

Sangamon County Board Resolution 27-1
Sangamon County/SMART County Title VI Program Approval

Resolution authorizing the filing of the 2023 update of the Title VI Program with the Federal Transit Administration, an operating administration of the United States Department of Transportation, for Federal Transportation assistance authorized by 49 U.S.C. chapter 53, title 23 United States Code, and other Federal statues administered by the Federal Transit Administration.

WHEREAS, the Federal Transportation Administrator has been delegated authority to enforce Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq; 49 CFR § 1.51; 49 CFR part 21; and

WHEREAS, the Applicant has or will provide all certifications and assurances to the Federal Transit Administration required for the Title VI Program; and

WHEREAS, Sangamon County/SMART assures that no person shall, on the basis of race, color, or national origin, be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination under any program or activity whether those programs and activities are Federally funded or not; and

WHEREAS, Sangamon County/SMART has developed a Title VI Plan in compliance with federal regulation; and

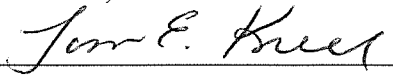
NOW, THEREFORE, BE IT RESOLVED BY the Sangamon County Board on November 14, 2023 that the Sangamon County Board has reviewed and approved the Sangamon County Title VI Program, a copy of which is attached hereto and made part hereof.

ATTEST:

County Clerk

Chairman, Sangamon County Board

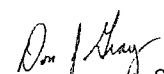
Approved by the Employee Services Committee on November 6, 2023



Chairman

FILED

NOV 07 2023


Sangamon County Clerk



TITLE VI PLAN

December 1, 2023

*Sangamon County
200 South 9th Street, Room 205
Springfield, IL 62701*

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INTRODUCTION

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq. and its implementing regulations provide that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives federal funding. As a subrecipient of federal transportation planning funds from the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA), Sangamon County, must certify that the transportation planning process is being carried out in conformance with these regulations.

TITLE VI NOTICE TO THE PUBLIC

Sangamon County has posted a notice regarding the civil rights of the public under Title VI and information on contacting Sangamon County if a citizen believes unlawful discrimination has occurred related to the transportation planning programs and activities of Sangamon Menard Area Regional Transit (SMART). The notice can be found:

- Posted in the Sangamon County Courthouse and the SMART Office located at 1800 E. Adams Street, Springfield.
- Posted on the Sangamon County website at www.sangamonil.gov.
- In **Attachment A** of this document.

TITLE VI COORDINATOR

The Title VI Coordinator is responsible for ensuring implementation of the Sangamon County's Title VI Plan. The SMART Executive Director, under supervision of the Title VI Coordinator, is responsible for coordinating the overall administration of the Title VI program, plan, and assurances. The SMART Executive director is responsible for ensuring that SMART staff understand and adhere to the various Title VI requirements and produce a report documenting compliance annually to the federal agencies from which the Sangamon County receives financial assistance.

The Director of Human Resources, or designee, will serve as the Title VI Coordinator. The Title VI Coordinator is responsible for overseeing compliance with applicable nondiscrimination authorities in each of the metropolitan transportation planning and programming areas. Other staff members are expected to provide information and support to assist the Title VI Coordinator perform her or his tasks pertaining to nondiscrimination regulations and procedures set forth in federal guidance and in accordance with this Plan.

TITLE VI COMPLAINT PROCEDURES

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by the Sangamon County or SMART may file a Title VI complaint by completing and submitting the Sangamon County Title VI Complaint Form found in **Attachment B**. The procedure for submittal and review of the complaint is outlined below.

1. The Sangamon County Title VI Complaint Form should be submitted to the Sangamon County Director of Human Resources no more than 180 days after the alleged incident. The form will be stamped with the date upon receipt by the Department of Human Resources.
2. Only forms that are complete will be processed.
3. Once the complaint is received the Title VI Coordinator will review the complaint to determine if the office has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by Sangamon County.
4. Sangamon County has 20 business days to investigate the complaint.
5. If more information is needed the Title VI Coordinator may contact the complainant by letter. The complainant has 30 business days from the date of the letter to send requested information to the Title VI Coordinator. If the Title VI Coordinator is not contacted by the complainant or does not receive the additional information within 30 business days, Sangamon County can administratively close the case.
6. After reviewing the complaint the Title VI Coordinator will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF).
 - ⇒ A *Closure Letter* summarizes the allegations and states that there was not a Title VI violation and that the case will be closed.
 - ⇒ A *Letter of Finding* summarizes the allegations and the interviews regarding the alleged incident and explains whether any disciplinary action, additional training of the staff member, or other action will occur.
7. If the complainant wishes to appeal the decision, she/he has 30 days after the date of the letter to do so. This appeal must be made in writing to the Title VI Coordinator. The appeal must specifically cite the portion(s) of the finding with which the complainant disagrees and his/her reason(s) for the disagreement.

Sangamon County's review of the finding will be based on the entire record. If Sangamon County concludes that SMART is in compliance with laws/regulations and the complainant disagrees, the Complainant may, if dissatisfied, file an action in the appropriate U.S. District Court.

A person may also file a complaint directly with:

- ◇ Federal Transit Administration, FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590 or the
- ◇ Federal Highway Administration, Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590
- ◇ Illinois Department of Transportation, Bureau of Civil Rights, 2300 South Dirksen Parkway, Room 317, Springfield, IL 62764

TITLE VI INVESTIGATIONS, COMPLAINTS, AND LAWSUITS

There have been no complaints received or lawsuits filed against the Sangamon County in regards to discrimination based on race, color, or national origin. A log as shown below will be kept by Sangamon County staff to note and track complaints that could come to Sangamon County through the Title VI complaint process.

		Date of Incident	Summary of Incident	Incident Status	Action(s) Taken
Complaints	1				
	2				
	3				
	4				
	5				

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SANGAMON COUNTY LANGUAGE ASSISTANCE PLAN

According to the U.S. Census Bureau 2009-2021 American Community Survey there are no people living in Menard County and in unincorporated Sangamon County who speak English "not at all". This represents 0.00% of the total population. With the small number of people having limited English proficiency and the wide array of languages spoken, when an interpreter is needed Sangamon County will utilize online services such as Google Translate (<http://translate.google.com/>) or a telephone interpreter service such as Language Line <http://www.languageline.com/>.

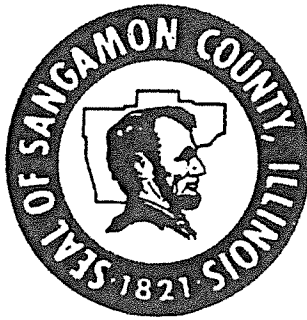
USDOT'S STANDARD TITLE VI ASSURANCE

The U. S. Department of Transportation's Standard Title VI Assurance signed by the Executive Director of the Springfield-Sangamon County Regional Planning Commission can be found in **Attachment C**.

SANGMON COUNTY BOARD RESOLUTION APPROVING THIS TITLE VI PLAN

The SATS Policy Committee adopted this Title VI Plan on April 14, 2016. The resolution of adoption can be found in **Attachment D**.

ATTACHMENT A
Public Notice of Rights Under
Title VI



PUBLIC NOTICE OF RIGHTS UNDER TITLE VI

Sangamon County conducts its programs and planning activities without discrimination against any person on the basis of race, color, or national origin in accordance with 1964 Title VI of the Civil Rights Act.

Any person who believes she or he has suffered due to unfair treatment by any unlawful discriminatory practice under Title VI may file a complaint with Sangamon County.

For more information on the Sangamon County civil rights program and the procedures to file a complaint, please contact Charlie Stratton, Director of Human Resources, at 217-535-3130, email at Charlie.Stratton@co.sangamon.il.us, or mail or visit the office at 200 S. Ninth Street, Room 205, Springfield, IL 62701.

For more information, visit www.sangamonil.gov

ATTACHMENT B
Title VI/ADA Complaint Form

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Title VI/ADA Complaint Form

Title VI of the Civil Rights Act of 1964 states that, "No person in the United States shall on the basis of race, color, or national origin, be excluded from participation in, be denied the benefit of, or otherwise be submitted to discrimination in any program, service, or activity receiving federal financial assistance."

This form may be used to file a complaint with the Sangamon County for alleged violations of Title VI of the Civil Rights Act of 1964. If you need assistance completing this form due to a physical impairment or other reasons, please contact us by phone at (217) 535-3130, mail us at 200 S. 9th Street, Springfield, IL 62701 or go to our website at www.sangamonil.gov.

SECTION I		
Name of Person Filing Complaint		
Mailing Address		
City	State	Zip Code
Telephone (Home)	Telephone (Cell)	
Email Address		
Accessible Format requirements? <input type="checkbox"/> Large Print <input type="checkbox"/> TDD <input type="checkbox"/> Audio Tape <input type="checkbox"/> Other		
SECTION II		
Are you filing this complaint on your own behalf? <input type="checkbox"/> Yes * <input type="checkbox"/> No * If you answered "yes" to this question, go to Section III.		
If you answered "no" please supply the name and relationship of the person for whom you are filing a complaint.		
Name	Relationship	
Please explain why you are filing for this person.		
Please confirm that you have obtained the permission of the aggrieved party to file this complaint on their behalf. <input type="checkbox"/> Yes <input type="checkbox"/> No		

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SECTION III

I believe the discrimination experienced was based on (check all that apply):

Race Color National Origin

Date of Alleged Discrimination:

Explain as clearly as possible what happened and why you believe you 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) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.

SECTION IV

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Have you previously filed a Title VI Complaint with Sangamon County? <input type="checkbox"/> Yes <input type="checkbox"/> No	
SECTION V	
Have you filed this complaint with any of the following? <input type="checkbox"/> Federal Agency _____ <input type="checkbox"/> State Agency _____ <input type="checkbox"/> Local Agency _____ <input type="checkbox"/> Federal Court _____ <input type="checkbox"/> State Court _____	
Please provide information about a contact person at the agency/court where the complaint was filed.	
Name	Title
Agency	
Mailing Address	
Email Address	Telephone Number

You may attach any written materials or other information that you think is relevant to your complaint.

Signature

Date

Please submit form to: Charles Stratton, Title VI Coordinator
Sangamon County
200 South 9th Street, Room 205
Springfield, IL 62701

ATTACHMENT C
Demographics of Sangamon Menard
Area Regional Transit

Table: ACSDT5Y2021.C16001

Label	Sangamon County, Illinois	Estimate
Total:		185,582
Speak only English		177,312
Spanish:		3,022
Speak English "very well"		2,221
Speak English less than "very well"		801
French, Haitian, or Cajun:		708
Speak English "very well"		408
Speak English less than "very well"		300
German or other West Germanic languages:		345
Speak English "very well"		275
Speak English less than "very well"		70
Russian, Polish, or other Slavic languages:		257
Speak English "very well"		166
Speak English less than "very well"		91
Other Indo-European languages:		1,382
Speak English "very well"		1,110
Speak English less than "very well"		272
Korean:		118
Speak English "very well"		76
Speak English less than "very well"		42
Chinese (incl. Mandarin, Cantonese):		537

Table: ACSDT5Y2021.C16001

Label	Sangamon County, Illinois	Estimate
Speak English "very well"		371
Speak English less than "very well"		166
Vietnamese:		234
Speak English "very well"		72
Speak English less than "very well"		162
Tagalog (incl. Filipino):		322
Speak English "very well"		270
Speak English less than "very well"		52
Other Asian and Pacific Island languages:		755
Speak English "very well"		535
Speak English less than "very well"		220
Arabic:		205
Speak English "very well"		147
Speak English less than "very well"		58
Other and unspecified languages:		385
Speak English "very well"		332
Speak English less than "very well"		53

Table: ACSDT5Y2021.C16001

Label	Menard County, Illinois	
	Estimate	
Total:	11,641	
Speak only English	11,490	
Spanish:	54	
Speak English "very well"	54	
Speak English less than "very well"	0	
French, Haitian, or Cajun:	23	
Speak English "very well"	23	
Speak English less than "very well"	0	
German or other West Germanic languages:	10	
Speak English "very well"	10	
Speak English less than "very well"	0	
Russian, Polish, or other Slavic languages:	5	
Speak English "very well"	0	
Speak English less than "very well"	5	
Other Indo-European languages:	2	
Speak English "very well"	2	
Speak English less than "very well"	0	
Korean:	0	
Speak English "very well"	0	
Speak English less than "very well"	0	
Chinese (incl. Mandarin, Cantonese):	39	

Table: ACSDT5Y2021.C16001

Label	Menard County, Illinois	
	Estimate	
Speak English "very well"	8	
Speak English less than "very well"	31	
Vietnamese:	0	
Speak English "very well"	0	
Speak English less than "very well"	0	
Tagalog (incl. Filipino):	12	
Speak English "very well"	12	
Speak English less than "very well"	0	
Other Asian and Pacific Island languages:	0	
Speak English "very well"	0	
Speak English less than "very well"	0	
Arabic:	0	
Speak English "very well"	0	
Speak English less than "very well"	0	
Other and unspecified languages:	6	
Speak English "very well"	6	
Speak English less than "very well"	0	

ATTACHMENT D
USDOT
Standard Title
VI Assurances

**United States Department of Transportation
Standard Title VI/Nondiscrimination Assurances**

Sangamon County (hereinafter referred to as Recipient), HEREBY AGREES THAT as a condition to receiving any federal financial assistance from the United States Department of Transportation 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. § 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);
- 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;
- 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);
- 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);
- Title 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 49 C.F.R. parts 37 and 38;
- 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).

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

General Assurances

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

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

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

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

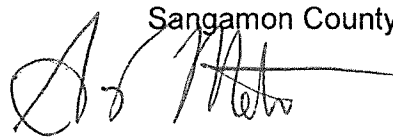
1. The Recipient agrees that each "program" at each "facility", as defined in Subsections 21.23 (e) and 21.23 (b) of the Regulations, will be operated (with regard to a "facility") in compliance with all requirements imposed by , or pursuant to , the Regulations.
2. The Recipient shall insert the following notification in all solicitations for bids for work or materials subject to the Regulations made in connection with the Federal Aid Program, and in adapted form in all proposals for negotiated agreements:

"Sangamon County in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252. 42 USC 2000d to 2000d4) and the Regulations, hereby notifies all bidders that it will affirmatively insure that any contract entered into pursuant to this advertisement, disadvantaged 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. 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 shall 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 shall extend to rights to space on, over and under such property.
7. 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 deed, 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 shall provide for such methods of administration for the plan as are found by the Secretary of Transportation, or the official to whom s/he 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 plan will comply with all requirements imposed or pursuant to the Act, 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 Act, the Regulations, and this Assurance.

THIS ASSURANCE is given in consideration of and for the purposes of obtaining, any and all Federal grants, agreement, loans, contracts, property, discounts or other Federal aid and Federal financial assistance extended after the date hereof to the Recipient by the U.S. Department of Transportation. This ASSURANCE is binding on Sangamon County, sub-recipients, sub-grantees, contractors, sub-contractors and their sub-contractors, transferees, successors in interest, and any other participants in the Sangamon Menard Area Regional Transit program. The person signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

11-1-23
Date

Sangamon County

 Andy Van Meter, County Board Chairman

Appendix A

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

- 1. Compliance with Regulations:** For all federally assisted programs, the contractor shall comply with the nondiscrimination regulations set forth in 49 CFR Part 21, as may be amended from time to time (hereinafter referred to as the Regulations). Such Regulations are incorporated herein by reference and made a part of this contract.
- 2. Nondiscrimination:** The contractor, with regard to the work performed under the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection, retention, and treatment of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices, when the contractor covers a program set forth in Appendix B of the Regulations.
- 3. Solicitation for Subcontracts, Including Procurements of Materials and Equipment:** All solicitations made by the contractor, either by competitive bidding or by negotiation for subcontract work, including procurement of materials or leases of equipment, must include a notification to each potential subcontractor or supplier of the contractor's obligations under the contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
- 4. Information and 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 facilities as may be determined to be pertinent by the Department of the United States Department of Transportation (USDOT) in order to ascertain compliance with such Regulations or directives. If required information concerning the contractor is in the exclusive possession of another who fails or refuses to furnish the required information, the contractor shall certify to the Department or the USDOT, as appropriate, and shall set forth the efforts that it made to obtain the information.
- 5. Sanctions for Noncompliance:** In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the Recipient shall impose such contract sanctions as it or the USDOT may determine to be appropriate, including, but not limited to the following:
 - a. Withholding payments to the contractor until the contractor complies; and/or
 - b. Canceling, terminating or suspending the contract in whole or in part.
- 6. Incorporation of Provisions:** The contractor shall include the provisions of Sections (1) through (6) in every subcontract, including procurement of material and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the Recipient or the USDOT may direct as a means of enforcing such provisions, including sanctions for non-compliance, provided, however, that in the event a contractor becomes involved in or is threatened with litigation from a subcontractor or supplier as a result of such direction, the contractor may request the Recipient to enter into such litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

Appendix B: Clauses for Deeds

The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures or improvements thereon, or 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 Sangamon County will accept title to the lands and maintain the project constructed thereon, in accordance with the Regulations, Cost Principles, and Audit Requirements for Federal Awards (2 C.F.R. Part 200) and procedures prescribed by the Office of the Secretary of the U.S. Department of Transportation in accordance and 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 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, quit claim and convey unto the Sangamon County all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit "A" attached hereto and made part of hereto.

Habendum Clause*

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

Sangamon County, in consideration or the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land of itself, its successors and assigns, that (1) no person 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 with regard to any facility located wholly or in part, on, over, or under such lands hereby conveyed (,) (and)* (2) that Sangamon County shall use the lands and interests in lands and interest 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 nondiscrimination conditions, the Department shall have a right to enter or re-enter said lands and facilities on said land, and the above described land and facilities shall 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 purposes of Title VI of the Civil Rights Act of 1964.

Appendix C: Clauses for Deeds, Permits, Leases and Licenses

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by Sangamon County, pursuant to the provisions of Assurance 7(a).

- A. The (grantee, licensee, 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 program, facility, or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) shall maintain and operate such facilities and services in compliance with all other 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 Non-discrimination covenants, Sangamon County will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the Sangamon County will have the right to enter, 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 Sangamon County and its assigns.*

*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI of the Civil Rights Act of 1964.

**Appendix D: Clauses for Construction/Use/Access to Real Property
Acquired Under the Activity, Facility or Program**

The following clauses shall be included in all deeds, licenses, permits, or similar instruments/agreements entered into by Sangamon County, pursuant to the provisions of Assurance 7(b).

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that:
1. No person on the 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.
 2. In the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination.
 3. The (grantee, licensee, 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 Non-discrimination covenants, Sangamon County will have the right to terminate the (lease, license, permit, etc., as appropriate) 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 Non-discrimination covenants, Sangamon County will have the right to enter, 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 Sangamon County and its assigns.*

*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI of the Civil Rights Act of 1964.

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 Non-Discrimination 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 U.S.C. § 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 49 C.F.R. parts 37 and 38.
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

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ATTACHMENT E

**Resolution
Adopting the
Sangamon
County Title VI
Plan**

Sangamon County Board Resolution _____
Sangamon County/SMART County Title VI Program Approval

Resolution authorizing the filing of the 2023 update of the Title VI Program with the Federal Transit Administration, an operating administration of the United States Department of Transportation, for Federal Transportation assistance authorized by 49 U.S.C. chapter 53, title 23 United States Code, and other Federal statues administered by the Federal Transit Administration.

WHEREAS, the Federal Transportation Administrator has been delegated authority to enforce Title VI of the Civil Rights Act of 1964, 42 U.S.C.§ 2000d et seq; 49 CFR§ 1.51; 49 CFR part 21; and

WHEREAS, the Applicant has or will provide all certifications and assurances to the Federal Transit Administration required for the Title VI Program; and

WHEREAS, Sangamon County/SMART assures that no person shall, on the basis of race, color, or national origin, be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination under any program or activity whether those programs and activities are Federally funded or not; and

WHEREAS, Sangamon County/SMART has developed a Title VI Plan in compliance with federal regulation; and

NOW, THEREFORE, BE IT RESOLVED BY the Sangamon County Board on November 14, 2023 that the Sangamon County Board has reviewed and approved the Sangamon County Title VI Program, a copy of which is attached hereto and made part hereof.

ATTEST:

County Clerk

Chairman, Sangamon County Board

Approved by the Employee Services Committee on November 6, 2023

Chairman