

# BATS Title VI Policies and Procedures

October 1,

# 2018

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**METROPOLITAN PLANNING ORGANIZATION (MPO) /  
BRUNSWICK AREA TRANSPORTATION STUDY (BATS)**

Glynn County Community  
Development Department

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## Title VI Compliance Program

Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) provides that “no person in the United States shall, on the grounds of race color or national origin, be excluded from participation in, be denied the benefits of, or otherwise be subject to discrimination under any program or activity receiving Federal financial assistance.” The scope of Title VI was expanded by the Civil Rights Restoration Act of 1987 to include all of a recipient’s and contractor’s programs or activities, whether federally assisted or not.

The broader application of nondiscrimination law that is found in other statutes, regulations and Executive Orders include: Section 324 of the Federal-Aid Highway Act of 1973 that prohibits discrimination based on sex. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 that prohibits unfair and inequitable treatment of persons as a result of projects that are undertaken with Federal financial assistance. Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the bases of disability as does the Americans with Disabilities Act 1990 (ADA). The ADA also prohibits discrimination on the provisions of access to public buildings and requires that rest areas be accessible to person with disabilities. The Age Discrimination Act of 1975 prohibits age discrimination. Other Title VI-related statutes include but are not limited to: 42 USC 2000d to 2000d-4; 42 USC 4601 to 4655; 23 USC 109(h); 23 USC 324; DOT Order 1050.2; EO 12250; EO 12898; 28 CFR 50.3.

This policy outlines the efforts that the BATS undertakes to ensure compliance with Title VI of the Civil Rights Act of 1964 and other subsequent statutes, regulations and Executive Orders.

### Organization, Staffing and Structure

#### Agency Administrator

The Glynn County Community Development Director functions as the BATS Director and is authorized to ensure compliance with provisions of the BATS’s policy of non-discrimination and with the law, including the requirements of 23 CFR Part 200 and 49 CFR Part 21. The BATS’s grants compliance function and Title VI coordination shall be performed under the authority of the BATS Director.

#### Title VI Coordinator

Glynn County Grants Coordinator, Monica Hardin is the designated Title VI Coordinator for transportation programs for Glynn County and the BATS. The Title VI Coordinator will perform and oversee implementation of the BATS’s Title VI Federally Funded Transportation Program, and will have full access to BATS and Glynn County staff needed to carry out these activities. The Title VI Coordinator can be contacted at 912-554-7120 or by mail at 1725 Reynolds Street, Brunswick, GA 31520.

### Title VI Policy Implementation

As authorized by the Director, the Title VI Coordinator is responsible for initiating, monitoring, and ensuring compliance with the following Title VI requirements.

### Program Administration

Administer the Title VI program and coordinate implementation. Ensure compliance with the assurances, policy, and program objectives. Perform Title VI program reviews to assess administrative procedures, staffing, and resources; provide recommendations as required to the BATS Director.

### Complaints

Review Title VI complaints received by the BATS following the adopted procedural guidelines. Ensure every effort is made to resolve complaints as outlined under the BATS Title VI Complaint Procedures on the proceeding pages.

### Data Collection

Annual review of the statistical data gathering process performed by other staff to ensure sufficiency of data for meeting the requirements of Title VI program administration. This will be done in concurrence with the GDOT Title VI reporting survey.

### Environmental Impact Statements

Ensure that available census data are included as a part of all Environmental Impact Statements/Assessments (EIS/EIA) for projects receiving Federal Highway Administration or other Federal assistance.

### Training Programs

Conduct or facilitate training programs on Title VI issues and regulations for BATS employees and facilitate Title VI training for appropriate staff, and BATS Committee members. A summary of training conducted will be reported in the annual update.

### Title VI Policy Update

Review and update the BATS Title VI policy as needed or required. Present the updated policy to the Director for approval; and submit the amendments to GDOT and FHWA for concurrence. Ensure all updates to the Title VI policy are posted on the BATS webpage at <https://www.glynncounty.org/303/Metropolitan-Planning-Organization-BATS>

### Annual Accomplishment Report

Prepare an annual report of Title VI accomplishments and changes to the program in the preceding fiscal year; identify goals and objectives for the upcoming year as required; and submit to GDOT Office of Planning by July 31<sup>st</sup> of each year.

### Public Outreach and Education

Develop and disseminate Title VI program information to BATS employees and sub-recipients, including contractors, subcontractors, consultants, and sub-consultants and beneficiaries, as well as the general public. Public dissemination may include postings of

official statements, inclusion of Title VI language in contracts or other agreements and website postings. Ensure public service announcements or notices are posted for proposed projects, hearings, meetings, or formation of public advisory boards, in newspapers or other media reaching the affected community. Ensure the full utilization of available minority publications or media; and, where appropriate, provide written or verbal information in languages other than English.

#### Elimination of Discrimination

Work with GDOT, FHWA, and FTA to establish procedures for promptly resolving deficiencies, as needed. Recommend procedures to identify and eliminate discrimination that may be discovered in any of the BATS processes.

#### Maintain Legislative and Procedural Information

Ensure the current BATS Title VI policy, Annual Accomplishment Reports, and other resource information pertaining to the implementation and administration of the BATS's Title VI program will be maintained and updated by the Coordinator. Information will be made available to the public as requested or required.

## Title VI Policy Statement and Authorities

The Brunswick Area Transportation Study (BATS) assures that no person shall on the grounds of race, color, national origin, age, disability/handicap or sex, as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance. The BATS further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those program and activities are federally funded or not. In the event that the BATS distributes Federal aid funds to another entity, the BATS will include the Title VI assurances in all written agreements and will monitor for compliance. The BATS Title VI Coordinator is responsible for initiating and monitoring Title VI activities, preparing reports and other responsibilities as required by 23 CFR 200 and 49 CR 21.

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Pamela Thompson  
Glynn County Community Development and BATS Director

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Date

### Authorities

Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) provides that “no person in the United States shall, on the grounds of race color or national origin, be excluded from participation in, be denied the benefits of, or otherwise be subject to discrimination under any program or activity receiving Federal financial assistance.” The scope of Title VI was expanded by the Civil Rights Restoration Act of 1987 to include all of a recipient’s and contractor’s programs or activities, whether federally assisted or not.

Other Title VI related statutes include, but are not limited to: Title VI of the Civil Rights Act of 1964; 42 USC 2000d to 2000d-4; 42 USC 4601 to 4655; 23 USC 109(h); 23 USC 324; DOT Order 1050.2; EO 12250; EO 12898; 28 CFR 50.3.

## Title VI Assurance

The Brunswick Area Transportation Study (herein after referred to as BATS), HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d--42 USC 2000d--4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation— Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations), and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, sex, 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 BATS receives Federal financial assistance through the Department of Transportation, including the U.S. Department of Transportation and Federal Highway Administration, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This Assurance is required by Subsection 21.7(a) (1) of the Regulations.

More specifically and without limiting the above general assurance, the BATS hereby gives the following specific assurances to its Federal Aid Highway Program:

- 1) That the BATS agrees that each “program” and each “facility” as defined in Subsections 21.23(e) and 21.23(b) of the Regulations, will be (with regard to a “program”) conducted, or will be (with regard to a “facility”) operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
- 2) That the BATS shall insert the following notification in all solicitations for bids for work or material subject to the Regulations made in connection with the Federal Aid Highway Program, and in adapted form in all proposals for negotiated agreements: BATS in accordance with Title VI of the Civil Rights Act of 1964 and 78 Stat. 252, 42 USC 2000d--42 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, sex, or national origin in consideration for an award.
- 3) That the BATS shall insert the appropriate clauses of this Assurance in every contract subject to the Act and the Regulations.
- 4) That the BATS shall insert the appropriate clauses of this Assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
- 5) That where the BATS receives Federal financial assistance to construct a facility, or part of a facility, the Assurance shall extend to the entire facility and facilities operated in connection therewith.
- 6) That where the BATS receives Federal financial assistance in the form, or for the acquisition of real property, or an interest in real property, the Assurance shall extend rights to space on, over or under such property.

- 7) That the BATS shall include the appropriate clauses set forth in this Assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the BATS with other parties:
  - a) For the subsequent transfer of real property acquired or improved under the Federal Aid Highway Program; and
  - b) For the construction or use of or access to space on, over or under real property acquired, or improved under the Federal Aid Highway Program.
- 8) That this Assurance obligates the BATS for the period during which Federal financial assistance is extended to the program, or is in the form of, personal property, or real property or interest therein or structures or improvements there on, in which case the Assurance obligates the BATS 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 service or benefits; or
  - b) The period during which the BATS retains ownership or possession of the property.
- 9) The BATS shall provide for such methods of administration for the program as are found by the Secretary of Transportation, or the official to whom she delegates specific authority to for reasonable guarantee that other recipients, sub-recipients, contractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations, and this Assurance.
- 10) The BATS agrees that the United States has a right to seek judicial endorsement with regard to any matter arising under the Act, the Regulations, and this Assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the BATS by the U.S. Department of Transportation under the Federal Aid Highway Program and is binding on it, other recipients, sub-recipients, contractors, subcontractors, transferees, successors in interest and other participants in the Federal Aid Highway Program. The person whose signature appears below is authorized to sign this Assurance on behalf of the BATS.

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Pamela Thompson  
Glynn County Community Development and BATS Director

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Date

## Title VI Contract Language

The text below, in its entirety, is in all contracts entered into by BATS. All of the text except the final section, entitled "Incorporation of Provisions," should be included in any contract entered into by any BATS contractor.

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

1. **Compliance with Regulations**

The Contractor shall comply with the Regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter referred to as DOT), Title 49, Code of Federal Regulations, part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), 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, shall not discriminate on the grounds of race, color, sex, or national origin, age or disability in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in discrimination.

3. **Solicitations for Subcontracts, Including Procurement of Materials and Equipment**

In all solicitations either by competitive bidding or negotiations made by the Contractor for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the Contractor of the Contractor's obligations under this contract and the Regulations relative to nondiscrimination on the ground of race, color, sex, or national origin.

4. **Information & Reports**

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

5. **Sanctions for Noncompliance**

In the event of the Contractor's noncompliance with the nondiscrimination provisions of the contract, BATS, with state and federal agency concurrence, would initiate sanctions per 49 CFR 21.

6. **Incorporation of Provisions**

The Contractor shall include the provisions of paragraphs (1) through (5) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The Contractor shall take such action with respect to any subcontractor or procurement as the Brunswick Area Transportation Study or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event a Contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Contractor may request the Brunswick Area Transportation Study enter into such litigation to protect the interests of the state and, in addition, the Contractor may request the United States to enter into such litigation to protect the interests of the U.S.

### Title 23 CFR 200

Title 23 CFR 200 provides guidelines for: (a) Implementing the Federal Highway Administration (FHWA) Title VI compliance program under Title VI of the Civil Rights Act of 1964 and related civil rights laws and regulations, and (b) Conducting Title VI program compliance reviews relative to the Federal-aid highway program.

### Title 23 CFR 1235

The purpose of this part is to provide guidelines to States for the establishment of a uniform system for handicapped parking for persons with disabilities to enhance access and the safety of persons with disabilities that limit or impair the ability to walk.

### Title 28 CFR 35

The purpose of this part is to effectuate subtitle A of title II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131), which prohibits discrimination on the basis of disability by public entities.

### Title 28 CFR 36

The purpose of this part is to implement title III of the Americans with Disabilities Act of 1990 (42 U.S.C. 12181), which prohibits discrimination on the basis of disability by public accommodations and requires places of public accommodation and commercial facilities to be designed, constructed, and altered in compliance with the accessibility standards established by this part.

### Title 28 CFR 41

The purpose of this part is to implement Executive Order 12250, non-discrimination on the basis of handicap in federally assisted programs, which requires the Department of Justice to coordinate the implementation of section 504 of the Rehabilitation Act of 1973. This part applies to each Federal department and agency that is empowered to extend Federal financial assistance.

### Title 28 CFR 42, Subpart C

The purpose of this part is to effectuate the provisions of Title VI of the Civil Rights Act of 1964 to the end that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance. This subpart refers to nondiscrimination, equal employment opportunity, policies and procedures. This subpart applies to any program for which Federal financial assistance is authorized under a law administered by the Department. It applies to money paid, property transferred, or other Federal financial assistance extended after the date of this subpart pursuant to an application whether approved before or after such date.

### Title 28 CFR 50.3

Title 28 CFR 50.3 sets forth guidelines for the enforcement of Title VI, Civil Rights Act of 1964. (a) Where the heads of agencies having responsibilities under Title VI of the Civil Rights Act of 1964 conclude there is noncompliance with regulations issued under that title, several alternative courses of action are open. In each case, the objective should be to secure prompt and full compliance so that needed Federal

assistance may commence or continue. (b) Primary responsibility for prompt and vigorous enforcement of Title VI rests with the head of each department and agency administering programs of Federal financial assistance. Title VI itself and relevant Presidential directives preserve in each agency the authority and the duty to select, from among the available sanctions, the methods best designed to secure compliance in individual cases. The decision to terminate or refuse assistance is to be made by the agency head or his designated representative. (c) This statement is intended to provide procedural guidance to the responsible department and agency officials in exercising their statutory discretion and in selecting, for each noncompliance situation, a course of action that fully conforms to the letter and spirit of section 602 of the Act and to the implementing regulations promulgated there under.

#### [23 USC 324](#)

The purpose of this part relates to prohibition of discrimination on the basis of sex.

#### [42 USC 4601-4655](#)

These sections refer to uniform relocation assistance and real property acquisition policies for federal and federally assisted programs.

#### [DOT Order 1050.2](#)

This nondiscrimination directive refers to standard Title VI assurances.

#### [Executive Order 12250](#)

Executive Order 12250, issued in 1979, provided for the consistent and effective implementation of various laws prohibiting discriminatory practices on the basis of race, color, national origin, sex, disability, or religion in programs and activities receiving federal financial assistance. The responsibility for implementing this Executive Order was placed with the Attorney General. This responsibility, except for the authority to approve regulations, was redelegated to the Assistant Attorney General for Civil Rights. The Coordination and Review Section carries out this responsibility on a day to day basis.

#### [Executive Order 12898](#)

Executive Order 12898, issued in 1994, amplifies Title VI provisions. It states that each Federal agency shall make achieving environmental justice (EJ) part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.

#### [Executive Order 13166](#)

Executive Order 13166, Improving Access for Persons with Limited English Proficiency, was issued in 2000 to improve access to federally conducted and federally assisted programs and activities for persons who, as a result of national origin, are limited in their English proficiency (LEP). It requires Federal agencies to ensure that recipients of Federal financial assistance provide meaningful access to their LEP applicants and beneficiaries.

## Title VI Notice to the Public

The BATS hereby gives public notice that it is the BATS's policy to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and related statutes and regulations in all programs and activities. Title VI requires that no person shall, on the grounds of race, color, sex, or national origin be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any Federal Aid Highway program or other activity for which BATS receives Federal financial assistance.

Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with BATS. Any such complaint must be in writing and filed with the BATS Title VI Coordinator within 180 days following the date of the alleged discriminatory occurrence. Title VI Discrimination Complaint Forms may be obtained from the Glynn County Community Development Office, located at 1725 Reynolds St, Brunswick GA 31520 or on the BATS webpage at <https://www.glynncounty.org/303/Metropolitan-Planning-Organization-BATS>.

This statement is added to any meeting announcement to which the public and/or outside agencies or organizations may attend (such as public meetings and open houses both on-site and off-site, seminars, as well as BATS committee meetings).

*"BATS fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. BATS public meetings are always held in ADA-accessible facilities. Auxiliary services can be provided to individuals who submit a request at least seven days prior to a meeting."*

The statement below should be added to all BATS public documents and publications. For publications, the statement can be added at the bottom of the title page.

*"BATS fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. Publications and other public documents can be made available in alternative languages or formats, if requested."*

# BATS Title VI Complaint Procedures

## Title VI Complaint Procedures

Any person who believes that he or she, individually, as a member of any specific class, or in connection with any disadvantaged business enterprise, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, the American with Disabilities Act of 1990, Section 504 of the Vocational Rehabilitation Act of 1973 and the Civil Rights Restoration Act of 1987, as amended, may file a complaint with the BATS. A complaint may also be filed by a representative on behalf of such a person. All complaints will be referred to the BATS's Title VI Coordinator for review and action.

The official form for any such complaints is included in the Appendix section of this report as well as available on the BATS website at <https://www.glynncounty.org/303/Metropolitan-Planning-Organization-BATS>

In order to have the complaint considered under this procedure, the complainant must file the complaint no later than 180 days after:

- The date of alleged act of discrimination; or
- Where there has been a continuing course of conduct, the date on which that conduct was discontinued.

In either case, the BATS Director or their designee may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for so doing.

Complaints shall be in writing, using the Title VI Complaint Form found in this document, and shall be signed by the complainant and/or the complainant's representative. Complaints shall set forth, as fully as possible, the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination to an officer or employee of the BATS, the person shall be interviewed by the Title VI Coordinator. If necessary, the Title VI Coordinator will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled according to the BATS's investigative procedures. Should the Title VI Coordinator be the individual charged, the Director or their designee will process the complaint to remove the Title VI Coordinator from any perceived conflict of interest.

Within 10 days, the Title VI Coordinator will acknowledge receipt of the allegation, inform the complainant of procedures to be followed, and advise the complainant of other avenues of redress available, such as GDOT and USDOT.

The BATS will advise GDOT within 10 days of receipt of the allegations. Generally, the following information will be included in every notification to GDOT:

- Name, address, and phone number of the complainant
- Name(s) and address(es) of alleged discriminating official(s)
- Basis of complaint (i.e., race, color, national origin or sex)
- Date of alleged discriminatory act(s)
- Date of complaint received by the BATS
- A statement of the complaint
- Other agencies (state, local or Federal) where the complaint has been filed
- An explanation of the actions the BATS has taken, or proposed, to resolve the issue raised in the complaint

GDOT will forward the complaint to FHWA. FHWA Office of Civil Rights will determine the appropriate individual and/or organization to participate in the investigation.

Within 60 days of receiving the complaint, the Title VI Coordinator will conduct an investigation of the allegation and based on the information obtained, will render a recommendation for action in a report of findings to the Director of the BATS. The complaint should be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.

Within 90 days of receipt of the complaint, the Director of the BATS will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the complainant of his/her appeal rights with GDOT, or USDOT, if they are dissatisfied with the final decision rendered by the BATS. The Title VI Coordinator will also provide GDOT with a copy of this decision and summary of findings upon completion of the investigation.

### Contract Review Procedures

The Title VI Coordinator will assist GDOT to periodically conduct Title VI compliance reviews. BATS staff will review select recipients of Federal-aid highway or other Federal funds, to ensure adherence to Title VI requirements. The BATS will work cooperatively to periodically confirm operational guidelines provided to consultants, contractors, and sub-recipients, including Title VI language, provisions, and related requirements, as applicable.

### Post-Grant Reviews

The Title VI Coordinator will collaborate with BATS staff to conduct periodic post grant reviews of select recipients of Federal highway funds or other Federal funds, for roads, sidewalks, bridges, municipal construction, etc. to ensure adherence to Title VI requirements. Appropriate staff will periodically confirm that operational guidelines provided to consultants, contractors and sub-recipients include Title VI language and provisions and related requirements, where applicable.

## Remedial Action

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

When conducting Title VI compliance reviews, the BATS will reduce to writing any recommended remedial action agreed upon by the BATS and sub-recipient, and provide a copy of the letter within a period not to exceed 45 days. Sub-recipients placed in a deficiency status will be given a reasonable time, not to exceed 90 days after receipt of the deficiency letter, to voluntarily correct deficiencies. When a sub-recipient fails or refuses to voluntarily comply with requirements within the allotted time frame, BATS will submit to GDOT and FHWA copies of the case file and a recommendation that the sub-recipient be found in noncompliance. A follow-up review will be conducted within 180 days of the initial review to ascertain if the sub-recipient has complied with the Title VI Program requirements in correcting deficiencies previously identified. If the sub-recipient refuses to comply, BATS and GDOT may, with FHWA's concurrence, initiate sanctions per 49 CFR 21.

## **APPENDIX A: Title VI Complaint Forms**

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