

ASSURANCE OF COMPLIANCE WITH EQUAL OPPORTUNITY NON-DISCRIMINATION, INCLUDING TITLES VI AND VII OF THE CIVIL RIGHTS ACT OF 1964, THE AGE DISCRIMINATION IN EMPLOYMENT ACT, THE REHABILITATION ACT, THE AMERICANS WITH DISABILITIES ACT and Other *FEDERAL NON-DISCRIMINATION LAWS

Per Title VI of the Civil Rights Act of 1964 which states that “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving Federal assistance”, the Miami Valley Regional Planning Commission agrees that it will comply with this mandated regulation as it applies to the planning process and planning products produced by metropolitan planning organizations that act as beneficiaries of Federal assistance.

Additional laws forbid discrimination on the basis of certain protected classes:

- Federal Highway Act of 1973 §162(a) prohibits discrimination based on sex
- Rehabilitation Act of 1973 §504 prohibits discrimination based on disability
- Age Discrimination Act of 1975 prohibits discrimination based on age
- Americans with Disabilities Act of 1990 prohibits discrimination based on disability

The Miami Valley Regional Planning Commissions agrees to also comply with these additional protections under any program from recruitment, employment, employee training or activity for which it receives federal financial assistance either directly or indirectly from the federal departments, and other federal, state and local government sources as well as any and all national, regional, and local private funds; and hereby gives assurance that it will in all phases and levels of program and activities, act affirmatively to achieve equal opportunities for participation by actively seeking out qualified people for due consideration for availability and job opportunities and encouraging the involvement of the socially and/or physically disadvantaged population in all phases of the program.

In all cases, this assurance shall obligate this agency, the Miami Valley Regional Planning Commission, for the period during which the federal, state and local financial assistance are extended to it.

This assurance is given in consideration of and for the purpose of obtaining either directly or indirectly any and all federal grants, loans, contracts, property, or discounts, or other federal financial assistance extended after the date hereof to Miami Valley Regional Planning Commission by the United States federal departments and any and all other governmental agencies — including installment payments after such date on account of applications for financial assistance which were approved before such data; and any and all sources of private funding. Miami Valley Regional Planning Commission recognizes and agrees that such financial assistance will be extended in reliance on the representations and agreements made in this assurance, and that the United States Government as well as state and local Civil Rights Commissions duly recognized shall have the right to seek judicial enforcement of this assurance. This assurance is binding on Miami Valley Regional Planning Commission, its successors, transferees, and assignees.

Any person who believes that they have been discriminated against by any of the protected classes established by Title VI and the additional laws listed above may contact the Title VI Coordinator of MVRPC who will advise the complainant of their rights for filing a complaint. The complainant shall, within 180 days of the alleged occurrence, submit a completed Title VI Complaint Form to initiate Title VI complaint as outlined within the MVRPC Title VI Complaint Procedure & Complaint Form.

*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 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 (42 U.S.C. §§ 12131-12189), as implemented by Department of Transportation regulations at 49 CFR parts 37 and 38 (prohibits 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)
- 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 (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 People 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 VIII of the Civil Rights Act of 1968 (Fair Housing Act), as amended (prohibits discrimination in the sale, rental, and financing of dwellings on the basis of race, color, religion, sex, national origin, disability, or familial status (presence of child under the age of 18 and pregnant women)
- Title IX of the Education Amendments Act of 1972, as amended (20 U.S.C. 1681 *et seq.*) (prohibits discrimination on the basis of sex in education programs or activities)