



Gaston County

Gaston County
Board of Commissioners
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DHHS - Social Services Division Board Action

File #: 20-355

Commissioner Chad Brown - DHHS (ACCESS Division) - To Approve the Gaston County Central Transportation Title VI Program Plan

STAFF CONTACT

Michael Coone - Adult and Aging Services Administrator - 704-862-7663

BUDGET IMPACT

Required approval to continue receiving NCDOT funding.

BUDGET ORDINANCE IMPACT

N/A

BACKGROUND

NCDOT requires every transit agency receiving federal funds to complete a Title VI plan. The purpose of the plan is to ensure that the agency does not exclude any person from receiving transportation services based on race, color, national origin, sex, religion, age, or disability.

POLICY IMPACT

N/A

ATTACHMENTS

Gaston County Central Transportation Title VI Program Plan

DO NOT TYPE BELOW THIS LINE

I, Donna S. Buff, Clerk to the County Commission, do hereby certify that the above is a true and correct copy of action taken by the Board of Commissioners as follows:

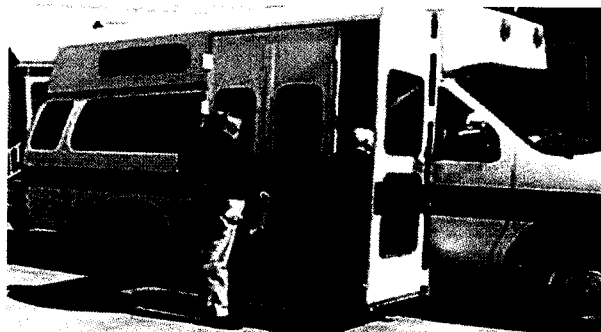
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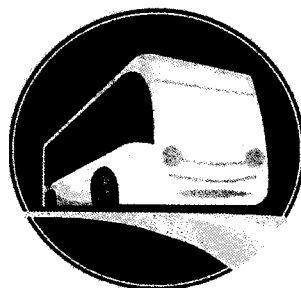
A=AYE, N=NAY, AB=ABSENT, ABS=ABSTAIN, U=UNANIMOUS

Gaston County ACCESS/Central Transportation



EFFECTIVE 7/1/20

Title VI Program Plan



PLAN REVIEW AND ADOPT

On behalf of the Gaston County for ACCESS/Central Transportation, I hereby acknowledge receipt of the Title VI Nondiscrimination Plan. We, the Gaston County Board of Commissioners, have **reviewed and hereby adopt** this Plan. We are committed to ensuring that all decisions are made in accordance with the nondiscrimination guidelines of this Plan, to the end that no person is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any Gaston County ACCESS transportation services and activities on the basis of race, color, national origin, sex, age, creed (religion), or disability, as protected by Title VI of the Civil Rights Act of 1964 and the nondiscrimination provisions of the Federal Transit Administration.



Signature of Authorizing Official

10/11/2020

DATE

Attest: 

Clerk to the Board



Table of Contents

Gaston County ACCESS Title VI Nondiscrimination Agreement	5
1.0 Introduction.....	6
2.0 Description of Programs and Services	6
2.1 Program(s) and Services Administered	6
2.2 Funding Sources / Tables	7
2.3 Decision-Making Process	8
2.4 Title VI Coordinator.....	10
2.5 Change of Title VI Coordinator and/or Director	10
2.6 Organizational Chart	10
2.7 Subrecipients	10
3.0 Title VI Nondiscrimination Policy Statement	11
4.0 Notice of Nondiscrimination.....	12
5.0 Procedures to Ensure Nondiscriminatory Administration of Programs and Services	14
6.0 Contract Administration	14
6.1 Contract Language	14
6.2 Nondiscrimination Notice to Prospective Bidders.....	15
7.0 External Discrimination Complaint Procedures	16
Discrimination Complaint Form.....	18
Discrimination Complaints Log	20
Investigative Guidance.....	21
SAMPLE Investigative Report Template	22
8.0 Service Area Population Characteristics.....	23
8.1 Race and Ethnicity.....	23
8.2 Age & Sex	23
8.3 Disability.....	23
8.4 Poverty.....	24
8.5 Household Income	25
8.6 Limited English Proficiency Populations	25
8.7 Population Locations	26
9.0 Title VI Equity Analyses (and Environmental Justice Assessments)	26
10.0 Public Involvement.....	27
10.1 Introduction	27
10.2 Public Notification.....	27

10.3 Dissemination of Information	27
10.4 Meetings and Outreach	27
10.5 Limited English Proficiency	28
10.6 Demographic Requests	31
10.7 Key Community Contacts	32
10.8 Summary of Outreach Efforts Since the Last Title VI Program Submission	32
11.0 Staff Training	33
12.0 Nonelected Boards and Committees – By Race and Gender	33
13.0 Record-Keeping and Reports	33
Appendices	35
Appendix A – Applicable Nondiscrimination Authorities	
Appendix B – Organizational Chart	
Appendix C– NCDOT’s Transit Review Checklist	
Appendix D- Annual Education and Acknowledgement Form	
Appendix E- Demographic Information on Members of its Boards and Committees	

**TITLE VI NONDISCRIMINATION AGREEMENT
BETWEEN
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
AND
GASTON COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES/ACCESS**

In accordance with DOT Order 1050.2A, Gaston County DHHS/ACCESS assures the North Carolina Department of Transportation (NCDOT) that no person shall, on the ground of **race, color, national origin, sex, creed (religion), age, or disability**, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 and related nondiscrimination authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity undertaken by Gaston DHHS/ACCESS .

Further, Gaston DHHS/ACCESS hereby agrees to:

1. Designate a Title VI Coordinator that has a responsible position within the organization and easy access to the Director of the organization.
2. Issue a policy statement, signed by the Director of the organization, which expresses a commitment to the nondiscrimination provisions of Title VI and related applicable statutes. The signed policy statement shall be posted and circulated throughout the organization and to the general public, and published where appropriate in languages other than English. The policy statement will be re-signed when there is a change of Director.
3. Insert the clauses of the contract language from Section 6.1 in every contract awarded by the organization. Ensure that every contract awarded by the organization's contractors or consultants also includes the contract language.
4. Process all and, when required, investigate complaints of discrimination consistent with the procedures contained within this Plan. Log all complaints for the administrative record.
5. Collect statistical data (race, color, national origin, sex, age, disability) on participants in, and beneficiaries of, programs and activities carried out by the organization.
6. Participate in training offered on Title VI and other nondiscrimination requirements. Conduct or request training for employees or the organization's sub recipients.
7. Take affirmative action, if reviewed or investigated by NCDOT, to correct any deficiencies found within a reasonable time period, not to exceed 90 calendar days, unless reasonable provisions are granted by NCDOT.
8. Document all Title VI nondiscrimination-related activities as evidence of compliance. Submit information and reports to NCDOT on a schedule outlined by NCDOT.

THIS AGREEMENT is given in consideration of, and for the purpose of obtaining, any and all federal funds, grants, loans, contracts, properties, discounts or other federal financial assistance under all programs and activities and is binding.

Authorized Signature

Date

**Angela Karchmer
Director- Gaston County Social Services**

1.0 INTRODUCTION

Title VI of the 1964 Civil Rights Act, 42 U.S.C. 2000d provides that: "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." The broader application of nondiscrimination law is found in other statutes, executive orders, and regulations, which provide additional protections based on age, sex, Creed (religion), and disability, including the 1987 Civil Rights Restoration Act, which extended nondiscrimination coverage to all programs and activities of federal-aid recipients, sub recipients, and contractors, including those that are not federally-funded (see Appendix A – Applicable Nondiscrimination Authorities).

Gaston DHHS/ACCESS is a recipient of Federal financial assistance from the North Carolina Department of Transportation (NCDOT) and the United States Department of Transportation (USDOT), receiving Federal Transit Administration (FTA) funds through the NCDOT. As the primary recipient of USDOT funds in North Carolina, the NCDOT's comprehensive Title VI Nondiscrimination Program includes compliance oversight and technical assistance responsibilities towards its subrecipients and those subrecipients must use federal and state funds in a nondiscriminatory manner.

Gaston DHHS/ACCESS establishes this Title VI Nondiscrimination Plan for the purpose of complying with Title VI of the Civil Rights Act of 1964, as required by FTA Circular 4702.1B, and related requirements outlined under Group 01.D, "Nondiscrimination Assurance," of the FTA Certifications and Assurances. This document details the nondiscrimination program, policies, and practices administered by this organization, and will be updated periodically to incorporate changes and additional responsibilities as they are made.

2.0 DESCRIPTION OF PROGRAMS AND SERVICES

2.1 PROGRAM(S) AND SERVICES ADMINISTERED

Gaston DHHS/ACCESS provides Medicaid, Senior, Veteran, and Rural General transportation options to its customers within Gaston County, North Carolina Description of Services:

- 1) Medicaid Transportation for Adults and children authorized to receive Medicaid transportation are transported to and from the medical approved destination. Passengers will be required to have the DMA-5118 verification form completed and signed by the provider or treatment facility. Call 704 862-7513 for more information.
- 2) Elderly Disabled Transportation Assistance Program (EDTAP) for Adults aged 60+ and children and adults with a disability are transported to and from medical destinations and community resources. Passengers pay a \$2 fare for all one way non medical trips. Call 704 866-3206 for more information.
- 3) Rural General Public (RGP) Transportation for the rural community that cannot use the City of Gastonia's Transit Services. General Public fares are based on location for a one way trip within Gaston County. General Public

funds cannot be used for current agency passengers. Cash payment for General Public trips must be made upon boarding the vehicle. Driver will not issue change, so it is necessary to have correct change. Call 704 866-3206 for more information.

- 4) Deviated Fixed Route Transportation for the general public traveling to Gaston College. One way fare to Gaston College from the Gastonia Transit Station is \$1.00. The Transporter will call each stop at its arrival. This route offers deviated service twice daily and must be within $\frac{3}{4}$ mile of the fixed route. Call 704 866-3206 for more information.
- 5) Aging Services Transportation is transportation for adults aged 60+ to and from medical and community resource destinations. All grocers, recreation and community resource trips will be limited to one hour. Call 704 862-7540 for more information.
- 6) Veterans Services Transportation for qualified veterans being transported to and from medical clinics in Charlotte and Salisbury. Call 704 866-3606 for more information.

Service and Service Area

- 1) The service area for transportation service includes all of Gaston County, and when permitted, the entire state of North Carolina. ACCESS does not provide Charter Services.
- 2) Service is provided daily Monday through Friday from 4:00am until 6:00 pm. No transportation services will be provided on standard holidays or on ACCESS staff training days. Holidays observed are New Years Day, Martin Luther King Jr. Birthday, Good Friday, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving, and Christmas. Staff training days are on the third Friday in March, June, September, and December each year. No transportation services will be provided during inclement weather when unsafe road conditions exist.
- 3) Return trips will only be made from the location of the approved transportation request. Passengers seen at another location other than what was approved will not be returned from the new location unless prior arrangements have been made.
- 4) Service Requests need to be made three days prior to trip.

Program consists of one Transportation Coordinator, one dispatch supervisor and three dispatchers, one safety officer/operations supervisor, one billing clerk, and 28 drivers.

2.2 FUNDING SOURCES / TABLES

For the purpose of federally-assisted programs, "federal assistance" shall include:

1. grants and loans of Federal funds;
2. the grant or donation of Federal property and interest in property;
3. the detail of Federal personnel;
4. the sale and lease of, and the permission to use (on other than a casual or transient basis), Federal property or any interest in such property without consideration or at a nominal consideration, or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient; and
5. any Federal agreement, arrangement, or other contract which has, as one of its purposes, the provision of assistance.

Each FTA Formula Grant received by our system, and whether the funds were received through NCDOT or directly from FTA, is checked below. Additional details are provided on how often each of the grants is received (*annually, first time, etc.*)

Grant Title	NCDOT	FTA	Details (i.e., purpose, frequency, and duration of receipt)
5310 (Transportation for Elderly Persons and Persons with Disabilities)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	An annual grant to enhance access of services through capital funding with quarterly reimbursements.
5311 (Formula Grants for Other than Urbanized Areas)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	An annual grant to enhance access of services through capital and administrative funding with quarterly reimbursements.
5339 (Bus and Bus Facilities Formula)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	An annual grant to enhance access of services through capital funding with quarterly reimbursements.
Other: ROAP Grant	<input checked="" type="checkbox"/>	<input type="checkbox"/>	An annual grant to fund transportation services to the elderly & disabled, for employment and the rural general public with quarterly deposits.

2.3 DECISION-MAKING PROCESS

The Purpose of the Transportation Advisory Board (TAB) is to oversee the operation of the community transportation program, assuring that needs are met & resources are used appropriately. GC TAB is composed of one representative from each of the agencies and organizations as required by the NC Department of Transportation, Public Transportation Division. One representative from each of 7 core agencies is included, plus up to an additional 12 members representing community stakeholders. 51% of appointed members constitute a quorum. TAB members make decisions with a motion to approve from the TAB chair and a second from a voting member without any opposed members.

Gaston County HHS receives direction from the Board of Health & Human Services, a policy-making board appointed by the Gaston County Commissioners. The board is made up of community representatives whose background is pertinent to the agency's mission, including county commissioners, a dentist, an engineer, a nurse, an optometrist, a pharmacist, physicians, a psychologist, a social worker, a veterinarian, consumers of services, and members of the community at-large.

Gaston County is governed by a seven-member Board of Commissioners (BOC) representing six townships. Commissioners are elected on a countywide or "at-large" partisan basis to four-year staggered terms, but must reside in their respective Township. The Gastonia Township is represented by two Commissioners. In December of each year, the

Board elects a Chairman and Vice Chairman to serve for the upcoming year. They hold two meetings per month on the second and fourth Tuesdays (unless otherwise noted in the meeting schedule).

Board or Committee Name	Appointed	Elected	# of Members
Transit Advisory Board	<input checked="" type="checkbox"/>	<input type="checkbox"/>	25
DHHS Board	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17
Gaston County Board of Commissioners	<input type="checkbox"/>	<input checked="" type="checkbox"/>	7

2.4 TITLE VI COORDINATOR

The individual below has been designated as the Title VI Coordinator for Gaston DHHS/ACCESS, and is empowered with sufficient authority and responsibility to implement the Title VI Nondiscrimination Program:

Dave Gunderman
Title VI Coordinator
Gaston County DHHS – Social Services Division
704-862-7536
330 Dr. Martin Luther King Jr. Way
Gastonia, NC 28052

Key responsibilities of the Coordinator include:

- Maintaining knowledge of Title VI and related requirements.
- Attending civil rights training when offered by NCDOT or any other regulatory agency.
- Administering the Title VI Nondiscrimination Program and coordinating implementation of this Plan.
- Making sure internal staff and officials are familiarized and complying with their Title VI nondiscrimination obligations.
- Disseminating Title VI information internally and to the general public, including in languages other than English.
- Presenting Title VI-related information to decision-making bodies for input and approval.
- Ensuring Title VI-related posters are prominently and publicly displayed.
- Developing a process to collect data related to race, national origin, sex, age, and disability to ensure minority, low-income, and other underserved groups are included and not discriminated against.
- Ensuring that non-elected boards and committees reflect the service area and minorities are represented.
- Implementing procedures for prompt processing (receiving, logging, investigating and/or forwarding) of discrimination complaints.
- Coordinating with, and providing information to, NCDOT and other regulatory agencies during compliance reviews or complaint investigations.

- Promptly reviewing areas of deficiency to ensure compliance with Title VI nondiscrimination requirements.

2.5 CHANGE OF TITLE VI COORDINATOR AND/OR DIRECTOR

If Title VI Coordinator or Director changes, this document and all other documents that name the Coordinator, will immediately be updated, and an updated policy statement and assurance will be signed by the new Director

2.6 ORGANIZATIONAL CHART

An organizational chart showing the Title VI Coordinator's place within the organization is located in **Appendix B**.

2.7 SUBRECIPIENTS

Organization Name does not have pass through funds to any other organizations and, therefore, does not have any sub recipients.

3.0 TITLE VI NONDISCRIMINATION POLICY STATEMENT

It is the policy of Gaston DHHS/ACCESS, as a federal-aid recipient, to ensure that no person shall, on the ground of **race, color, national origin, sex, creed (religion), age or disability**, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of our programs and activities, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and all other related nondiscrimination laws and requirements.

Angela Karchmer, Director- Gaston County
Department of Social Services

Date

Title VI and Related Authorities

Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d) provides that, "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." The 1987 Civil Rights Restoration Act (P.L. 100-259) clarified and restored the original intent of Title VI by expanding the definition of "programs and activities" to include all programs and activities of federal-aid recipients (such as, Gaston DHHS), sub recipients, and contractors, whether such programs and activities are federally-assisted or not.

Related nondiscrimination authorities include, but are not limited to: U.S. DOT regulation, 49 CFR part 21, "Nondiscrimination in Federally-assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act"; 49 U.S.C. 5332, "Nondiscrimination (Public Transportation)"; FTA Circular 4702.1B - Title VI Requirements and Guidelines for Federal Transit Administration Recipients; DOT Order 5610.2a, "Actions to Address Environmental Justice in Minority Populations and Low-Income Populations"; FTA C 4703.1 - Environmental Justice Policy Guidance For Federal Transit Administration Recipients; Policy Guidance Concerning (DOT) Recipient's Responsibilities to Limited English Proficient (LEP) Persons, 74 FR 74087; The Americans with Disabilities Act of 1990, as amended, P.L. 101-336; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 790; Age Discrimination Act of 1975, as amended 42 U.S.C. 6101; Title IX of the Education Amendments of 1972, 20 U.S.C. 1681; Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. 4601; Section 508 of the Rehabilitation Act of 1973, 29 U.S.C. 794d;

Implementation

- This statement will be signed by the Director of Gaston DHHS, and re-signed whenever a new person assumes that position.
- The signed statement will be posted on office bulletin boards, near the receptionist's desk, in meeting rooms, at transit stops, inside vehicles, and disseminated within brochures and other written materials.
- The core of the statement (signature excluded) will circulate *internally* within annual acknowledgement forms.
- The statement will be posted or provided in languages other than English, when appropriate.

4.0 NOTICE OF NONDISCRIMINATION

- Gaston DHHS/ACCESS operates its programs and services without regard to **race, color, national origin, sex, creed (religion), age, and disability** in accordance with Title VI of the Civil Rights Act and related statutes. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice may file a complaint with Gaston DHHS/ACCESS.
 - For more information on Gaston DHHS/ACCESS's civil rights program, and the procedures to file a complaint, email Gaston County DHHS Customer Care dsscustomercare@gastongov.com ; or visit our administrative office at 330 Dr. Martin Luther King Jr. Way, Gastonia, NC 28052.
 - If information is needed in another language, contact 704-866-3206 and ask for dispatch to link you to an interpreter via 3 way call.
- A complainant may file a complaint directly with the North Carolina Department of Transportation by filing with the Office of Civil Rights, External Civil Rights Section, 1511 Mail Service Center, Raleigh, NC 27699-1511, Attention: Title VI Nondiscrimination Program; phone: 919-508-1808 or 800-522-0453, or TDD/TTY: 800-735-2962.
- A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590.

Implementation- This notice will be posted in the following areas:

- On Agency website.
- In ACCESS office.
- On every ACCESS vehicle
- Ads in newspapers and other publications shall include the following: "Agency operates without regard to race, color, national origin, sex, creed (religion), age or disability. For more information on Agency's civil rights program or how to file a discrimination complaint, contact phone or email."
- The statement will be posted or provided in languages other than English, when appropriate.

5.0 PROCEDURES TO ENSURE NONDISCRIMINATORY ADMINISTRATION OF PROGRAMS AND SERVICES

We are committed to the nondiscriminatory administration of our programs and services. As with the implementation of our programs in general, organization-wide compliance is required. Thus, employees and staff will periodically be reminded of our Title VI nondiscrimination obligations through staff training and use of the **Annual Education and Acknowledgment Form** below. The Title VI Coordinator will periodically assess program operations to ensure that this policy is being followed. A single copy of the form is located in Appendix D.

Annual Education and Acknowledgement Form

Title VI Nondiscrimination Policy

(Title VI and related nondiscrimination authorities)

No person shall, on the grounds of race, color, national origin, sex, age, or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity of a Federal-aid recipient.

All employees and representatives of Gaston DHHS/ACCESS are expected to consider, respect, and observe this policy in their daily work and duties. If any person approaches you with a civil rights-related question or complaint, please direct him or her to Dave Gunderman, Title VI Compliance Officer at dsscustomercare@gastongov.com.

In all dealings with the public, use courtesy titles (e.g., Mr., Mrs., Miss, Dr.) to address or refer to them without regard to their race, color, national origin, sex, age or disability.

Acknowledgement of Receipt of Title VI Program

I hereby acknowledge receipt of Gaston DHHS/ACCESS Title VI Program and other nondiscrimination guidelines. I have read the Title VI Program and I am committed to ensuring that no person is excluded from participation in or denied the benefits of Gaston DHHS/ACCESS programs, policies, services and activities on the basis of race, color, national origin, sex, age, or disability, as provided by Title VI of the Civil Rights Act of 1964 and related nondiscrimination statutes.

Signature

Date

Implementation

- Periodically, but not more than once a year, employees and representatives will receive, review and certify commitment to the Title VI Program.
- New employees shall be informed of Title VI provisions and expectations to perform their duties accordingly, asked to review the Title VI Program, and required to sign the acknowledgement form.
- Periodic review of operational practices and guidelines by the Title VI Coordinator to verify compliance with the Title VI Program.
- Signed acknowledgement forms and records of internal assessments will remain on file for at least three years.

6.0 CONTRACT ADMINISTRATION

Gaston DHHS/ACCESS ensures all contractors will fulfill their contracts in a nondiscriminatory manner. While contractors are not required to prepare a Title VI Program, they must comply with the nondiscrimination requirements of the organization to which they are contracted. Gaston DHHS/ACCESS and its contractors will not discriminate in the selection and retention of contractors (at any level) or discriminate in employment practices in connection with any of our projects.

6.1 CONTRACT LANGUAGE

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 Regulation relative to nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter, "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, national origin, sex, creed (religion), age, or 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 Regulations.

(3) **Solicitations for Subcontractors, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier 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, 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 its facilities as may be determined by the Gaston DHHS/ACCESS or the North Carolina Department of Transportation (NCDOT), the Federal Highway Administration (FHWA) and/or Federal Transit Administration (FTA) 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 Org, or the NCDOT, FHWA and/or FTA 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 Org shall impose such contract sanctions as it or the NCDOT, FHWA and/or FTA 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 Org or the NCDOT, FHWA and/or FTA 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 Org to enter into such litigation to protect the interests of the Org, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

- I. 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 nondiscrimination statutes and authorities; including but not limited to:

Pertinent Nondiscrimination Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired

because of Federal or Federal-aid programs and projects);

- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Nondiscrimination 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 Nondiscrimination 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);
- Federal transit laws, specifically 49 U.S.C. § 5332 (prohibiting discrimination based on race, color, religion, national origin, sex (including gender identity), disability, age, employment, or business opportunity).

*The Contractor has read and is familiar with the terms above:

Contractor's Initials

Date

Implementation

- The nondiscrimination language above (with initials line) will be appended to any *existing* contracts, purchase orders, and agreements that do not include it, and initialed by the responsible official of the other organization.
- The nondiscrimination language above (without initials line) will be incorporated as standard language before the signature page of our standard contracts, purchase orders, and agreements.
- The Title VI Coordinator will review *existing* contracts to ensure the language has been added.

6.2 NONDISCRIMINATION NOTICE TO PROSPECTIVE BIDDERS

Gaston DHHS/ACCESS, in accordance with Title VI of the Civil Rights Act of 1964 and related nondiscrimination authorities, and Title 49 Code of Federal Regulations, Parts 21 and 26, hereby notifies all bidders that it will affirmatively insure that in any contact entered into pursuant to this advertisement, minority and women 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, national origin, or sex in consideration for an award.

Implementation

- The nondiscrimination language above will be included in all solicitations for bids for work or material and proposals for negotiated agreements to assure interested firms that we provide equal opportunity and do not discriminate.
- Outreach efforts will be made to minority and women-owned firms that work in requested fields, and documented.
- Unless specifically required under Disadvantaged Business Enterprise (DBE) or Affirmative Action programs, all contractors will be selected without regard to their race, color, national origin, or sex.

7.0 EXTERNAL DISCRIMINATION COMPLAINT PROCEDURES

These discrimination complaint procedures describe the process used by Gaston DHHS/ACCESS to process and investigate complaints of alleged discrimination filed under Title VI of the Civil Rights Act of 1964 and related nondiscrimination laws that are applicable to programs, services, and activities carried out by Gaston DHHS/ACCESS.

Complaints will be investigated by the appropriate authority. Upon completion of every investigation, Gaston DHHS/ACCESS will inform the complainant of all avenues of appeal. Gaston DHHS/ACCESS will make every effort to obtain early resolution of complaints at the lowest level possible. The option of informal mediation between the affected parties and Gaston DHHS/ACCESS staff may be utilized for resolution.

FILING OF COMPLAINTS

1. **Applicability** – The complaint procedures apply to the beneficiaries of Gaston DHHS/ACCESS programs, activities, and services, such as the members of the public and any consultants/contractors hired by Gaston DHHS/ACCESS.
2. **Eligibility** – Any person or class of persons who believes that he/she has been subjected to discrimination or retaliation prohibited by any of the Civil Rights authorities based upon race, color, sex, age, national origin, creed (religion), or disability, may file a written complaint with Gaston DHHS/ACCESS. The law prohibits intimidation or retaliation of any sort. The complaint may be filed by the affected individual or a representative, and must be in writing.
3. **Time Limits and Filing Options** – A complaint must be filed no later than 180 calendar days after the following:
 - The date of the alleged act of discrimination; or
 - The date when the person(s) became aware of the alleged discrimination; or
 - Where there has been a continuing course of conduct, the date on which that conduct was discontinued or the latest instance of the conduct.

Complaints may be submitted to the following entities:

- **Gaston County Department of Health & Human Services**, Customer Care 704-862-7500 or email dssccustomercare@gastongov.com
 - **North Carolina Department of Transportation**, Office of Civil Rights, External Civil Rights Section, 1511 Mail Service Center, Raleigh, NC 27699-1511; 919-508-1830 or toll free 800-522-0453
 - **US Department of Transportation**, Departmental Office of Civil Rights, External Civil Rights Programs Division, 1200 New Jersey Avenue, SE, Washington, DC 20590; 202-366-4070
 - **Federal Transit Administration**, Office of Civil Rights, ATTN: Title VI Program Coordinator, East Bldg. 5th Floor – TCR, 1200 New Jersey Avenue, SE, Washington, DC 20590
 - **US Department of Justice**, Special Litigation Section, Civil Rights Division, 950 Pennsylvania Avenue, NW, Washington, DC 20530, 202-514-6255 or toll free 877-218-5228
4. **Format for Complaints** – Complaints shall be in **writing** and **signed** by the complainant(s) or a representative and include the complainant's name, address, and telephone number. Complaints received by fax or e-mail will be acknowledged and processed. Allegations received by telephone or in person will be reduced to writing, may be recorded and will be provided to the complainant for confirmation or revision before processing. Complaints will be accepted in other languages, including Braille.
 5. **Discrimination Complaint Form** – The Discrimination Complaint Form is consistent with the Nondiscrimination Assurance in Group 01.D of the FTA Certifications & Assurances.
 6. **Complaint Basis** – Allegations must be based on issues involving race, color, national origin, sex, age, creed (religion), or disability. The term "basis" refers to the complainant's membership in a protected group category.

Protected Categories	Definition	Examples	Applicable Statutes and Regulations	
			FTA	
Race	An individual belonging to one of the accepted racial groups; or the perception, based usually on physical characteristics that a person is a member of a racial group	Black/African American, Hispanic/Latino, Asian, American Indian/Alaska Native, Native Hawaiian/Pacific Islander, White	Title VI of the Civil Rights Act of 1964; 49 CFR Part 21; Circular 4702.1B	
Color	Color of skin, including shade of skin within a racial group	Black, White, brown, yellow, etc.		
National Origin	Place of birth. Citizenship is not a factor. Discrimination based on language or a person's accent is also covered.	Mexican, Cuban, Japanese, Vietnamese, Chinese		
Sex	Gender	Women and Men	Title IX of the Education Amendments of 1972	
Age	Persons of any age	21 year old person	Age Discrimination Act of 1975	
Disability	Physical or mental impairment, permanent or temporary, or perceived.	Blind, alcoholic, para-amputee, epileptic, diabetic, arthritic	Section 504 of the Rehabilitation Act of 1973; Americans with Disabilities Act of 1990	
Creed	Religion	Muslim, Christian, Hindu, Atheist	49 U.S.C. 5332(b)	

Complaint Processing

1. When a complaint is received by Gaston DHHS/ACCESS a written acknowledgment and a Consent Release form will be mailed to the complainant within ten (10) business days by registered mail.
2. **Gaston DHHS/ACCESS cannot investigate Title VI complaints filed against itself**, but can investigate ADA complaints against itself. Gaston DHHS/ACCESS will consult with the NCDOT External Civil Rights Section to determine the acceptability and jurisdiction of all complaints received. (Note: If NCDOT has jurisdiction, the External Civil Rights Section will be responsible for the remainder of this process. Gaston DHHS/ACCESS will record the transfer of responsibility in its complaints log).
3. Additional information will be requested if the complaint is incomplete. The complainant will be provided 15 business days to submit any requested information and the signed Consent Release form. Failure to do so may be considered good cause for a determination of no investigative merit.
4. Upon receipt of the requested information and determination of jurisdiction, Gaston DHHS/ACCESS will notify the complainant and respondent of whether the complaint has sufficient merit to warrant investigation.
5. If the complaint is investigated, the notification shall state the grounds of the Gaston DHHS/ACCESS jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator.
6. If the complaint does not warrant investigation, the notification to the complainant shall specifically state the reason for the decision.

Complaint Log

1. When a complaint is received by Gaston DHHS/ACCESS, the complaint will be entered into the Discrimination Complaints Log with other pertinent information, and assigned a **Case Number**. (Note: All complaints must be logged).
2. The complaints log will be submitted to the NCDOT's Civil Rights office during Title VI compliance reviews. (Note: NCDOT may also be request the complaints log during pre-grant approval processes).
3. The Log Year(s) since the last submittal will be entered (e.g., 2012-2015, 2014-2015, FFY 2015, or 2015) and the complaints log will be signed before submitting the log to NCDOT.
4. When reporting **no complaints**, check the **No Complaints or Lawsuits** box and sign the log.

DISCRIMINATION COMPLAINT FORM

Any person who believes that he/she has been subjected to discrimination based upon race, color, creed (religion), sex, age, national origin, or disability may file a written complaint with Gaston DHHS/ACCESS, within 180 days after the discrimination occurred.			
Last Name:		First Name:	
		<input type="checkbox"/> Male <input type="checkbox"/> Female	
Mailing Address:		City	State
			Zip
Home Telephone:	Work Telephone:	E-mail Address	
Identify the Category of Discrimination:			
<input type="checkbox"/> RACE	<input type="checkbox"/> COLOR	<input type="checkbox"/> NATIONAL ORIGIN	<input type="checkbox"/> AGE
<input type="checkbox"/> CREED (RELIGION)	<input type="checkbox"/> DISABILITY	<input type="checkbox"/> SEX	
*NOTE: Title VI bases are race, color, national origin. All other bases are found in the "Nondiscrimination Assurance" of the FTA Certifications & Assurances.			
Identify the Race of the Complainant			
<input type="checkbox"/> Black	<input type="checkbox"/> White	<input type="checkbox"/> Hispanic	<input type="checkbox"/> Asian American
<input type="checkbox"/> American Indian	<input type="checkbox"/> Alaskan Native	<input type="checkbox"/> Pacific Islander	<input type="checkbox"/> Other _____
Date and place of alleged discriminatory action(s). Please include earliest date of discrimination and most recent date of discrimination.			
Names of individuals responsible for the discriminatory action(s):			
How were you discriminated against? Describe the nature of the action, decision, or conditions of the alleged discrimination. Explain as clearly as possible what happened and why you believe your protected status (basis) was a factor in the discrimination. Include how other persons were treated differently from you. (Attach additional page(s), if necessary).			
The law prohibits intimidation or retaliation against anyone because he/she has either taken action, or participated in action, to secure rights protected by these laws. If you feel that you have been retaliated against, separate from the discrimination alleged above, please explain the circumstances below. Explain what action you took which you believe was the cause for the alleged retaliation.			
Names of persons (witnesses, fellow employees, supervisors, or others) whom we may contact for additional information to support or clarify your complaint: (Attached additional page(s), if necessary).			
<u>Name</u>	<u>Address</u>	<u>Telephone</u>	
1. _____			
2. _____			
3. _____			
4. _____			

DISCRIMINATION COMPLAINT FORM

Have you filed, or intend to file, a complaint regarding the matter raised with any of the following? If yes, please provide the filing dates. Check all that apply.

- ☐ NC Department of Transportation _____
- ☐ US Department of Transportation _____
- ☐ Federal or State Court _____
- ☐ Other _____

Have you discussed the complaint with any Gaston DHHS/ACCESS representative? If yes, provide the name, position, and date of discussion.

Please provide any additional information that you believe would assist with an investigation.

Briefly explain what remedy, or action, are you seeking for the alleged discrimination.

****WE CANNOT ACCEPT AN UNSIGNED COMPLAINT. PLEASE SIGN AND DATE THE COMPLAINT FORM BELOW.**

COMPLAINANT'S SIGNATURE

DATE

MAIL COMPLAINT FORM TO:

Gaston County ACCESS-Central Transportation
816 W Mauney Ave
Gastonia, NC 28052
(704) 866-3206

FOR OFFICE USE ONLY

Date Complaint Received: _____

Processed by: _____

Case #: _____

Referred to: ☐ NCDOT ☐ FTA Date Referred: _____

DISCRIMINATION COMPLAINTS LOG

Log Year(s): 2019-2020

CASE NO.	COMPLAINANT NAME	RACE/ GENDER	RESPONDENT NAME	BASIS	DATE FILED	DATE RECEIVED	ACTION TAKEN	DATE INVESTIG. COMPLETED	DISPOSITION

No Complaints or Lawsuits ☒

I certify that to the best of my knowledge, the above described complaints or lawsuits alleging discrimination, or **no complaints or lawsuits** alleging discrimination, have been filed with or against **Gaston County Department of Health & Human Services/ACCESS** since the previous Title VI Program submission to NCDOT.

Signature of Title VI Coordinator or Other Authorized Official

Date

Print Name and Title of Authorized Official

INVESTIGATIVE GUIDANCE

- A. Scope of Investigation** – An investigation should be confined to the issues and facts relevant to the allegations in the complaint, unless evidence shows the need to extend the issues.
- B. Developing an Investigative Plan** – It is recommended that the investigator prepares an Investigative Plan (IP) to define the issues and lay out the blueprint to complete the investigation. The IP should follow the outline below:
1. Complainant(s) Name and Address (Attorney name and address if applicable)
 2. Respondent(s) Name and Address (Attorney for the Respondent(s) name and address)
 3. Applicable Law(s)
 4. Basis/(es)
 5. Allegation(s)/Issue(s)
 6. Background
 7. Name of Persons to be interviewed
 - a. Questions for the complainant(s)
 - b. Questions for the respondent(s)
 - c. Questions for witness(es)
 8. Evidence to be obtained during the investigation
 - a. Issue – Complainant allege that there are only six African American contractors participating in the highway construction industry in the State and their contract awards are very small.
 - i. Documents needed: documents which show all DBE firms which currently have contracts and must include the following 1) name and race of DBE firm; 2) Date of initial certification into the DBE program; 3) type of business; 4) contracts awarded anytime during the period to the present; 5) dollar value of contract.
- C. Request for Information** – The investigator should gather data and information pertinent to the issues raised in the complaint.
- D. Interviews** – Interviews should be conducted with the complainant, respondent, and appropriate witnesses during the investigative process. Interviews are conducted to gain a better understanding of the situation outlined in the complaint of discrimination. The main objective during the interview is to obtain information that will either support or refute the allegations.
- E. Developing an Investigative Report** – The investigator should prepare an investigative report setting forth all relevant facts obtained during the investigation. The report should include a finding for each issue. A sample investigative report is provided below.

Gaston County ACCESS Investigative Report

- I. COMPLAINANT(S) NAME** (or attorney for the complainant(s) – name and address if applicable
Name, Address, Phone:
- II. RESPONDENT(S)** (or attorney for the respondent(s) – name and address if applicable)
Name, Address, Phone:
- III. APPLICABLE LAW/REGULATION**
- IV. COMPLAINT BASIS/(ES)**
- V. ISSUES/ALLEGATIONS**
- VI. BACKGROUND**
- VII. INVESTIGATIVE PROCEDURE**
- VIII. ISSUES / FINDINGS OF FACT**
- IX. CONCLUSION**
- X. RECOMMENDED ACTIONS**

APPENDIX

8.0 SERVICE AREA POPULATION CHARACTERISTICS

To ensure that Title VI reporting requirements are met, Gaston DHHS/ACCESS will collect and maintain population data on potential and actual beneficiaries of our programs and services. This section is intended as a compilation of relevant population characteristics from our overall service area. This data will provide context to the Title VI Nondiscrimination Program and be used to ensure nondiscrimination and improve public outreach initiatives and delivery of ongoing programs.

8.1 RACE AND ETHNICITY

The following table was completed using data from Census Table QT-P3, Race and Hispanic or Latino Origin: 2010:

Race and Ethnicity	Number	Percent
Total Population	206086	100
White	161166	78.2
Black or African American	31431	15.3
American Indian or Alaska Native	850	0.4
Asian	2478	1.2
Native Hawaiian and Other Pacific Islander	63	0.0
Some other Race	6315	3.1
Two or More Races	3783	1.8
HISPANIC OR LATINO (of any race)	12201	5.9
Mexican	6928	3.4
Puerto Rican	1157	0.6
Cuban	308	0.1
Other Hispanic or Latino	3808	1.8

8.2 AGE & SEX

The following table was completed using data from Census Table QT-P1, Age Groups and Sex:

Age	Number			Percent		
	Both sexes	Male	Female	Both sexes	Male	Female
Total Population	206086	99718	106368	100%	100%	100%
Under 18 years	49241	25208	24033	23.9	25.3	22.6
18 to 64 years	129551	63241	66310	62.9	63.4	62.3
65 years and over	27294	11269	16025	13.2	11.3	15.1
Median Age	38.9	37.8	39.9			

8.3 DISABILITY

The following table was completed using data from Census Table S1810, Disability Characteristics:

Subject	Total		With a Disability		Percent with a Disability	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-
Total civilian noninstitutionalized population	211,129	+/-772	32,733	+/-1,972	15.5%	+/-0.9
Under 5 years	13,121	+/-194	197	+/-325	1.5%	+/-2.5
5 to 17 years	35,678	+/-252	2,001	+/-642	5.6%	+/-1.8
18 to 34 years	44,211	+/-776	3,587	+/-873	8.1%	+/-2.0
35 to 64 years	86,346	+/-884	14,423	+/-1,718	16.7%	+/-2.0
65 to 74 years	19,627	+/-494	5,831	+/-761	29.7%	+/-3.8
SEX						
Male	101,925	+/-1,096	15,348	+/-1,530	15.1%	+/-1.5
Female	109,204	+/-906	17,385	+/-1,567	15.9%	+/-1.4
RACE AND HISPANIC OR LATINO ORIGIN						
White alone	162,690	+/-2,101	26,935	+/-1,871	16.6%	+/-1.2
Black or African American alone	33,490	+/-1,271	4,548	+/-1,191	13.6%	+/-3.6
American Indian and Alaska Native alone	N	N	N	N	N	N
Asian alone	N	N	N	N	N	N
Native Hawaiian and Other Pacific Islander alone	N	N	N	N	N	N
Some other race alone	N	N	N	N	N	N
Two or more races	N	N	N	N	N	N
Hispanic or Latino (of any race)	14,042	+/-68	1,012	+/-536	7.2%	+/-3.8

8.4 POVERTY

The following table was completed using data from Census Table S1701, Poverty Status in the Past 12 Months:

Subject	Total		Below poverty level		Percent below poverty level	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-
Population for whom poverty status is determined	210,798	+/-803	36,449	+/-4,435	17.3%	+/-2.
AGE						
Under 18 years	48,564	+/-239	12,197	+/-2,135	25.1%	+/-4.4
Under 5 years	13,026	+/-233	3,638	+/-833	27.9%	+/-6.5
5 to 17 years	35,538	+/-270	8,559	+/-1,713	24.1%	+/-4.8
Related children of householder under 18 years	48,248	+/-402	11,881	+/-2,152	24.6%	+/-4.4
18 to 64 years	130,461	+/-877	21,345	+/-2,690	16.4%	+/-2.1

18 to 34 years	43,948	+/-893	9,127	+/-1,611	20.8%	+/-3.5
35 to 64 years	86,513	+/-855	12,218	+/-1,777	14.1%	+/-2.1
60 years and over	44,760	+/-1,468	4,514	+/-963	10.1%	+/-2.1
65 years and over	31,773	+/-651	2,907	+/-716	9.1%	+/-2.3
SEX						
Male	101,923	+/-1,097	15,493	+/-2,327	15.2%	+/-2.3
Female	108,875	+/-992	20,956	+/-2,633	19.2%	+/-2.4
RACE AND HISPANIC OR LATINO ORIGIN						
White alone	162,579	+/-2,031	21,436	+/-3,404	13.2%	+/-2.1
Black or African American alone	33,287	+/-1,266	8,876	+/-2,345	26.7%	+/-6.8
American Indian and Alaska Native alone	N	N	N	N	N	N
Asian alone	N	N	N	N	N	N
Native Hawaiian and Other Pacific Islander alone	N	N	N	N	N	N
Some other race alone	6,491	+/-2,112	3,942	+/-2,158	60.7%	+/-22.4
Two or more races	4,271	+/-1,409	1,647	+/-1,063	38.6%	+/-15.5
Hispanic or Latino origin (of any race)	14,042	+/-68	5,160	+/-2,075	36.7%	+/-14.8
All Individuals below:						
50 percent of poverty level	19,655	+/-3,600	(X)	(X)	(X)	(X)
125 percent of poverty level	48,592	+/-5,175	(X)	(X)	(X)	(X)
150 percent of poverty level	62,264	+/-5,291	(X)	(X)	(X)	(X)
185 percent of poverty level	81,578	+/-5,620	(X)	(X)	(X)	(X)
200 percent of poverty level	88,244	+/-5,588	(X)	(X)	(X)	(X)

8.5 HOUSEHOLD INCOME

The following table was completed using data from Census Table S1901, Income in the Past 12 Months

Subject	Households	
	Estimate	Margin of Error +/-
Total	79,021	+/-1,717
Less than \$10,000	8.9%	+/-1.8
\$10,000 to \$14,999	6.9%	+/-1.2
\$15,000 to \$24,999	12.9%	+/-1.7
\$25,000 to \$34,999	10.8%	+/-1.4
\$35,000 to \$49,999	16.0%	+/-2.0
\$50,000 to \$74,999	19.0%	+/-2.2
\$75,000 to \$99,999	10.5%	+/-1.6
\$100,000 to \$149,999	9.6%	+/-1.4
\$150,000 to \$199,999	3.2%	+/-0.8
\$200,000 or more	2.2%	+/-0.7
Median income (dollars)	44,293	+/-2,436
Mean income (dollars)	59,637	+/-2,621

8.6 LIMITED ENGLISH PROFICIENCY POPULATIONS

LANGUAGE SPOKEN AT HOME	Estimate	Margin of Error	Percent of Population	Margin of Error
Total:	196,813	+/-61	Total:	196,813
Speak only English	181,357	+/-727	Speak only English	181,357
Spanish or Spanish Creole:	11,385	+/-593	Spanish or Spanish Creole:	11,385
Speak English "very well"	6,400	+/-656	Speak English "very well"	6,400
Speak English less than "very well"	4,985	+/-449	Speak English less than "very well"	4,985
French (Incl. Patois, Cajun):	270	+/-112	French (Incl. Patois, Cajun):	270
Speak English "very well"	242	+/-108	Speak English "very well"	242
Speak English less than "very well"	28	+/-31	Speak English less than "very well"	28
German:	366	+/-108	German:	366
Speak English "very well"	293	+/-95	Speak English "very well"	293
Speak English less than "very well"	73	+/-46	Speak English less than "very well"	73

8.7 POPULATION LOCATIONS

Federal-aid recipients are required to know the characteristics and locations of populations they serve, particularly by race/ethnicity, poverty and limited English proficiency. This can be accomplished through maps that overlay boundaries and demographic features on specific communities.

9.0 TITLE VI EQUITY ANALYSES (AND ENVIRONMENTAL JUSTICE ASSESSMENTS)

Title VI Equity Analyses. In accordance with FTA Circular 4702.1B, a Title VI equity analysis will be conducted whenever we construct a facility, such as a vehicle storage facility, maintenance facility, or operation center. The equity analysis will be conducted during the planning stage, with regard to the location of the facility, to determine if the project could result in a disparate impact to minority communities based on race, color or national origin. Accordingly, we will look at various alternatives before selecting a site for the facility. Project-specific demographic data on potentially affected communities and their involvement in decision-making activities will be documented. Title VI Equity Analyses will remain on file indefinitely, and copies will be provided to NCDOT, upon request, during compliance reviews or complaint investigations.

Environmental Justice Analyses. As required by FTA C 4703.1, environmental justice (EJ) analyses will be conducted to determine if our programs, policies, or activities will result in disproportionately high and adverse human health and environmental effects on minority populations and low-income populations. EJ applies to our projects, such as when we construct or modify a facility, and our policies, such as when there will be a change in service, amenities or fares. Thus, we will look at various alternatives and seek input from potentially affected communities before making a final decision. Demographic data will be collected to document their involvement in the decision-making process. EJ analyses will remain on file indefinitely, and copies will be provided to NCDOT, upon request, during compliance reviews or complaint investigations.

10.0 PUBLIC INVOLVEMENT

10.1 INTRODUCTION

Effective public involvement is a key element in addressing Title VI in decision-making. Recipients engaged in planning and other decision-making activities must have a documented public participation process that provides adequate notice of public participation activities, and early and continuous opportunities for public review and comment at key decision points. Underlying these efforts is our commitment to determining the most effective outreach methods for a given project or population.

This **Public Participation Plan** describes how Gaston DHHS/ACCESS will disseminate vital agency information and engage the public by seeking out and considering the needs and input of interested parties and those traditionally underserved by existing transportation systems, such as minority and limited English proficient persons, who may face challenges accessing programs and other services. General public involvement practices will include:

- Scheduling meetings at times and locations that are convenient and accessible for minority and LEP communities.
- Employing different meeting sizes and formats.
- Coordinating with community- and faith-based organizations, educational institutions, and other entities to implement public engagement strategies that reach out specifically to members of affected minority and/or LEP communities.

10.2 PUBLIC NOTIFICATION

Passengers and other interested persons will be informed of their rights under Title VI and related authorities with regard to our program. The primary means of achieving this will be posting and disseminating the policy statement and notice as stipulated in Sections 3.0 and 4.0, respectively. Additional measures may include openly stating our obligations and the public's rights at meetings, placing flyers at places frequented by targeted populations, and an equal opportunity tag-on at the end of radio announcements. The method of notification will be determined through an initial screening of the area.

10.3 DISSEMINATION OF INFORMATION

Information on Title VI and other programs will be crafted and disseminated to employees, contractors and sub recipients, stakeholders, and the general public. Public dissemination efforts may vary depending on factors present, but will generally include: posting public statements setting forth our nondiscrimination policy in eye-catching designs and locations; placing brochures in public places, such as government offices, transit facilities, and libraries; having nondiscrimination language within contracts; including nondiscrimination notices in meeting announcements and handouts; and displaying our Notice of Nondiscrimination at all our public meetings.

At a minimum, nondiscrimination information will be disseminated on our website and on posters in conspicuous areas at our office(s). Project-related information and our most current Title VI-related information will be maintained online.

10.4 MEETINGS AND OUTREACH

There is no one-size-fits-all approach to public involvement. A variety of comprehensive and targeted public participation methods will be used to facilitate meaningful public involvement. Methods for engaging stakeholders and target audiences, including traditionally underserved and excluded populations (i.e., minorities, youth, low-income, the disabled, etc.) will include the following:

Public Relations and Outreach

Public relations and outreach (PRO) strategies aim to conduct well-planned, inclusive and meaningful public participation events that foster good relations and mutual trust through shared decision-making with the communities we serve.

- We will seek out and facilitate the involvement of those potentially affected.
- Public events will aim to be collaborative, fun, and educational for all, rather than confrontational and prescriptive.
- Media plans will typically involve multiple channels of communication like mailings, radio, TV, and newspaper ads.
- Abstract objectives will be avoided in meeting announcements. Specific "attention-grabbing" reasons to attend will be used, such as "Help us figure out how to relieve congestion on [corridor name]" or "How much should it cost to ride the bus? Let us know on [date]."
- Efforts will be made to show how the input of participants can, or did, influence final decisions.
- We will do our best to form decision-making committees that look like and relate to the populations we serve.
- We will seek out and identify community contacts and partner with local community- and faith-based organizations that can represent, and help us disseminate information to, target constituencies.
- Demographic data will be requested during public meetings, surveys, and from community contacts and committee members.

Public Meetings

"Public meeting" refers to any meeting open to the public, such as hearings, charrettes, open house and board meetings.

- Public meetings will be conducted at times, locations, and facilities that are convenient and accessible.
- Meeting materials will be available in a variety of predetermined formats to serve diverse audiences.
- An assortment of advertising means may be employed to inform the community of public meetings.
- Assistance to persons with disabilities or limited English proficiency will be provided, as required.

Small Group Meetings

A small group meeting is a targeted measure where a meeting is held with a specific group, usually at their request or consent. These are often closed meetings, as they will typically occur on private property at the owner's request.

- If it is determined that a targeted group has not been afforded adequate opportunities to participate, the group will be contacted to inquire about possible participation methods, including a group meeting with them individually.
- Unless unusual circumstances or safety concerns exist, hold the meeting at a location of the target group's choosing.
- Share facilitation duties or relinquish them to members of the target group.
- Small group discussion formats may be integrated into larger group public meetings and workshops. When this occurs, the smaller groups will be as diverse as the participants in the room.

Community Surveying

- Opinion surveys will occasionally be used to obtain input from targeted groups or the general public on their transportation needs, the quality or costs of our services, and feedback on our public outreach efforts.
- Surveys may be conducted via telephone, door-to-door canvassing, at community fairs, by placing drop boxes in ideal locations, or with assistance from other local agencies like social services.

10.5 LIMITED ENGLISH PROFICIENCY

Limited English Proficient (LEP) persons refers to persons for whom English is not their primary language who have a limited ability to read, write, speak, or understand English. It includes people who reported to the U.S. Census that they speak English less than very well, not well, or not at all.

In an effort to comply with DOT's LEP policy guidance and Executive Order 13166, this section of our public participation plan outlines the steps we will take to ensure meaningful access to all benefits, services, information, and other important portions of our programs and activities by individuals who are limited-English proficient. Accordingly, a four factor analysis was conducted to determine the specific language services appropriate to provide, and to whom, to inform language assistance planning and determine if our communication with LEP persons is effective.

Four Factor Analysis

This Four Factor Analysis is an individualized assessment that balances the following four factors:

- (1) The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee;
- (2) The frequency with which LEP individuals come in contact with the program;
- (3) The nature and importance of the program, activity, or service provided by the recipient to people's lives; and
- (4) The resources available to the recipient and costs.

Factor #1: The number or proportion of LEP persons eligible to be served or likely to be encountered by the program, activity, or service of the recipient.

LANGUAGE SPOKEN AT HOME	Estimate	Margin of Error	Percent of Population	Margin of Error
Total:	196,813	+/-61	100%	(X)
Speak only English	181,357	+/-727	92.1%	+/- 0.14%
Spanish or Spanish Creole:	11,385	+/-593	5.8%	+/- 12.0%
Speak English "very well"	6,400	+/-656	3.3%	+/-12.3 %
Speak English less than "very well"	4,985	+/-449	2.5%	+/- 12.2%

According to the census bureau, Gaston County has 4,985 individuals who speak Spanish and speak English less than "very well". This constitutes approximately 2.5% of the population. No other language groups met the LEP Safe Harbor Threshold provision of 1,000 or 5%, whichever is less. Therefore, Gaston County ACCESS will provide vital documents translated into Spanish, as well as written translation and oral interpretation, free of charge, as necessary.

Factor #2: The frequency with which LEP individuals come in contact with the program.

LEP individuals come in contact with our program between once per month and once per quarter by estimation. Should demand increase, we will develop a tracking system based on interpreter usage. Since no formal data has been collected, Gaston County will develop the following plan below to determine frequency with which LEP individuals come in contact with the program:

We will annually distribute a survey with two specific questions in English and Spanish (or the language the transit system finds necessary for their LEP group that would be more adequate for this assessment to meet the requirements of Chap. III-7 of FTA 4702.1B):

1. For what purpose do you use our services? (Give a few examples to check mark, employment, medical, etc.)
2. How often a week are you using our services?

Gaston will make sure to distribute the surveys to community-based organizations that represent Hispanic groups, like Hispanic churches. An additional question that will be asked is, "If you have never used GCACCESS services, why not?"

Factor #3: The nature and importance of the program, activity, or service provided by the recipient to people's lives.

Gaston County ACCESS is under the 'umbrella' of Public Health and DSS. Community health programs associated with these agencies and others that are in need of public transportation are the most common programs that contact ACCESS with needs for LEP persons. These programs were identified based on referral sources that required assistance from interpreters. Gaston/ACCESS will use surveys to get a more reliable assessment of Gaston/ACCESS significance to the community, and will conduct the following survey annually...

An annual survey will determine how Gaston/ACCESS services is of upmost importance. On the same card as previously mentioned, we will ask two more questions:

1. Is "your transit system's name" transportation services important to you?
2. If so which one? (Give examples to check mark)

This annual survey will also ask what is the individual's primary language.

Factor #4: The resources available to the recipient and costs.

Gaston DHHS/ACCESS partners with Gaston County Department of Health and Human Services interpreters to access services for LEP individuals and to manage cost. As increased demand is noted for interpreter services, ACCESS will look at budgetary needs. Our agency maintains contracts with individuals to provide interpreter services, typically on an hourly basis. Our agency also continually seeks bi-lingual and culturally diverse staff in order to meet the ever-changing needs of the community.

LANGUAGE ASSISTANCE PLAN

Gaston DHHS Language Assistance Plan includes providing notice to LEP Individuals, determining language needs of the population served and each individual served, provision of bilingual/interpretive services, establishment of interpreter standards, the provision of written translations, translation of vital documents, staff development & training, and compliance with reporting & monitoring.

Language Assistance Measures

The following general language assistance measures are reasonable and achievable for our organization at this time:

- Translating public notices posted in the local paper and at stations, stops, and in vehicles into the languages of all language groups that met the threshold in Factor 1.
- Providing translation and interpretive services when appropriate (upon request or predetermined) at meetings.
- Determining how best to take public involvement to LEP groups directly, including through small group meetings.
- 3 way call with interpreter when needed.
- Utilizing or hiring staff who speak a language other than English and can provide competent language assistance.
Note: We will not ask community-based organizations to provide, or serve as, interpreters at our meetings. Relying upon CBOs in that capacity could raise ethics concerns. If a CBO decides (on its own) to translate any materials for its constituents, or bring interpreters it trusts to our meetings, we cannot object. That is their right.
- Using language identification flashcards to determine appropriate services.
- Establishing a process to obtain feedback on our language assistance measures.

Specific Measures by Language Group

- Spanish: Interpreter list including contract interpreters is made available to all dispatch staff, recruitment of bi-lingual staff as appropriate, many vital documents, such as the Notice of Non-discrimination, are already translated into Spanish. Continue to evaluate need for translation of documents into Spanish and address.
- Develop community contacts to help engage LEP groups. Determine if Gaston County has a LARC (Language Assistance Resource Contact and engage that contact to gain information.

Written Translation and Oral Interpretation

Vital documents will be translated for each eligible LEP language group in our service area that constitutes 5% or 1,000, whichever is less, of the population of persons eligible to be served or likely to be encountered. Translated materials will be placed online and in appropriate public (or private) places accessible to LEP persons. The safe harbor provisions apply to the translation of written documents only, and do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable. When appropriate, translation of any document will be communicated orally in the appropriate language.

In the event that the 5% trigger is reached for a LEP language group that is fewer than 50 persons, written notice will be provided in the primary language of that group of the right to receive competent oral interpretation of vital written materials, free of cost. The most effective method of notice, which could be an ad in the local newspaper or other publication, a radio commercial, or door hangers, will be determined in consideration of the circumstances on the ground and in coordination with language access resource contacts (LARCs).

Staff Support for Language Assistance

- Agency staff will be provided a list of referral resources that can assist LEP persons with written translation and oral interpretation, including the Title VI Officer and any outside consultant contracted to provide language services. This list will be updated as needed to remain current.
- All main offices and vehicles will have on hand a supply of language assistance flashcards and materials translated into the languages of the largest LEP language groups. When encountered by an LEP person, staff (including drivers) should present the individual with a flashcard and let them choose the language. Do not assume you know their preferred language. Drivers are permitted to seek volunteer assistance from other passengers before contacting a referral resource. Document the encounter and report it to the Title VI Coordinator.
- Training: All employees will be instructed on our procedures for providing timely and reasonable assistance to LEP persons. New employee orientation will also explain these procedures to new hires. Staff routinely encountering LEP persons by telephone or in person will receive annual refresher training. All other employees will be reminded of LEP through annual Title VI program acknowledgements (Section 5.0) and basic Title VI trainings (Section 11.0).

Project-Specific LEP Outreach

A project-specific four factor analysis will be conducted for any project being planned or scheduled outreach event limited to a specific geographical area delineated for that activity (i.e., the project study area or outreach area, respectively). Language assistance will be provided in accordance with the measures already outlined, including translating written materials for each LEP language group that is 5% or 1,000, whichever is less, of the project or outreach area population.

Monitoring and Updating the LAP

Monitoring of daily interactions with LEP persons will be continuous, thus assistance techniques may be refined at any time. This LAP will be periodically reviewed to determine if our language assistance measures and staff training are working. Resource availability and feedback from agency staff and the general public will be factors in the evaluation and any proposed updates. Among other practices, this process will include working with LEP community contacts to

determine if our employees are responding appropriately to requests made with limited English or in languages other than English, and observing how agency staff responds to requests, including observing drivers or surveying riders. To the best of our ability, we will attempt to never eliminate a successful existing LEP service. Significant LEP program revisions will be approved or adopted by our board or designated official and dated accordingly. LEP data and procedures will be reviewed and updated at least once every three years.

10.6 DEMOGRAPHIC REQUEST

The following form was used to collect required data on Key Community Contacts and nonelected committee members. A single copy of the "Demographic Request" form is located in Appendix...:

Gaston DHHS/ACCESS is required by Title VI of the Civil Rights Act of 1964 and related authorities to record demographic information on members of its boards and committees. Please provide the following information:

Race/Ethnicity: <input type="checkbox"/> White <input type="checkbox"/> Black/African American <input type="checkbox"/> Asian <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Native Hawaiian/Pacific Islander <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other (please specify): _____	National Origin: (if born outside the U.S.) <input type="checkbox"/> Mexican <input type="checkbox"/> Central American: _____ <input type="checkbox"/> South American: _____ <input type="checkbox"/> Puerto Rican <input type="checkbox"/> Chinese <input type="checkbox"/> Vietnamese <input type="checkbox"/> Korean <input type="checkbox"/> Other (please specify): _____
Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female	Age: <input type="checkbox"/> Less than 18 <input type="checkbox"/> 45-64 <input type="checkbox"/> 18-29 <input type="checkbox"/> 65 and older <input type="checkbox"/> 30-44
Disability: <input type="checkbox"/> Yes <input type="checkbox"/> No	
I choose not to provide any of the information requested above: <input type="checkbox"/>	

Completed forms will remain on file as part of the public record. For more information regarding Title VI or this request, please contact the Gaston DHHS/ACCESS at 704-862-7500 or by email at dsscustomercare@gastongov.com.

Please sign below acknowledging that you have completed this form.

Thank you for your participation!

Name (print): _____

Signature: _____

Implementation

- Forms will be completed prior to triennial Title VI compliance reviews and remain on file for three years.
- All new and existing members of appointed decision-making boards or committees will be **required** to complete this form for reporting purposes.
- If a member, for whatever reason, selects "I choose not to provide any of the information requested above," they will have also **completed** the form.

- If a member chooses not to provide any of the information on the form, the Title VI Coordinator will be permitted to indicate that member's race and gender, based on the Coordinator's best guess.
- Data from these forms will be used to complete the Demographic Request Table in Appendix E.
- Once a new member submits this form, the Demographic Request Table for the associated committee will be updated.

10.7 KEY COMMUNITY CONTACTS

Contact Name	Community Name	Interest or Affiliation	Also a Committee Member? (Y/N)
Joanne Raxter	Individuals with developmental disabilities	Gaston Skills Program Director	Yes
vacant	Individuals with visual impairment	Services for the Blind SW	Yes
Peter Dingle, III	Gastonia	Private Citizen	Yes
Kimberly Maguire	Individuals with mental illness	Partners Behavioral Health Mgt	Yes

Contact information for key community contacts is not public information and is maintained outside of this document. Any staff member who wishes to contact anyone listed above must request that information from the Title VI Coordinator. Continue to seek contacts to engage minority and LEP groups over the next calendar year to complete section above..

10.8 SUMMARY OF OUTREACH EFFORTS MADE SINCE THE LAST TITLE VI PROGRAM SUBMISSION

The following format will be used to report all outreach efforts made since our last NCDOT Title VI Compliance Review. All meetings and disseminations of information shall enable collection of information for the table below:

Meeting Date	Meeting Time	Meeting Purpose	Target Audience	Information Disseminated
March 2020	10am-12pm	Employment Steering	Impoverished	Service
1/28/20	12-1pm	sharing of resources and accountability	Gaston County Community	Service
10/8/19	4pm-8pm	Resource Fair	College Students	Service
3/20-5/20	11am-1pm (daily M-F)	Engaged Homebound Seniors	Homebound seniors	Delivery of shelf stable meals
		Engage LEP groups *		

*** OUTREACH TO INCREASE ENGAGEMENT OF MINORITY AND LEP GROUPS WILL BE CONDUCTED OVER NEXT CALENDAR YEAR.**

11.0 STAFF TRAINING

All employees will receive basic Title VI training at least once every three years. New hires will receive this training within 30 days of their start date. Basic training will cover all sections of this Plan and our overall Title VI obligations. Staff may receive specialized training on the application of Title VI in their specific work areas. Those who routinely encounter the public, such as office personnel, call center staff, and vehicle drivers, will receive annual refresher training. Trainings will be provided or organized by the Title VI Coordinator, and will often coincide with updates to our nondiscrimination policies and procedures. Records of staff trainings will remain on file for at least three years (and in personnel files), and will include agendas, sign-in sheets, copies of calendars, and any certificates issued.

12.0 NONELECTED BOARDS AND COMMITTEES – BY RACE AND GENDER

The table below depicts race and gender compositions for each of our nonelected (appointed) decision-making bodies. Refer to Appendix F for member names and full demographics for each committee.

Body	Male %	Female %	Caucasian %	African American %	Asian American %	Native American %	Other %	Hispanic %
Service Area Population	48.4%	51.6%	78.2%	15.3%	1.2%	0.4%	1.8%	5.9%
Transit Advisory Board	40%	60%	80%	20%	0%	0%	0%	0%
DHHS Board	66%	33%	83%	17%	0%	0%	0%	0%
Board of Commissioners	100%	0%	86%	0%	0%	14%	0%	0%

Strategies for Representative Committees

We will seek minority participation and strive for committees that are representative of our constituencies by:

- Openly asking public and small group meeting participants if they would be interested in serving on a committee.
- Seeking referrals from local organizations and key community contacts that serve or represent minorities.
- Exploring different types of committees, such as ad hoc minority- or youth-only Citizen Advisory Committees.
- Outreach efforts and responses (or lack thereof from those asked to serve or refer others) will be documented.
- Gaston County/ACCESS will provide TAB with our diversification goals to ensure that Board membership mirrors the public of Gaston County. Board members will be updated on outreach efforts at each meeting.
- Current members will be made aware of diversity goals and polled for nominees.
- Official from local minority groups such as the Hispanic Liaison will be made aware of the diversity goals and polled for nominees.
- Key Contacts from LEP groups will be contacted and polled for nominees.

13.0 RECORD-KEEPING AND REPORTS

Records will be kept to document compliance with the requirements of the Title VI Program. Unless otherwise specified, Title VI-related records shall be retained indefinitely. These records will be made available for inspection by authorized

officials of the NCDOT and/or FTA. As a subrecipient of FTA funds through NCDOT, we are required to submit a Title VI Program update to NCDOT every three years, the next of which is due in **2020**. Reports on Title VI-related activities and progress to address findings identified in civil rights compliance reviews and assessments may also be submitted on an as-requested basis. It will occasionally be necessary to update this program plan and its component parts (e.g., complaints, Public Involvement, and LEP), applicable documents, and responsible officials. Updates will be submitted to NCDOT for review and approval.

In addition to other items throughout this plan, records and reports due at the time of compliance reviews or investigations will include:

Compliance Reviews

- Title VI Program Plan
- List of civil rights trainings provided or received
- Summaries from any *internal* reviews conducted
- Ads and notices for specific meetings
- Findings from reviews by any other *external* agencies
- Title VI equity analyses and EJ assessments
- Discrimination Complaints Log

Complaint Investigations

- Investigative Reports
- Discrimination complaint, as filed
- List of interviewees (names and affiliations)
- Supporting Documentation (e.g., requested items, photos taken, dates and methods of contact, etc.)

[Any PTD reporting expectations, such as related quarterly or annual reports, public outreach or actual LEP expenses, etc...]

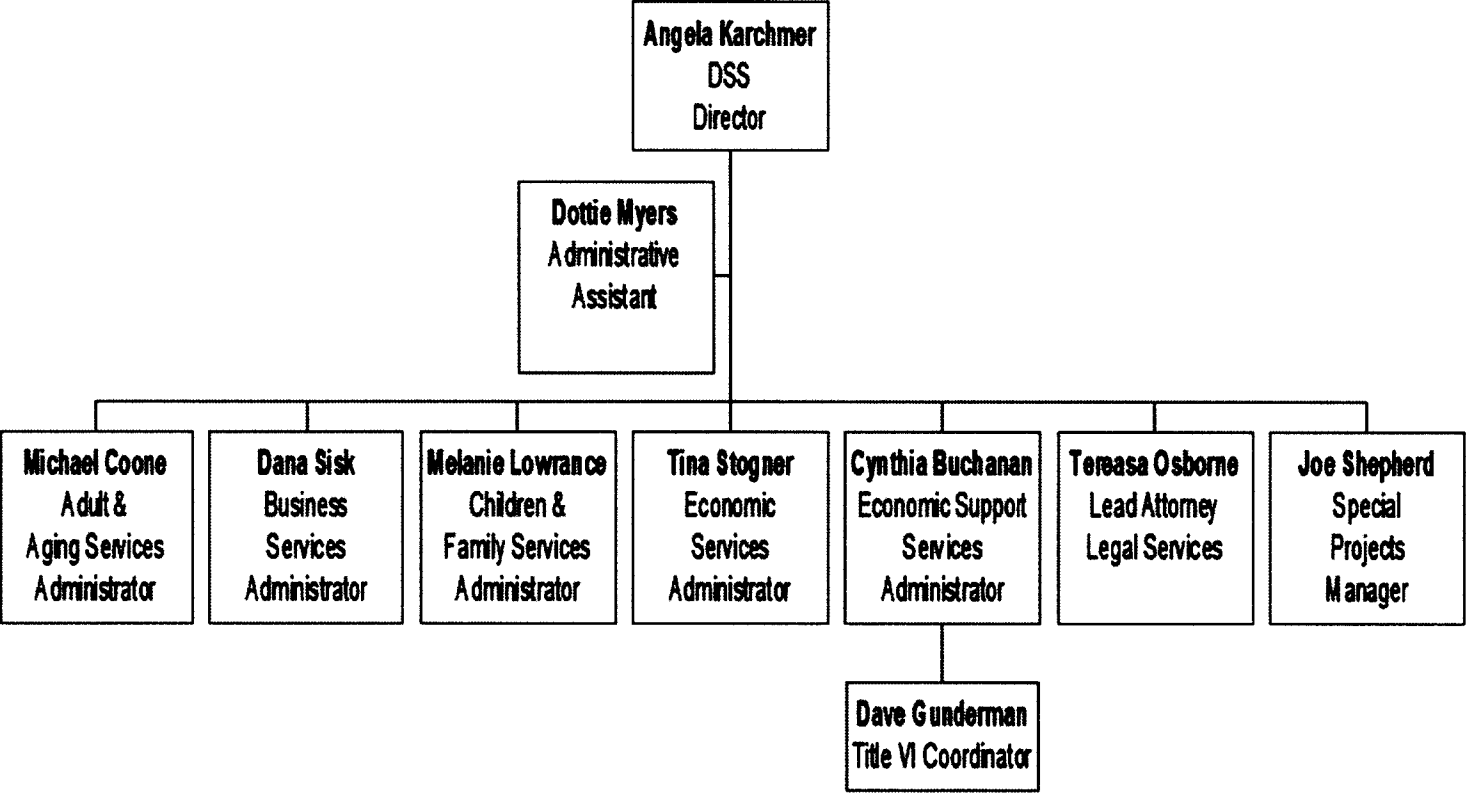
Appendix A

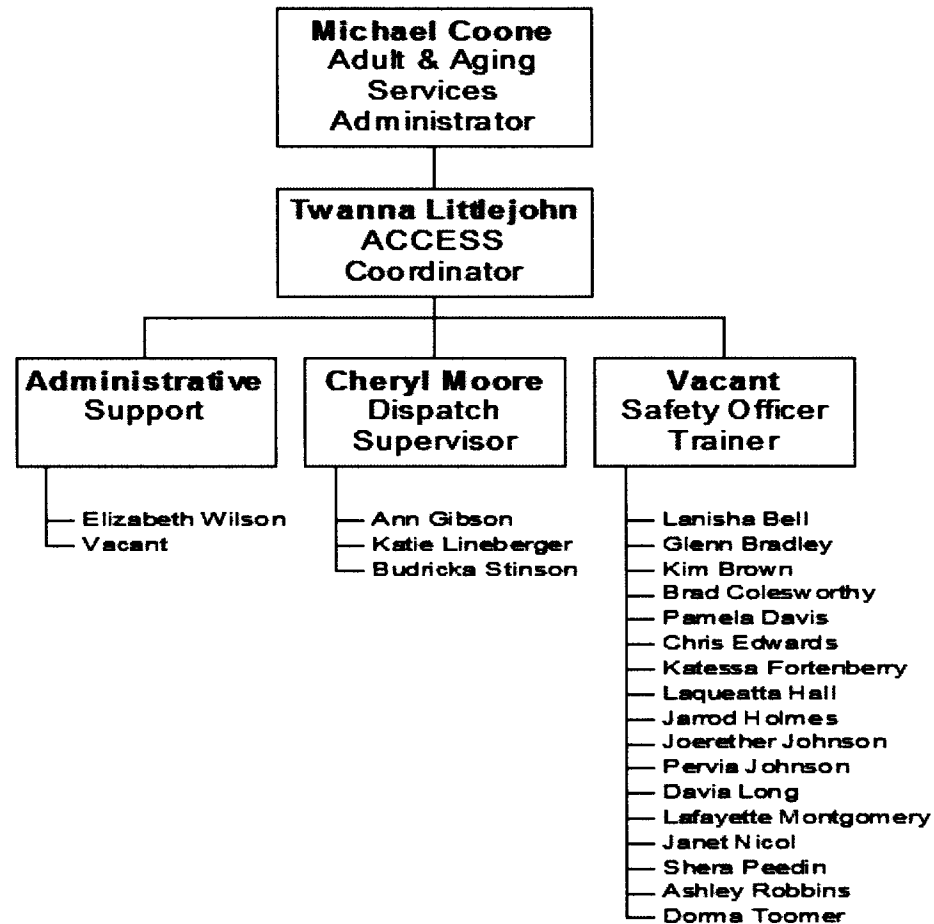
Applicable Nondiscrimination Authorities

During the implementation of this Title VI Program, the organization, for itself, its assignees and successors in interest, is reminded that it has agreed to comply with the following non-discrimination statutes and authorities, including but not limited to:

- 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);
- 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);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- 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.*).
- Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e *et seq.*, Pub. L. 88-352), (prohibits employment discrimination on the basis of race, color, Creed (religion), sex, or national origin);
- 49 CFR Part 26, regulation to ensure nondiscrimination in the award and administration of DOT-assisted contracts in the Department's highway, transit, and airport financial assistance programs;
- 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);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);

Appendix B- Organizational Chart





Appendix C
NCDOT's Compliance Review Checklist for Transit

I. Program Administration (General Requirements) <i>Requirement: FTA C 4702.1B – Title VI Requirements and Guidelines for FTA Recipients, Chapter III – General Requirements and Guidelines.</i> Note: Every NCDOT subrecipient receiving any of the FTA Formula Grants listed above must complete this section.	
Requested Items (Please attach electronic documents (.pdf, .doc, etc.) or provide links to online versions)	Completed
1. A copy of the recipient's <i>signed</i> NCDOT's Title VI Nondiscrimination Agreement	<input type="checkbox"/>
2. Title VI Policy Statement (<i>signed</i>)	<input type="checkbox"/>
3. Title VI Notice to the Public, including a list of locations where the notice is posted	<input type="checkbox"/>
4. Type the name and title of your Title VI Coordinator and attach a list of their Title VI duties Name/Title:	<input type="checkbox"/>
5. Title VI Complaint Procedures (i.e., instructions to the public regarding how to file a Title VI discrimination complaint)	<input type="checkbox"/>
6. Title VI Complaint Form	<input type="checkbox"/>
7. List of transit-related Title VI investigations, complaints, and lawsuits (i.e., discrimination complaints log)	<input type="checkbox"/>
8. Public Participation Plan, including information about outreach methods to engage traditionally underserved constituencies (e.g., minorities, limited English proficient populations (LEP), low-income, disabled), as well as a summary of outreach efforts made since the last Title VI Program submission	<input type="checkbox"/>
9. Language Assistance Plan for providing language assistance to persons with limited English proficiency (LEP), based on the DOT LEP Guidance, which requires conducting four-factor analyses	<input type="checkbox"/>
10. A table depicting the membership of non-elected committees and councils, the membership of which is selected by the recipient, broken down by race, and a description of the process the agency uses to encourage the participation of minorities on such committees	<input type="checkbox"/>
11. A copy of board meeting minutes, resolution, or other appropriate documentation showing the board of directors or appropriate governing entity or official(s) responsible for policy decisions <i>reviewed and approved</i> the Title VI Program	<input type="checkbox"/>
12. A description of the procedures the agency uses to ensure nondiscriminatory administration of programs and services	<input type="checkbox"/>
13. If you pass through FTA funds to other organizations, include a description of how you monitor your subrecipients for compliance with Title VI, and a schedule for your subrecipients' Title VI Program submissions. ➤ No Subrecipients <input type="checkbox"/>	<input type="checkbox"/>
14. A Title VI equity analysis if you have constructed or conducted planning for a facility, such as a vehicle storage facility, maintenance facility, operation center, etc. ➤ No Facilities Planned or Constructed <input type="checkbox"/>	<input type="checkbox"/>
15. Copies of environmental justice assessments conducted for any construction projects during the past three years and, if needed based on the results, a description of the program or other measures used or planned to mitigate any identified adverse impact on the minority or low-income communities ➤ No Construction Projects <input type="checkbox"/>	<input type="checkbox"/>

16. If the recipient has undergone a Title VI Compliance Review in the last 3 years, please indicate the year of the last review and who conducted it. Year/Agency:		<input type="checkbox"/>
II. Transit Providers <i>Requirement: FTA C 4702.1B, Chapter IV – Requirements and Guidelines for Fixed Route Transit Providers.</i> Note: All NCDOT subrecipients that provide <u>fixed route</u> public transportation services (e.g., local, express or commuter bus; bus rapid transit; commuter rail; passenger ferry) must complete this section. ➤ Not Applicable <input type="checkbox"/> (Check this box if you do not provide <u>fixed route</u> services, and skip questions 17 and 18. This section does not apply to you if you <u>only</u> provide demand response services.)		
Requested Items (Please attach electronic documents (.pdf, .doc, etc.) or provide links to online versions)		Completed
17. Service standards (quantitative measures) developed for <i>each specific fixed route mode</i> that the recipient provides (standards may vary by mode) must be submitted for each of the following indicators:		
<ul style="list-style-type: none"> Vehicle load for each mode (Can be expressed as the ratio of passengers to the total number of seats on a vehicle. For example, on a 40-seat bus, a vehicle load of 1.3 means all seats are filled and there are approximately 12 standees.) 		<input type="checkbox"/>
<ul style="list-style-type: none"> Vehicle headway for each mode (Measured in minutes (e.g., every 15 minutes), headway refers to the amount of time between two vehicles traveling in the same direction on a given line or combination of lines. A shorter headway corresponds to more frequent service. Service frequency is measured in vehicles per hour (e.g., 4 buses per hour).) 		<input type="checkbox"/>
<ul style="list-style-type: none"> On time performance for each mode (Expressed as a percentage, this is a measure of runs completed as scheduled. The recipient must define what is considered to be "on time." Performance can be measured against route origins and destinations only, or against origins and destinations as well as specified time points along a route.) 		<input type="checkbox"/>
<ul style="list-style-type: none"> Service availability for each mode (Refers to a general measure of the distribution of routes within a transit provider's service area, such as setting the maximum distance between bus stops or train stations, or requiring that a percentage of all residents in the service area be within a one-quarter mile walk of bus service.) 		<input type="checkbox"/>
18. Service policies (system-wide policies) adopted to ensure that service design and operations practices do not result in discrimination on the basis of race, color or national origin, must be submitted for each of the following:		
<ul style="list-style-type: none"> Transit amenities for each mode (e.g., benches, shelters/canopies, printed materials, escalators/elevators, and waste receptacles. NOTE: Attach this information <u>only</u> if you have decision-making authority over siting transit amenities or you set policies to determine the siting of amenities.) 		<input type="checkbox"/>
<ul style="list-style-type: none"> Vehicle assignment for each mode (Refers to the process by which transit vehicles are placed into service throughout a system. Policies for vehicle assignment may be based on the type or age of the vehicle, where age would be a proxy for condition, or on the type of service offered.) 		<input type="checkbox"/>

Appendix D
Annual Education and Acknowledgement Form

Title VI Nondiscrimination Policy
(Title VI and related nondiscrimination authorities)

No person shall, on the grounds of race, color, national origin, sex, age, or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity of a Federal-aid recipient.

All employees and representatives of Gaston DHHS/ACCESS are expected to consider, respect, and observe this policy in their daily work and duties. If any person approaches you with a civil rights-related question or complaint, please direct him or her to Dave Gunderman, Title VI Compliance Officer at dsscustomecare@gastongov.com.

In all dealings with the public, use courtesy titles (e.g., Mr., Mrs., Miss, Dr.) to address or refer to them without regard to their race, color, national origin, sex, age or disability.

Acknowledgement of Receipt of Title VI Program

I hereby acknowledge receipt of Gaston DHHS/ACCESS Title VI Program and other nondiscrimination guidelines. I have read the Title VI Program and I am committed to ensuring that no person is excluded from participation in or denied the benefits of Gaston DHHS/ACCESS programs, policies, services and activities on the basis of race, color, national origin, sex, age, or disability, as provided by Title VI of the Civil Rights Act of 1964 and related nondiscrimination statutes.

Signature

Date

Appendix E

Gaston DHHS/ACCESS is required by Title VI of the Civil Rights Act of 1964 and related authorities to record demographic information on members of its boards and committees. Please provide the following information:

Race/Ethnicity: <input type="checkbox"/> White <input type="checkbox"/> Black/African American <input type="checkbox"/> Asian <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Native Hawaiian/Pacific Islander <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other (please specify): _____	National Origin: (if born outside the U.S.) <input type="checkbox"/> Mexican <input type="checkbox"/> Central American: _____ <input type="checkbox"/> South American: _____ <input type="checkbox"/> Puerto Rican <input type="checkbox"/> Chinese <input type="checkbox"/> Vietnamese <input type="checkbox"/> Korean <input type="checkbox"/> Other (please specify): _____
Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female	Age: <input type="checkbox"/> Less than 18 <input type="checkbox"/> 45-64 <input type="checkbox"/> 18-29 <input type="checkbox"/> 65 and older <input type="checkbox"/> 30-44
Disability: <input type="checkbox"/> Yes <input type="checkbox"/> No	
I choose not to provide any of the information requested above: <input type="checkbox"/>	

Completed forms will remain on file as part of the public record. For more information regarding Title VI or this request, please contact the Gaston DHHS/ACCESS at 704-862-7500 or by email at dssccustomercare@gastongov.com.

Please sign below acknowledging that you have completed this form.

Thank you for your participation!

Name (print): _____

Signature: _____