STIP), which is to help guide the prioritization of projects.
- Roanoke Valley Congestion Management Program (CMP)

    - The Congestion Management Plan is required for areas that have 200,000+ populations and are Transportation Management Areas (TMAs). The plan is to outline and provide data regarding the roadway system performance, travel times, level of service, and areas of congestion. It is incorporated into other planning efforts, and there are area strategies developed to manage the issues identified in the plan.
- Roanoke Valley Public Transportation Plan (PPP)
    - The Public Participation Plan is the guiding required document for public participation opportunities and requirements for transportation-focused public involvement.

Non-Transportation-Specific Core Documents

- RVARC Strategic Plan
- Hazard Mitigation Plan
- Comprehensive Economic Development Strategy (CEDS)
- TDM Strategic Plan
- Blueprint for Action

APPENDICES

APPENDIX A: TITLE VI ASSURANCES OF U.S. DOT 1050.2A FOR RVARC

Roanoke Valley-Alleghany Regional Commission
TITLE VI / NONDISCRIMINATION ASSURANCE
(DOT Order No. 1050.2A)

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

Statutory/Regulatory Authorities

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

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

General Assurance

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

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

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

Specific Assurances

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

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a

"program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

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

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

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.

4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.

5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.

6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.

7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:

   a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and

   b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.

8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:

   a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or

b. the period during which the Recipient retains ownership or possession of the property.

9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.

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

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

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

Roanoke Valley-Alleghany Regional Commission

by Jeremy Holmes

Jeremy Holmes, Executive Director

October 7th, 2024

APPENDIX A
U.S. DOT 1050.2A -- Appendix A

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

1. Compliance with Regulations: The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, the Federal Highway Administration, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.

2. Nondiscrimination: The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.

3. Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Nondiscrimination on the grounds of race, color, or national origin.

4. Information and Reports: The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Federal Highway Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the Federal Highway Administration, as appropriate, and will set forth what efforts it has made to obtain the information.

5. Sanctions for Noncompliance: In the event of a contractor's noncompliance with the Non- discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
    a. withholding payments to the contractor under the contract until the contractor complies; and/or
    b. cancelling, terminating, or suspending a contract, in whole or in part.

6. Incorporation of Provisions: The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX B
CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

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

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

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto the **Roanoke Valley-Alleghany Regional Commission** and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the **Roanoke Valley-Alleghany Regional Commission**, its successors and assigns.

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

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

APPENDIX C
CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the **Roanoke Valley-Alleghany Regional Commission** pursuant to the provisions of Assurance 7(a):

A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:

    1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.

B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Nondiscrimination covenants, the **Roanoke Valley-Alleghany Regional Commission** will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*

C. With respect to a deed, in the event of breach of any of the above Nondiscrimination covenants, the **Roanoke Valley-Alleghany Regional Commission** will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the **Roanoke Valley-Alleghany Regional Commission** and its assigns.*

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

APPENDIX D
CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by the **Roanoke Valley-Alleghany Regional Commission** pursuant to the provisions of Assurance 7(b):

A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.

B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Nondiscrimination covenants, the **Roanoke Valley-Alleghany Regional Commission** will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*

C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, the **Roanoke Valley-Alleghany Regional Commission** will there upon revert to and vest in and become the absolute property of the **Roanoke Valley-Alleghany Regional Commission** and its assigns.*

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

APPENDIX E
U.S. DOT 1050.2A -- Appendix E

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

Pertinent Nondiscrimination Authorities:

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

APPENDIX B: TITLE VI ASSURANCES OF U.S. DOT 1050.2A FOR RVTPO

Roanoke Valley Transportation Planning Organization
TITLE VI / NONDISCRIMINATION ASSURANCE
(DOT Order No. 1050.2A)

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

Statutory/Regulatory Authorities

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

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

General Assurance

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

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

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

Specific Assurances

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

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a

"program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

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

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

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.

4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.

5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.

6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.

7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:

   a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and

   b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.

8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:

   a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or

b. the period during which the Recipient retains ownership or possession of the property.

9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.

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

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

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

Roanoke Valley Transportation Planning Organization

by Jeremy Holmes

Jeremy Holmes, Executive Director

October 4th, 2024

APPENDIX A
U.S. DOT 1050.2A -- Appendix A

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

1. Compliance with Regulations: The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, the Federal Highway Administration, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.

2. Nondiscrimination: The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.

3. Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Nondiscrimination on the grounds of race, color, or national origin.

4. Information and Reports: The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Federal Highway Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the Federal Highway Administration, as appropriate, and will set forth what efforts it has made to obtain the information.

5. Sanctions for Noncompliance: In the event of a contractor's noncompliance with the Non- discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
    a. withholding payments to the contractor under the contract until the contractor complies; and/or
    b. cancelling, terminating, or suspending a contract, in whole or in part.

6. Incorporation of Provisions: The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX B
CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

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

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

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto the **Roanoke Valley Transportation Planning Organization** and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the **Roanoke Valley Transportation Planning Organization**, its successors and assigns.

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

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

APPENDIX C
CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the **Roanoke Valley Transportation Planning Organization** pursuant to the provisions of Assurance 7(a):

A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:

1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.

B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Nondiscrimination covenants, the **Roanoke Valley Transportation Planning Organization** will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*

C. With respect to a deed, in the event of breach of any of the above Nondiscrimination covenants, the **Roanoke Valley Transportation Planning Organization** will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the **Roanoke Valley Transportation Planning Organization** and its assigns.*

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

APPENDIX D
CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by the **Roanoke Valley Transportation Planning Organization** pursuant to the provisions of Assurance 7(b):

A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.

B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Nondiscrimination covenants, the **Roanoke Valley Transportation Planning Organization** will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*

C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, the **Roanoke Valley Transportation Planning Organization** will there upon revert to and vest in and become the absolute property of the **Roanoke Valley Transportation Planning Organization** and its assigns.*

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

APPENDIX E
U.S. DOT 1050.2A -- Appendix E

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

Pertinent Nondiscrimination Authorities:

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

APPENDIX C: TITLE VI COMPLAINT PROCEDURES

The following information is sourced from FHWA Title VI Complaint Questions and Answers 20190409.docx

Any individual may exercise his or her right to file a complaint with the Roanoke Valley-Alleghany Regional Commission or Roanoke Valley Transportation Planning Organization (RVARC/RVTPO) if that person believes that s/he or any other program beneficiaries have been subjected to unequal treatment or discrimination in the receipt of benefits/services or prohibited by non-discrimination requirements. RVARC/RVTPO will follow the Nondiscrimination Complaint Procedures, as described below. All Title VI complaints will be reported immediately to the FHWA, and their resolution will be logged as described under "Data collection." Should any Title VI investigations be initiated by FTA, or any Title VI lawsuits be filed against the RVARC/RVTPO, the agency will follow these procedures.

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964 as amended, and the Civil Rights Restoration Act of 1987, relating to any program or activity administered by the RVARC/RVTPO, as well as to Subrecipients, consultants, and/or contractors. Intimidation or retaliation of any kind is prohibited by law. These procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies, or to seek private counsel for complaints alleging discrimination. These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the complainant. Every effort will be made to obtain early resolution of complaints by the FHWA.

WHAT ARE THE PROCEDURES FOR FILING A TITLE VI COMPLAINT?

Question 2a: Who can file? Any person who believes they—or a specific class of persons—were subjected to discrimination on the basis of race, color, or national origin in the programs and activities of a primary Recipient of Federal financial assistance (e.g. VDOT), Subrecipient (e.g., the RVARC/RVTPO), or a RVARC/RVTPO Subrecipient such as an MPO contractor or consultant, may file a Title VI complaint.

Question 2b: Where can one file? Complaints related to the Federal-aid highway program may be filed with the RVARC/RVTPO, VDOT, an FHWA Division Office, the FHWA Headquarters Office of Civil Rights (HCR), the USDOT Departmental Office of Civil Rights, or the USDOJ.

Question 2c: When must one file? According to USDOT regulations, 49 CFR §21.11(b), a complaint must be filed not later than 180 days after the date of the last instance of alleged discrimination, unless the time for filing is extended by the processing agency.

Question 2d: What should a complaint look like? Complaints should be in writing and signed, and may be filed by mail, fax, in person, or e-mail. Complaints may be submitted using the complaint form posted on the RVARC/RVTPO website.

The complainant may also request a complaint form by contacting the RVARC/RVTPO Title VI Manager Alison Stinnette at astinnette@rvarc.org.

The complainant may call the receiving agency and provide the allegations by telephone, and the agency should transcribe the allegations of the complaint as provided over the telephone and send a written complaint to the complainant for correction and signature.

How are complaints routed? FHWA is responsible for all decisions regarding whether a complaint should be accepted, dismissed, or referred to another agency. FHWA notes that FHWA Division Offices do not investigate Title VI complaints, and Recipients such as VDOT; Subrecipients such as RVARC/RVTPO, and RVARC/RVTPO Subrecipients, such as MPO contractors and consultants, do not investigate complaints filed against themselves.

Complaints should be resolved in the following ways:

All complaints should be routed to the FHWA Headquarters Office of Civil Rights (HCR) for processing. HCR is responsible for all determinations regarding whether to accept, dismiss, or transfer Title VI complaints filed against VDOT, RVARC/RVTPO, and RVARC/RVTPO subrecipients, contractors, and consultants.

Complaints should be forwarded from the initial receiving agency through the Federal-aid highway oversight hierarchy until the complaint reaches HCR. For example, if a complaint is filed with RVARC/RVTPO, the MPO should forward the complaint to VDOT, which should forward the complaint to the State's FHWA Division Office, which should forward the complaint to HCR. If a complaint is filed with a RVARC/RVTPO subrecipient, contractor, or consultant, then RVARC/RVTPO should forward the complaint to VDOT, which should forward the complaint to the State's FHWA Division Office, which should forward the complaint to HCR.

VDOT and RVARC/RVTPO must log all complaints received.

When HCR decides on whether to accept, dismiss, or transfer the complaint, HCR will notify the Complainant, the FHWA Division Office, VDOT, and RVARC/RVTPO (where applicable).

Complaints against RVARC/RVTPO may also be sent to HCR directly at:

Postal Mail	Federal Highway Administration U.S. Department of Transportation Office of Civil Rights 1200 New Jersey Avenue, SE 8th Floor E81-105 Washington, DC 20590
Email	CivilRights.FHWA@dot.gov
Fax	202-366-1599
Questions?	202-366-0693

Complaints against RVARC/RVTPO Subrecipients, such as contractors and consultants, may be sent to RVARC/RVTPO at:

Postal Mail	Roanoke Valley-Alleghany Regional Commission PO Box 2569 Roanoke VA 24010
Email	astinnette@rvarc.org
Fax	540-343-4416
Questions	540-343-4417 x 311

WHAT ARE THE POTENTIAL OUTCOMES FOR PROCESSING A COMPLAINT?

There are four potential outcomes for processing complaints:

- Accept: if a complaint is timely filed (see Question 2c, above), contains sufficient information to support a claim under Title VI, and concerns matters under FHWA's jurisdiction, then HCR will send to the complainant, the respondent agency, and the FHWA Division Office a written notice that it has accepted the complaint for investigation.
- Preliminary review: if it is unclear whether the complaint allegations are sufficient to support a claim under Title VI, then HCR may (1) dismiss it or (2) engage in a preliminary review to acquire additional information from the complainant and/or respondent before deciding whether to accept, dismiss, or refer the complaint.
- Procedural Dismissal: if a complaint is not timely filed (see Question 2c, above), is not in writing and signed, or features other procedural/practical defects, then HCR will send the complainant, respondent, and FHWA Division Office a written notice that it is dismissing the complaint.
- Referral/Dismissal: if the complaint is procedurally sufficient but FHWA (1) lacks jurisdiction over the subject matter or (2) lacks jurisdiction over the respondent entity, then HCR will either dismiss the complaint or refer it to another agency that does have jurisdiction. If HCR dismisses the complaint, it will send the complainant, respondent, and FHWA Division Office a copy of the written dismissal notice. For referrals, FHWA will send a written referral notice with a copy of the complaint to the proper Federal agency and a copy to the USDOT Departmental Office of Civil Rights.

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

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

WHAT ARE THE TIMEFRAMES FOR INVESTIGATIONS?

For FHWA, there is no regulatory timeframe for completing investigations. However, FHWA strives to complete all tasks within 180 days from the date of acceptance. If VDOT has been delegated an investigation from FHWA, 23 CFR §200.9(b)(3) provides that State DOTs must complete investigations within 60 days of receipt (meaning the date it receives the delegated complaint from FHWA).

HOW DO INVESTIGATING AGENCIES GATHER INFORMATION?

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

ONCE FHWA STARTS AN INVESTIGATION, WHAT ARE THE POTENTIAL OUTCOMES?

At any time during the investigation, either FHWA or the respondent may initiate informal negotiations to resolve the issues. The FHWA always strives to resolve Title VI complaints informally if possible. In the absence of such negotiations, HCR (or VDOT) will draft a Report of Investigation, which should contain all relevant data and findings, with legal conclusions and potentially include recommendations for action. FHWA is responsible for the final disposition of all complaints, including initiation and conduct of informal negotiations and the issuance of Letters of Finding (LOFs). There are five potential outcomes for concluding an investigation:

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

Title VI Discrimination Complaint Form

Complete this form if you believe you have been discriminated against on the basis of race, color, national origin, disability, sex, or age by any representative of RVARC, its programs, or its consultants. You can obtain a paper copy of this form at 313 Luck Ave SW or by mail upon request.

1. Name

2. Address

3. Telephone

4. Email

5. Are you filing this complaint on your own behalf?

- ◯ Yes
- ◯ No

6. What is the name of the person for whom you are complaining?

7. What is your relationship to the person for whom you are complaining?

8. Why have you filed for a third party?

9. Have you obtained the permission of the aggrieved party?

- ◯ Yes
- ◯ No

10. I believe the discrimination experienced was based on

- [ ] Race
- [ ] Color
- [ ] National Origin
- [ ] Disability
- [ ] Sex
- [ ] Age

11. Date of alleged discrimination

Date / Time

MM/DD/YYYY

12. Explain what happened and why you believe you (or the person you are representing) were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) and any witnesses.

13. Have you previously filed a Title VI complaint with RVARC?

- ( ) Yes
- ( ) No

14. Have you filed this complaint with any other Federal, State, or local agency or with any Federal or State court?

- ( ) Yes
- ( ) No

15. Identify which agency(s) or court(s) you filed a complaint with and a contact person at each agency or court.

Agency and contact person	
Agency and contact person	
Agency and contact person	

Send other relevant documentation by email to rvarc@rvarc.org or bring or mail to RVARC, 313 Luck Ave SW, Roanoke VA 24016.

Roanoke Valley-Alleghany REGIONAL commission

RVARC.ORG 313 Luck Avenue, SW | Roanoke, Virginia 24016 | P: 540.343.4417 | F: 540.343.4416 | rvarc@rvarc.org

Roanoke Valley-Alleghany Regional Commission (RVARC) and Roanoke Valley Transportation Planning Organization (RVTPO)

Title VI Evaluation Form

The Roanoke Valley-Alleghany Regional Commission (RVARC), as a recipient of federal financial assistance, is required to comply with Title VI of the Civil Rights Act of 1964, as amended, along with other applicable nondiscrimination laws and regulations. These laws prohibit discrimination based on race, color, national origin, sex, age, disability, or income level in any federally funded program or activity.

RVARC's Title VI Program is guided by regulations from the **U.S. Department of Transportation (USDOT)** and other federal agencies, including:

- **49 CFR Part 21** and **23 CFR Part 200** – Title VI implementation guidelines
- **Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 USC 4601)** – protects displaced individuals
- **Section 504 of the Rehabilitation Act of 1973 (29 USC 790)** – prohibits disability discrimination
- **Federal-Aid Highway Act of 1973 (23 USC 324)** – prohibits gender-based discrimination
- **Age Discrimination Act of 1975 (42 USC 6101)** – protects individuals of all ages
- **Civil Rights Restoration Act of 1987** – ensures nondiscrimination applies across entire organizations
- **Executive Order 12898** – addresses disproportionate impacts on minority and low-income communities
- **Executive Order 13166** – ensures meaningful access for individuals with limited English skills

There are acts or executive orders that have been rescinded; the information is incorporated to ensure a comprehensive timeline of relevant legal affiliation to Title VI of the Civil Rights Act of 1964.

Title VI Statement

"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."

Contractor Responsibilities

By entering into a contract with RVARC, contractors agree to uphold all applicable nondiscrimination laws and the terms outlined in the Memorandum of Agreement (MOA).

RVARC's Civil Rights Coordinator, in collaboration with relevant program managers, monitors contractor compliance.

The RVARC Title VI Coordinator will request a Title VI Evaluation Form within ten (10) days of notification of selection for new contractors or contractors that do not have a current assessment on file with RVARC. The Assessment Form should be submitted to the Program Manager in the division that is negotiating the contract. The Title VI Evaluation Forms will be required from the Transportation Department and any federally funded program through the Department of Transportation. These are additional divisions or departments that would be included:

- Right of Way & Utilities Division
- Location & Design Division
- Environmental Division
- Structure & Bridge
- Innovative Project Delivery
- Materials Division
- Transportation & Mobility Planning Division

Review & Monitoring

Once submitted, the **Title VI Coordinator** reviews the form and:

- Issues a **pre-award letter** within 15 days of receiving documentation
- May schedule an on-site review within the same time frame to confirm information provided in the Assessment Form

The coordinator may request additional documentation or recommend corrective actions. Random on-site reviews may also occur during the contract period.

Annual Updates & Compliance

Approved reports are valid for **one year**. Contractors must submit updated evaluations annually to remain in compliance. Note: Even with a valid report, contractors may be found noncompliant during an on-site review.

Consequences of Noncompliance

Failure to meet Title VI requirements may result in:

- Suspension or termination of the contract
- Withholding payments
- Cancellation of negotiations.

Should you have any questions, refer to RVARC's Title VI Coordinator or the Executive Director.

Roanoke Valley-Alleghany REGIONAL commission

RVARC.ORG 313 Luck Avenue, SW | Roanoke, Virginia 24016 | P: 540.343.4417 | F: 540.343.4416 | rvarc@rvarc.org

Name of Preparer: Click here to enter text.	Preparer's Title: Click here to enter text.
Phone # :Click here to enter text.	Email Address: Click here to enter text.
Name of Organization: Click here to enter text.	Address of Organization: Click here to enter text.
Address of location where the project will be done: Click here to enter text.	

Type of Contractor/Organization:

☐ Private Organization ☐ Supplier

☐ Governmental Agency ☐ Other

Workforce for Virginia Location(s)

Total	% Minority	% Female
Click here to enter text.	Click here to enter text.	Click here to enter text.

Business Ownership/Control ☐ Minority ☐ Female	☐ SWaM Certified

Does your organization currently have contracts or subcontracts with RVARC?

☐ Yes ☐ No

What is your organization's most recent date of Title VI approval? Click here to enter text.

Status of Project(s): Click here to enter text.	Value of current Contract(s): Click here to enter text.

What does your organization have in place to ensure nondiscrimination in your scope of work and your programs and services? Click here to enter text.

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Virginia Workforce

CONSULTANT EQUAL EMPLOYMENT OPPORTUNITY WORKFORCE ANALYSIS

Employment at this establishment – Report all permanent full and part-time employees including apprentices and on-the job trainees unless specifically excluded as set forth in the instructions. Enter the appropriate figures on all lines and in all columns. Blank spaces will be considered zeros.

Job Categories	Number of Employees (Report employees in only one category)														
	Race/Ethnicity														
	Hispanic or Latino		Not Hispanic or Latino												Total Col A-N
			Male						Female						
	Male	Female	White	Black or African American	Native Hawaiian Or Other Pacific Islander	Asian	American Indian or Alaska Native	Two or more races	White	Black or African American	Native Hawaiian Or Other Pacific Islander	Asian	American Indian or Alaska Native	Two or more races	
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
Executive/Sir. Level Officials & Managers (1.1)															
First/Mid-Level Officials & Managers (1.2)															
Professionals (2)															
Technicians (3)															
Sales Workers (4)															
Administrative Support Workers (5)															
Craft Workers (6)															
Operatives (7)															
Laborers & Helpers (8)															
Service Workers (9)															
TOTAL (10)															
PREVIOUS YEAR TOTAL (11)															

Roanoke Valley-Alleghany REGIONAL commission

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Organization, Staffing & Training

1. What type of services will your organization provide RVARC? **Click here to enter text.**

2. Identify the person responsible for the administration of Title VI policies and procedures (a Title VI Coordinator). Provide the name, position, title, and contact information. **Click here to enter text.**

Title VI/Nondiscrimination

1. Is your Title VI Coordinator, project managers, and other staff made aware of Title VI compliance and regulations relative to nondiscrimination in federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21 and the Federal Highway Administration's 23 Code of Federal Regulations 200? Please explain how they are made aware.
   Click here to enter text.

2. What procurement procedures does your organization have in place to ensure nondiscrimination in the selection and retention of subcontractors including procurements of materials and leases of equipment? *** Please note N/A is not an acceptable response, please provide a complete answer**
   Click here to enter text.

3. How does your organization notify your subcontractors and suppliers of their obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, national origin, sex, age, disability, and low-income populations? *** Please note N/A is not an acceptable response; please provide a complete answer**
   Click here to enter text.

4. Are facilities and meeting areas fully accessible to persons with disabilities?
   Click here to enter text.

5. Does your organization have a system in place to accommodate persons with disabilities? If yes, how does your organization notify the public? If no, please explain. *** Please note N/A is not an acceptable response, please provide a complete answer**
   Click here to enter text.

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6. How are limited English proficient persons made aware that they can receive translation services for access to services? *** Please note N/A is not an acceptable response, please provide a complete answer**
   Click here to enter text.

7. Has your organization been reviewed by any governmental agencies for compliance with Title VI and other laws and regulations? If yes, provide a copy of the letter identifying the review findings? Click here to enter text.

8. Does your organization receive federal assistance (grants, loans, donations of property, or detail of personnel) from any Federal government entity? Click here to enter text.

9. List any discrimination complaints and/or lawsuits received in Virginia during the reporting period. Include the basis for the complaint (ethnicity, gender, etc.) and summarize the outcome or resolution. If applicable, include a copy of the investigation report.

Fair Access Contracting Opportunities

1. Did your organization award any contracts or subcontracts related to RVARC work to companies that have noted a diverse workforce during the reporting period?

   If yes, provide the following: Click here to enter text.

   - The company's name and amount awarded
   - Total # of contracts awarded to companies that identify as small or diversify employment strategies.
   - Total dollar amount of contracts awarded to these companies

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I certify that the data given in this report is correct to the best of my knowledge. (Report has to be submitted with original signature, not a photocopy.)

Signature:

_____

(Authorized Officer) (Title) (Date)

For Office Use Only:

Provide award? Yes _____ No _____

Recommendations:_____
_____
_____
_____
_____
_____
_____

Roanoke Valley-Alleghany
REGIONAL
commission

313 Luck Avenue, SW | Roanoke, Virginia 24016 | P: 540.343.4417 | F: 540.343.4416 | rvarc@rvarc.org

The 27th day of August 2026

RESOLUTION

Adoption of the 2026 Title VI Implementation Plan

WHEREAS, Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin in any program or activity receiving Federal Funds; and

WHEREAS, the Roanoke Valley-Alleghany Regional Commission (RVARC) and the Roanoke Valley Transportation Planning Organization (RVTPO) are committed to ensuring that no person shall be excluded from participation, denied benefits, or subjected to discrimination in the execution of RVARC programs and activities on the basis of race, color, or national origin, regardless of the funding source; and

WHEREAS, the Title VI responsibilities of the RVARC include methods of administration, outlined in the RVARC/RVTPO Title VI Implementation Plan, that provide a reasonable guarantee of Title VI compliance; and

WHEREAS, the RVARC/RVTPTO receives federal funds, and uses said funds to support regional organizations, projects, and programs; and

WHEREAS, adhered to our Public Participation Plan requirements of a 15-day public comment period, which was advertised, and resources were provided to help the public understand the draft plan; and

WHEREAS, no adverse public comments were received; and

WHEREAS, the draft Title VI Nondiscrimination Plan was endorsed by the Transportation Technical Committee of the RVTPO Policy Board; and

WHEREAS, the RVARC/RVTPO, as well as its members and its committees as representatives and members of the RVARC/RVTPO, are hereby obligated to adhere to the Plan.

NOW, THEREFORE, BE IT RESOLVED that the Roanoke Valley-Alleghany Regional Commission and the Roanoke Valley Transportation Planning Organization hereby adopt the 2026 Title VI Implementation Plan, which shall replace all previous Title VI plans.

Lorie Smith
Chair

Roanoke Valley Transportation
PLANNING ORGANIZATION
Staffed by the REGIONAL commission

313 Luck Avenue, SW
Roanoke, Virginia 24016
P: 540.343.4417 / F: 540.343.4416
rvtpo.org

The 27th day of August 2026

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Phil North
RVTPO Policy Board Chair

APPENDIX H: COMMITTEES AND BOARD MEMBERSHIP

Roanoke Valley Transportation Planning Organization Policy Board Members

VOTING MEMBERS

Bedford County Representative
+ The Honorable Edgar Tuck
(Alternate: The Honorable Mickey Johnson)

Botetourt County Representatives
+ The Honorable Brandon Nicely
+The Honorable Linda Rottman

Montgomery County Representative
+ The Honorable Steve Fijalkowski

Roanoke County Representatives
+ The Honorable Phil North, Chair
+ The Honorable David Radford

City of Roanoke Representatives
+ The Honorable Peter Volosin
+ The Honorable Joe Cobb

City of Salem Representatives
+ The Honorable Renee Turk, Vice Chair
+ The Honorable Hunter Holliday
(Alternate: The Honorable Anne Marie Green)

Town of Vinton Representatives
+ The Honorable Keith Liles
+ The Honorable Mike Stovall

Greater Roanoke Transit Company (Valley Metro) Representative
Kevin Price

Roanoke-Blacksburg Regional Airport Representative
Mike Stewart (Alternate: Jayme Verish)

Virginia Department of Rail and Public Transportation Representative
Mitch Huber (Alternate: Wood Hudson)

Virginia Department of Transportation (Salem District) Representative
Ken King, PE, District Engineer
Anne Booker, Acting District Engineer
(Alternate: Michael Gray or Anthony Ford)

NON-VOTING MEMBERS

Federal Highway Administration
Vacant

Federal Transit Administration
Vacant

Franklin County
+ The Honorable Lorie Smith

Roanoke Valley-Alleghany Regional Commission
J. Lee E. Osborne

Chair of the RVTPO Transportation Technical Committee (TTC) (Ex-Officio):
Cody Sexton (Current TTC Chair)

Local Government Chief Administrative Official or Designee (Ex-Officio):
Megan Cronise (Roanoke County Designee)
Ross Campbell (City of Roanoke)
Angela Hill (Montgomery County CAO)
Cody Sexton (Town of Vinton Designee)
Gary Larrowe (Botetourt County CAO)
Christopher Dorsey (City of Salem CAO)
Robert Hiss (Bedford County CAO)

Roanoke Valley-Alleghany Regional Commission Members

VOTING MEMBERS

Alleghany County
+ The Honorable James Griffith
Ken McFayden

Botetourt County
+ The Honorable Brandon Nicely
+ The Honorable Linda Rottman
Gary Larrowe
(Alternate: Billy Martin)

Craig County
+ The Honorable Jesse Spence
Dan Collins
(Alternate: Woody Lipps)

Franklin County
+ The Honorable Mike Carter
+ The Honorable Lorie Smith, Chair
Steve Sandy
Vacany

Roanoke County
+ The Honorable Phil North
+ The Honorable David Radford
Dean Martin, Treasurer
J. Lee E. Osborne
(Alternate: Richard Caywood)
+ (Alternate: The Honorable Kevin Hutchins)

City of Covington
Allen Dressler
+ Vacancy

City of Roanoke
+ The Honorable Peter Volosin, Vice Chair
+ The Honorable Terry McGuire
Dawn Erdman
Barbara Duerk

City of Salem
+ The Honorable Anne Marie Green
+ The Honorable Hunter Holliday
Denise P. King

Town of Clifton Forge
+ The Honorable Debbie Laudermilk
Chuck Unroe

Town of Rocky Mount
+ The Honorable David Clements
Robert Wood

Town of Vinton
+ The Honorable Bradley E. Grose
Richard “Pete” Peters
(Alternate: Cody Sexton & Sabrina McCarthy)

NON-VOTING MEMBERS

John Hull, Roanoke Regional Partnership
Josh Taylor, Alleghany Highlands Chamber of Commerce & Tourism
Landon Howard, Visit Virginia’s Blue Ridge
Amanda Livingston, Salem-Roanoke County Chamber of Commerce
Dr. Robert H. Sandel, Virginia Western Community College
Dr. John Rainone, Mountain Gateway Community College
Eric Sichau, Roanoke Regional Chamber

RVTPO Policy Boards – Transportation Technical Committee Members

VOTING MEMBERS:

County of Bedford
Erik Smedley

County of Botetourt
Jonathan McCoy
Matthew Lindsay

County of Montgomery
Brea Hopkins
(Alternate: Justin Sanders)

County of Roanoke
Megan Cronise
Nathan Grim
(Alternates: Paula Benke, Summer Bork)

City of Roanoke
Dwayne D'Ardenne
Renee Powers

City of Salem
Crystal Williams
Josh Pratt
(Alternate: Max Dillon)

Town of Vinton
Anita McMillan
Cody Sexton, Chair
(Alternate: Nathan McClung)

Greater Roanoke Transit Company (Valley Metro)
William Long
(Alternate: Ron Parker)

Roanoke-Blacksburg Regional Airport
David Tickner
(Alternate: Jayme Verish)

Roanoke Valley Greenway Commission
Janet Scheid

Unified Human Services Transportation System (RADAR)
Nathan Sanford
(Alternate: Chad Custer)

Virginia Department of Rail & Public Transportation
Mitch Huber
(Alternate: Wood Hudson)

Virginia Department of Transportation – Salem District
Michael Gray
(Alternate: Carol Moneymaker, Anthony Ford)

NON-VOTING MEMBERS

Federal Highway Administration
Vacant

Federal Transit Administration
Vacant

Franklin County
Steve Sandy

Chair of the Roanoke Valley Transportation Policy Board (Ex-Officio):
Phil North (Current TPO Chair)