

ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT

TITLE VI UPDATE

The following is a summary of Title VI activities during the period October 1, 2013, through September 30, 2014.

I. ACCOMPLISHMENTS

A. Title VI Multi-Disciplinary Team

The Department's Title VI Multi-Disciplinary Team's responsibilities include reviewing, evaluating and implementing the Department's Title VI program utilizing a pro-active approach. Team members utilize the "Multi-Disciplinary Approach to Non-Discrimination" to ensure Title VI issues are addressed on a day-to-day basis.

The team consists of the following members:

Jay Thompson, AHP Major, Highway Police
James Braden, Assistant Division Head, Right of Way
Charles Martin, Assistant Division Head, Roadway Design
Jerry Trotter, Staff Construction Engineer, Construction
Jennifer Williams, Consultant Contracts Administrator
Ruby Jordan, Section Head-Public Involvement, Environmental
Michael Kelly, Division Head, Surveys
David Mayo, Division Head, State Aid
Joanna P. McFadden EEO/DBE Section Head and Title VI Specialist
Patricia Slater, Public FTA Grants Officer, Transportation Planning and Policy
Randy Ort, Public Information Coordinator
Tymli Frierson, Advanced Research Study Engineer, Planning and Research
Paul Simms, Sr. Design Engineer, Transportation Planning and Policy
Kevin Thornton, Division Head, Program Management

B. Interdisciplinary Staff

The Title VI Specialist serves as a member of the Interdisciplinary (ID) Staff and operates under the responsibilities described in the Public Involvement/Public Hearing Procedures. The Title VI Specialist or a designee attends ID Staff meetings.

The Title VI Specialist or a designee attends selected public hearings and public involvement meetings. The Title VI Specialist also reviews environmental documents and discusses project development with individuals from the various program areas to become more familiar with activities with potential Title VI concerns.

A brochure entitled "Your Guide to Title VI Civil Rights Act of 1964," is available for individuals who attend public hearings or public involvement meetings. *Refer to Attachment A*

C. Program Review

Appropriate Divisions submitted annual reports to the Title VI Specialist so that a determination could be made regarding compliance with the provisions of the Title VI program. *Refer to the Attachment B for documentation submitted during the reporting period and the Title VI Specialist's response to each submission.*

D. Limited English Proficiency (LEP) Program

1. Environmental Analyst Miguel Mondragon, Hispanic male, attends public hearings and public involvement meetings to assist Hispanic individuals in attendance. Mondragon has also assisted the Department by translating and reviewing documents in Spanish and providing interpretation services.
2. Public Notice flyers and comment forms have been translated to Spanish and are utilized for jobs located in areas where there is a significant percentage of Hispanics. Hispanic radio stations and newspapers are utilized to announce the meetings.
3. The Department participated in the Hola Arkansas Career Fair.

E. Americans with Disabilities Act (ADA) and Access for Individuals with Disabilities under Section 504 (Section 504).

1. The Department has continued to monitor all facilities to ensure compliance with ADA.

F. Sub-recipient Review

Counseling Clinic, Inc. and Arkansas Enterprises for the Developmentally Disabled, Inc. (A.E.D.D.) were selected for a Title VI review, including compliance with ADA/Section 504 requirements and Executive Order (EO) 13166 – Improving Access to Service for Persons with LEP.

Counseling Clinic Inc. and A.E.D.D. were found to be in compliance.

G. Metropolitan Planning Process Review

None

H. Miscellaneous

The Department's Disadvantaged Business Enterprise Directory is furnished to the Title VI Officers who work in areas where there are contracting opportunities. Those program areas include: Environmental, System Information Research, Transportation Planning and Policy, Right of Way, Roadway Design, Public Transportation, Surveys, and Program Management. The Directory is furnished to MPOs and Rural Transit System Operators and is available on the Department's public website.

J. Liaison

The Title VI Specialist maintains contact by correspondence and telephone with the following FHWA officials:

Valera McDaniel, Transportation Program Coordinator, Arkansas Division
Lester Finkle, National Title VI/Nondiscrimination Program Manager
Mohamed Dumbya, Civil Rights Manager, Virginia Division

II. Goals

- A. Appropriate Divisions will submit annual reports to the Title VI Specialist to ensure compliance with the Title VI program.
- B. The Title VI Specialist will attend Federal-aid kick-off meetings of local governments, consultants, school districts, and metropolitan planning organizations to explain the requirements of the Title VI program; EO 12898 and 13166 - Environmental Justice and LEP, respectively; and ADA/Section 504 as necessary.
- C. The Title VI Specialist or a designee will continue to attend selected public hearings, review environmental documents and discuss project development with individuals from the various program areas to stay apprised of activities involving Title VI issues.
- D. The Title VI Specialist or a designee will accompany planning certification and enhanced planning review teams (if any) to assist in the review of Title VI activities conducted as part of the metropolitan and statewide planning processes.
- E. The Department will participate in various multi-cultural activities throughout the year.
- F. ADA/Section 504

The Department's Transition plan modifications were completed in January 2013.

- G. Three Title VI reviews will be conducted, including a review of ADA/Section 504 requirements, and EO 12898 and 13166.

III. Problems

No problems were encountered during this reporting period.

IV. Complaints

None

V. The EEO/DBE Section Head will function in the following capacities:

A. Civil Rights Officer

1. The EEO/DBE Section Head has been designated as the Civil Rights Officer for the Department and reports directly to the Director of the Department. *Refer to Attachment C for a copy of the Department's Organization Chart*
2. The Civil Rights Officer, by order of the Director, has overall responsibility for planning, developing, managing, implementing, coordinating, and monitoring all program areas of the civil rights functions, including Title VI.
3. The Civil Rights Officer is also assisted in carrying out the requirements of Title VI by other Divisions responsible for program area activities affected by Title VI.

B. Section Head EEO/DBE/Title VI Specialist

1. The EEO/DBE Section Head is also designated as the Title VI Specialist and is responsible for initiating and monitoring the Department's Title VI activities and preparing reports. The following personnel provide assistance as needed:
 - i. External EEO Coordinator
 - ii. Internal EEO Coordinator
 - iii. EEO Specialist
 - iv. Office Administrative Assistant III
 - v. Office Administrative Assistant II
2. The EEO/DBE Section Head has easy access to the Director of the Department and is adequately staffed to effectively implement the Department's Civil Rights Program.
3. *Refer to Attachment D for a copy of the Department Title VI assurances.*

ATTACHMENT A

**A MESSAGE FROM
TITLE VI SPECIALIST
JOANNA P. MCFADDEN**

The primary goal of the Arkansas State Highway and Transportation Department's Title VI Program is to ensure that all appropriate personnel and contractors are aware of the provisions of Title VI of the Civil Rights Act of 1964, and are fully aware of their Title VI responsibilities as well as ADA/504.

The Department's EEO Section is available to provide you with technical assistance, resources, guidance, and any other information pertaining to Title VI and ADA/504.

Should you have any questions or concerns regarding the Title VI Program, please do not hesitate to contact me at (501) 569-2298, Voice/TTY 711.

Joanna P. McFadden



**ARKANSAS STATE HIGHWAY
AND TRANSPORTATION DEPARTMENT**

NOTICE OF NONDISCRIMINATION

The Arkansas State Highway and Transportation Department (Department) complies with all civil rights provisions of federal statutes and related authorities that prohibit discrimination in programs and activities receiving federal financial assistance. Therefore, the Department does not discriminate on the basis of race, sex, color, age, national origin, religion or disability, in the admission, access to and treatment in Department's programs and activities, as well as the Department's hiring or employment practices. Complaints of alleged discrimination and inquiries regarding the Department's nondiscrimination policies may be directed to Joanna P. McFadden, Section Head - EEO/DBE (ADA/504/Title VI Coordinator), P. O. Box 2261, Little Rock, AR 72203, (501) 569-2298, (Voice/TTY 711), or the following email address: Joanna.McFadden@ahrd.ar.gov

This notice is available from the ADA/504/Title VI Coordinator in large print, on audiotape and in Braille.

**Your Guide
To
Title VI
Civil Rights
Act of 1964**

**ARKANSAS STATE
HIGHWAY
AND
TRANSPORTATION
DEPARTMENT**

10324 Interstate 30
Little Rock, AR 72209

Phone: 501-569-2298
Voice/TTY 711
Fax: 501-569-2693

Nondiscrimination in the Federal

Highway Program

The focal point of nondiscrimination law is Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, or national origin in any program or activity receiving Federal financial assistance. However, the broader application of the nondiscrimination law is found in other statutes, regulations and Executive Orders. Section 324 of the Federal-Aid Highway Act of 1973 prohibits discrimination based on sex. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 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 basis of disability as does the Americans with Disabilities Act of 1990 (ADA). The ADA also prohibits discrimination in the provision of access to public buildings and requires that rest areas be accessible by wheelchair. The Age Discrimination Act of 1975 prohibits age discrimination. The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all program and activities of Federal-aid recipients and contractors whether those programs and activities are federally-funded or not.

What programs are covered by

Title VI?

Federally assisted programs address such broad and diverse areas as:

- Transportation (including transit)
- Construction
- Elementary, secondary, and higher education
- Health care, social services, and public welfare.

- Parks and recreation
- Natural resources and the environment
- Employment and job training
- Law enforcement and the administration of justice
- Agriculture and nutrition
- Housing and community development

What discrimination is prohibited?

There are many forms of illegal discrimination based on race, color, sex, national origin, religion or disability that can limit the opportunity of minorities to gain equal access to services and programs. Among other things, in operating a federally assisted program, a recipient cannot, on the basis of race, color, sex, national origin, religion or disability, either directly or through contractual means:

- Deny program services, aids, or benefits;
- Provide a different service, aid, or benefit, or provide them in a different manner than they are provided to others; or
- Segregate or separately treat individuals in any matter related to the receipt of any service, aid, or benefit.

How can I file a discrimination complaint?

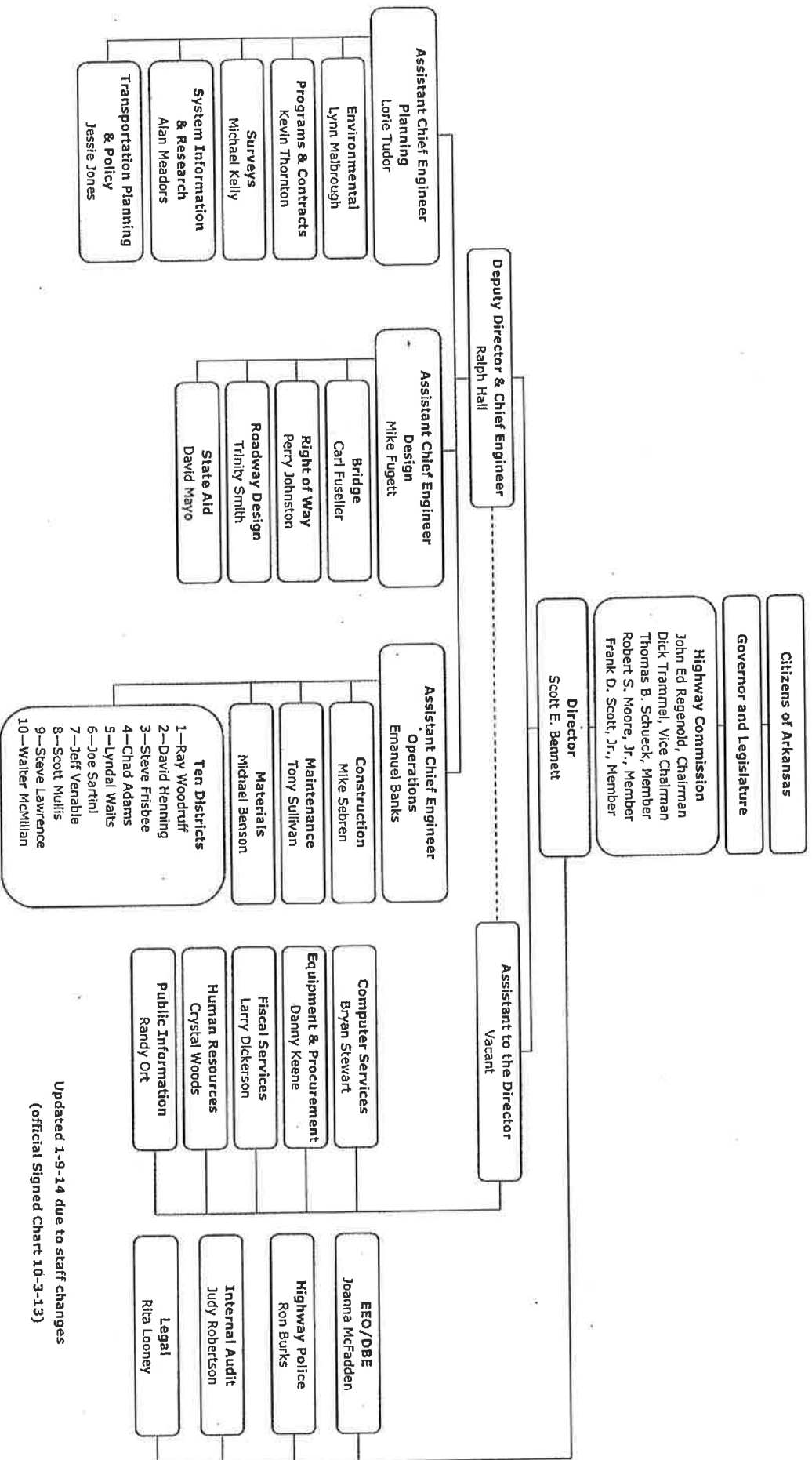
You may file a signed, written complaint within 180 days from the date of the alleged discrimination. The complaint should include:

- Your name, address, and telephone number.
- The name and address of the agency, institution, or department you believe discriminated against you.
- How, why and when you believe you were discriminated against. Include as much specific, detailed information as possible about the alleged acts of discrimination, and any other relevant information. Include names of individuals whom you allege discriminated against you, if you know them.
- The names of any persons, if known, who the Department can contact for clarity of your allegations.

Please submit your signed complaint to the address on the front, attention of Joanna P. McFadden Section Head—EEO/DBE (ADA/504 and Title VI Coordinator).

ATTACHMENT C

ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT ORGANIZATION CHART



Updated 1-9-14 due to staff changes
(official signed Chart 10-3-13)

ATTACHMENT D

**REVISED STANDARD DOT TITLE VI ASSURANCE
OCTOBER 2011**

The Arkansas State Highway and Transportation Department (hereinafter referred to as the "Department") HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the Department of Transportation it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 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, age, disability 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 the Department of Transportation, including the 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, a copy of which is attached.

More specifically, and without limiting the above general assurance, the Department hereby gives the following specific assurances with respect to its Federal Highway Administration Programs:

1. That the Department 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 Department shall insert the following notification in all solicitations for bid for work or material subject to the Regulations and made in connection with all Federal Highway Administration Programs and, in adapted form in all proposals for negotiated agreements:

The Department, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C 2000d to 2000d-4 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 in 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, age, disability or national origin in consideration for an award.

3. That the Department shall insert the clauses of Appendix A of this assurance in every contract subject to the Act and the Regulations.
4. That the Department shall insert the clauses of Appendix B 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 Department 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 Department 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 or under such property.
7. That the Department shall include the appropriate clauses set forth in Appendix C of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Department with other parties: (a) for the subsequent transfer of real property acquired or improved under Federal Highway Administration; and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under the Federal Highway Administration.
8. That this assurance obligates the Department 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 Department 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 Department retains ownership or possession of the property.
9. The Department shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he delegates specific authority to give reasonable guarantee that it, other recipients, sub-grantees, contractors, subcontractors, 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 Department 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 purpose of obtaining any and all Federal grants, loans, contract, property, discounts or other Federal financial assistance extended after the date hereof to the Arkansas State Highway and Transportation Department under the Federal Highway Administration Programs and is binding on it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest and other participants in the Federal Highway Administration Programs. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Department.

Dated 9-30-2011

By Scott Bennett
Scott Bennett
Director of Arkansas State Highway and
Transportation Department

APPENDIX A

TITLE VI CONTRACT PROVISIONS

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 shall comply with the Regulations relative to Title VI (Nondiscrimination in Federally-assisted programs of the Department of Transportation and its operating elements, especially Title 49, Code of Federal Regulations, Part 21 and 23 Code of Federal Regulations, as amended, and hereinafter referred to as the Regulations). These regulations are herein incorporated by reference and made a part of this contract. Title VI provides that the recipients of Federal financial assistance will maintain and implement a policy of nondiscrimination in which no person in the **state of Arkansas** shall, on the basis of race, color, national origin, sex, age, disability, be excluded from participation in, denied the benefits of, or subject to discrimination under any program or activity by recipients of Federal financial assistance or their assignees and successors in interest.

(2) Nondiscrimination: The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, national origin, sex, age, disability, in the selection and retention 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 contract covers a program set forth in Appendix B of the USDOT Regulations.

(3) Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the contractor or work to be performed under a subcontract, including procurements 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 grounds of race, color, national origin, sex, age, or disability.

(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 its facilities as may be determined by the Arkansas State Highway & Transportation Department or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations or directives. 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 Arkansas State Highway & Transportation Department, 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 this contract, the Arkansas State Highway & Transportation Department shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

- (a) Withholding of payments to the contractor under the contract until the contractor complies, and/or
- (b) Cancellation, termination or suspension of the contract, in whole or in part.

(6) Incorporation of Provisions: The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements 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 subcontract or procurement as the Arkansas State Highway & Transportation Department or the Federal Highway Administration 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 with a subcontractor or supplier as a result of such direction, the contractor may request the Arkansas State Highway & Transportation Department to enter into such litigation to protect the interests of the State, and, litigation to protect the interest of the United States.

APPENDIX B

The following clauses shall be included in any and all deeds effecting or recording the transfer to real property, structures or improvements thereon, or interest therein from the United States:

(Granting Clause)

NOW, THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that the State of Arkansas, will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code, the Regulations for the Administration of Federal Aid for Highways and the policies and procedures prescribed by the Federal Highway Administration of the Department of Transportation and, also in accordance with and in compliance with 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 (hereinafter referred to as the Regulations) 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 State of Arkansas all the right, title and interest of the 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 State of Arkansas, and its successors forever, subject, however, to the covenant, 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 State of Arkansas, its successors and assigns.

The State of Arkansas, 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 shall on the grounds of race, color, sex, national origin, or disability, 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 State of Arkansas, shall use the lands and interests in lands so conveyed, in compliance with 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, and as said Regulations 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 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 Department of Transportation and its assigns as such interest existed prior to this deed.*

*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

APPENDIX C

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

a. The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself, his 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 in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program 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 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, and as said Regulations may be amended.

b. Include in licenses, leases, permits, etc.*

That in the event of breach of any of the above nondiscrimination covenants, the State of Arkansas, shall have the right to terminate the (license, lease, permit, etc.) and to re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, lease, permit, etc.) had never been made or issued.

c. Include in deeds*

That in the event of breach of any of the above nondiscrimination covenants, the State of Arkansas shall have the right to re-enter said lands and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the State of Arkansas and its assigns.

* -- Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

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

a. The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself, his 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, sex, national origin, or disability, shall be excluded from the 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, sex, national origin, or disability, shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) shall use the premises in compliance with all other 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, and as said Regulations may be amended.

b. Include in licenses, leases, permits, etc.*

That in the event of breach of any of the above nondiscrimination covenants, the State of Arkansas, shall have the right to terminate the (license, lease, permit, etc.) and to re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, lease, permit, etc.) had never been made or issued.

c. Include in deeds*

That in the event of breach of any of the above nondiscrimination covenants, the State of Arkansas, shall have the right to re-enter said lands and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the State of Arkansas and its assigns.

* -- Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.