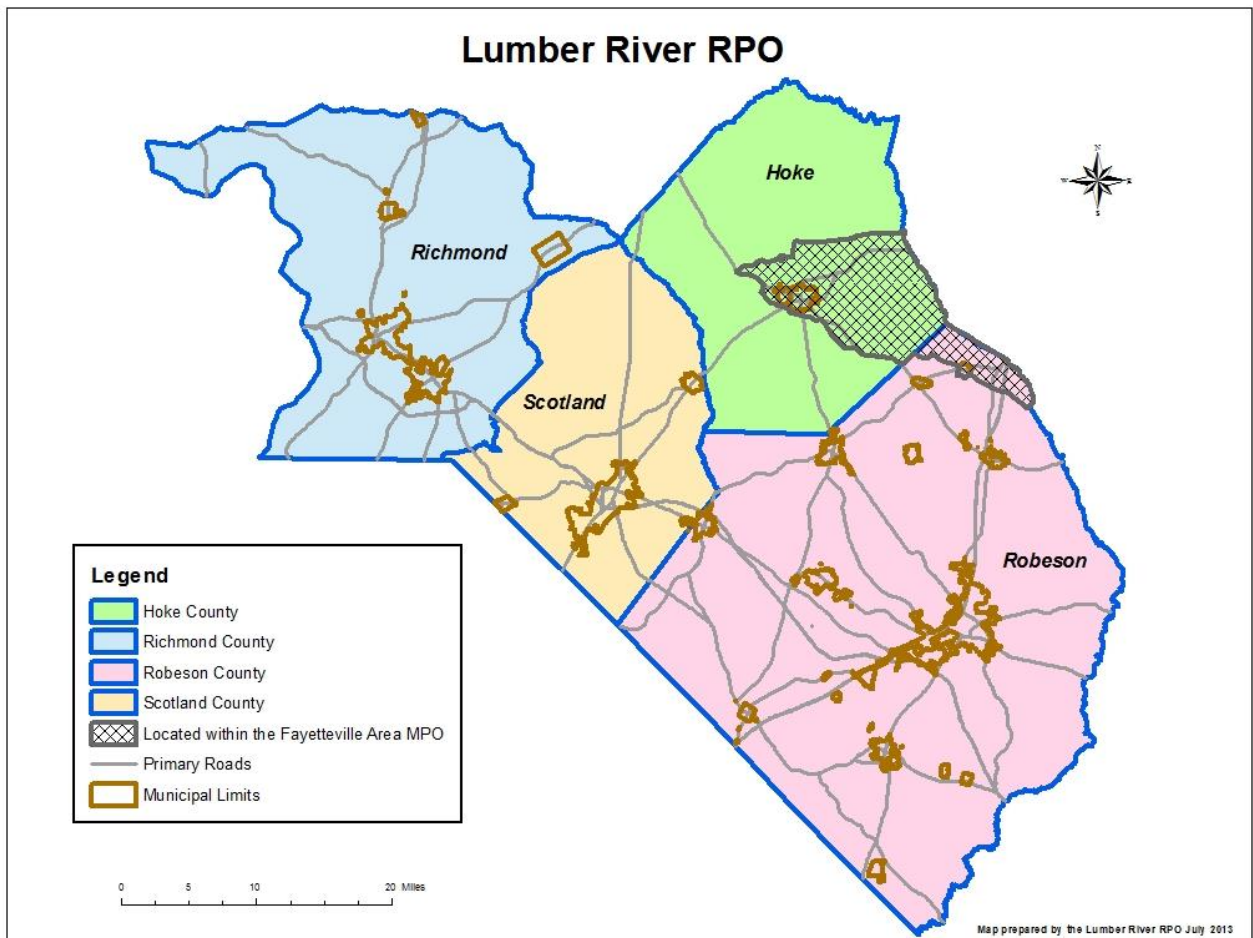


# TITLE VI NON-DISCRIMINATION PROGRAM PLAN

**DRAFT 9/12/19**

## LUMBER RIVER RURAL PLANNING ORGANIZATION



Adopted by the Transportation Advisory Committee on \_\_\_\_\_

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## **TITLE VI POLICY STATEMENT AND NOTICE OF NONDISCRIMINATION**


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It is the policy of Lumber River RPO (LRRPO) as a federal-aid recipient, to ensure that no person shall, on the ground of **race, color, national origin, Limited English Proficiency, sex, age, or disability, (and low-income, where applicable)**, 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, Executive Orders 12898 and 13166, the Civil Rights Restoration Act of 1987, and other pertinent nondiscrimination authorities.

If you feel you have been subjected to discrimination, you may file a complaint. Allegations of discrimination should be promptly reported to our Title VI Coordinator.

Janet Robertson  
Lumber River RPO  
30 CJ Walker Road  
Pembroke, NC 28372  
910-775-9749  
[janet.robertson@lrcog.org](mailto:janet.robertson@lrcog.org)

This policy is an expression of our commitment to nondiscrimination and support of the Title VI Program.

  
\_\_\_\_\_  
David Richardson  
09/11/2018  
\_\_\_\_\_  
Date

### **Implementation (Dissemination)**

- This Policy Statement contains contact information for the Title Coordinator, and it will also serve as our notice to public.
- This statement will be signed by Executive Director of Lumber River RPO, 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, and disseminated within brochures and other written materials.
- The statement will be incorporated into Title VI training and acknowledgement activities.
- The statement will be posted or disseminated in languages other than English, when appropriate.
- Low-income will be applicable to our programs, policies and activities under Environmental Justice when determining if there will be disproportionately high and adverse effects.

## STANDARD USDOT TITLE VI ASSURANCES

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Please refer to **Appendix 1** of this Plan for a copy of our completed, signed USDOT Title VI Assurances.

## ORGANIZATION & STAFFING

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Rural Planning Organizations (RPOs) were established by the State of North Carolina in recognition of the need for more coordinated transportation planning in rural areas not within an MPO. An RPO is a voluntary organization of local officials formed through a Memorandum of Understanding to work cooperatively with NCDOT to plan rural transportation systems and to advise NCDOT on rural transportation policy. GS 136-212 identifies four primary duties for RPO's: 1) Develop, in cooperation with NCDOT, long-range, local and regional multimodal transportation plans, 2) Provide a forum for public participation in the transportation planning process, 3) Develop and prioritize suggestions for transportation projects the organization believes should be included in the State's Transportation Improvement Program, and 4) Provide transportation-related information to local governments and other interested organizations and persons. According to GS 136-211 (b), Rural Transportation Planning Organizations shall include representatives from contiguous areas in three to fifteen counties, or a total population of the entire area represented of at least 50,000 persons according to the latest population estimate of the Office of State Budget and Management. RPOs receive State Planning and Research (SPR) funds from NCDOT's Transportation Planning Division (TPD).

The Lumber River RPO was established in 2002. Our planning area includes the following counties: Richmond, Scotland, and portions of Hoke and Robeson. Our Transportation Advisory Committee (TAC) has twelve members. Our Technical Coordinating Committee (TCC) has 25 members. The meeting dates for the TCC and TAC can be found on our website at: <https://www.lumberrivercog.org/rural-transportation-planning>. Please refer to **Appendix 2** for lists of current TAC and TCC members with race, gender, and affiliation included.

### Title VI Coordinator

Key responsibilities of the Coordinator include:

- Maintaining knowledge of Title VI and related requirements.
- Attending civil rights training when offered by NCDOT, FHWA or other federal agencies.
- Administering the Title VI Nondiscrimination Program and coordinating implementation of this Plan.
- Making sure internal staff and officials are familiar and complying with their Title VI obligations.
- Disseminating Title VI information internally and to the 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.
- Recommending to appointing authorities that non-elected boards and committees reflect the service area and minorities are represented.
- Promptly processing (receiving, logging, investigating and/or forwarding) discrimination complaints.
- Providing information to NCDOT and cooperating during compliance reviews and investigations.
- Promptly resolving deficiencies to ensure compliance with Title VI nondiscrimination requirements.

If the Executive Director changes, the Title VI Policy Statement and LRRPO Title VI Assurances, will immediately be updated and signed by the new Executive Director.



## Staffing

We currently employ a staff of one, which consists of the following job categories:

- Rural Transportation Planner

An organizational chart showing the Title VI Coordinator's place within the organization is located in **Appendix 3**.

## ENVIRONMENTAL JUSTICE (EJ)

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In 1994, President William Jefferson Clinton issued Executive Order (EO) 12898, Federal Actions to Address Environmental Justice (EJ) in Minority Populations and Low-Income Populations. To comply with the EO, federal agencies developed EJ guidelines for their funding recipients, including Federal Highway Administration (FHWA) Order 6640.23A. Accordingly, Lumber River RPO will make achieving EJ part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health and environmental effects of its programs, policies, and activities on minority populations and low-income populations.

EJ is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation and enforcement of environmental laws, regulations and policies. The three fundamental EJ principles that guide USDOT (affiliated) actions are:

- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including interrelated social and economic effects, on minority and low-income populations.
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

To achieve EJ, our programs will be administered so as to identify and avoid disproportionately high and adverse effects on minority populations and low-income populations by:

- (1) Identifying and evaluating environmental, public health, and interrelated social and economic effects of our programs, policies and activities;
- (2) Proposing measures to avoid, minimize and/or mitigate disproportionately high and adverse environmental and public health effects, and interrelated social and economic effects, and providing offsetting benefits and opportunities to enhance communities, neighborhoods, and individuals affected by our programs, policies and activities, where permitted by law;
- (3) Considering alternatives to proposed programs, policies, and activities, where such alternatives would result in avoiding and/or minimizing disproportionately high and adverse human health or environmental impacts to minority and/or low-income populations; and
- (4) Eliciting public involvement opportunities and considering the results thereof, including soliciting input from affected minority and low-income populations in considering alternatives.
- (5) Adding an EJ section to plans and studies, such as Comprehensive Transportation Plans, Public Involvement Plans, and Corridor Studies.

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 policies, such as where public meetings will be held, and our projects, such as when we plan to construct or expand a facility. 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 public

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. (See **Appendix 4 – Tables for Race/Ethnicity and Poverty**)

## DATA COLLECTION/ANALYSIS/REPORTING

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Data collection, analysis and reporting are key elements of a successful Title VI enforcement strategy. To ensure that Title VI reporting requirements are met, Lumber River RPO will collect and maintain data on potential and actual beneficiaries of our programs and services. This section contains relevant population data for our overall service area. The data provides context for the Title VI Nondiscrimination Program and will be used to ensure nondiscrimination in public outreach and delivery of our programs. Please refer to **Appendix 4** for demographic tables on Race & Ethnicity, Age & Sex, Disability, Poverty, and Household Income.

### Population Locations

Recipients of FHWA funds are required to identify the characteristics and locations of populations they serve, particularly by race/ethnicity, poverty and limited English proficiency. We will document this narratively or through maps that overlay boundaries and demographic features on specific communities, and provide this information to NCDOT, upon request. (See **Appendix 5 – Demographic Maps**)

## LIMITED ENGLISH PROFICIENCY (LEP)

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Limited English Proficient (LEP) persons are individuals for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. These individuals reported to the U.S. Census Bureau that they speak English less than very well.

To comply with USDOT's LEP Policy Guidance and Executive Order 13166, this section of our Title VI Plan outlines the steps Lumber River RPO (LRRPO) will take to ensure meaningful access by LEP persons to all benefits, services and information provided under our programs and activities. A four factor analysis was conducted to determine the LEP language groups present in our planning area and the specific language services that are needed.

### 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.**

### Estimated number of LEP persons by County and Region

	Hoke	Richmond	Robeson	Scotland	Total
<b>Total Population</b>	44,102	43,578	124,389	33,765	245,834
<b>5% of Population</b>	2,205	2,179	6,219	1,688	12,291
<b>Margin of Error +/-</b>	55	66	31	24	176
<b>"English spoken less than very well" by Language spoken at home:</b>					
<b>Spanish</b>	1,788	1,386	4,905	307	8,386
<b>Margin of Error +/-</b>	387	213	468	82	1,150
<b>French</b>	-	23	71	19	113
<b>Margin of Error +/-</b>	-	29	75	25	129
<b>Chinese</b>	-	-	79	10	89
<b>Margin of Error +/-</b>	-	-	48	18	66
<b>Vietnamese</b>	76	-	119	47	242
<b>Margin of Error +/-</b>	99	-	59	52	210
<b>Korean</b>	-	116	-	25	141
<b>Margin of Error +/-</b>	-	108	-	40	148
<b>Arabic</b>	14	-	136	-	150
<b>Margin of Error +/-</b>	24	-	89	-	113

Data source: ACS Census Table B6001, 2009-13 Five Year Estimate

After examining the data, LRRPO has determined that one significant language population exists which speaks a language other than English and that population is Spanish. The majority of the Spanish speaking population is located in the following sections of member Counties:

Hoke County – southwest portion of County

Richmond County – northern portion of County, southern Rockingham and areas east and west of southern Rockingham, Hoffman and area east of Hoffman

Robeson County – northern portion of County, East Lumberton

Scotland County – areas south of Laurinburg

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

All contacts with LRRPO are made through its office in Pembroke or at public outreach meetings that support a specific project. The RPO estimates that fewer than five persons with limited English proficiency have contacted the agency in the past ten years.

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

Several documents have been translated into Spanish: Notice of Nondiscrimination, Voluntary Public Input Form, and the Complaint form.

The LRRPO programs use federal funds to plan for future transportation projects and therefore, do not include any service or program that requires vital, immediate, or emergency assistance. However, the potential impacts of proposed transportation projects on underserved and underrepresented population groups are important. The LRRPO will ensure that LEP populations will have the opportunity to be involved in the transportation planning process. During the development of previous Comprehensive Transportation Plans, the LRRPO used Public Input surveys, which were translated into Spanish. These surveys were distributed in areas where Spanish speaking populations were present, and this will continue to be done for current and future CTPs.

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

As a one-person operation, there is no Spanish speaking person on staff. In the past we have utilized NCDOT personnel to translate Public Input surveys. When needed in the future, staff will contact Jamille Robbins, NCDOT's Public Involvement Leader, for contacts for translation services. Staff will also find out if there are any Community-based organizations that can help disseminate information to LEP groups.

**LANGUAGE ASSISTANCE PLAN**

As a result of the above four factor analysis, a Language Assistance Plan (Plan) was required for Spanish speaking groups. This Plan represents our commitment to ensuring nondiscrimination and meaningful access by persons who are Limited English Proficient (LEP). This Plan also details the mechanisms we will use to reach LEP persons and the language assistance services we provide. We will provide services to any person, upon request. If an individual is LEP, we will work with the individual to ensure they receive the needed transportation service. Our employees will be routinely oriented on the principles and practices of Title VI and LEP to ensure fairness in the administration of this Plan.

**Language Assistance Measures**

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

- Vital documents, such as the Nondiscrimination Notice, Public Input Surveys and Complaint forms, are translated into Spanish.
- Making a concerted effort to inform LEP persons of available language assistance via staff, broadcast media, relationship-building with organizations, and our website.
- Posting vital bulletin board information and disseminating community surveys in Spanish.
- 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.
- 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

At the time this draft was prepared, staff is not aware of specific measures beyond what is listed above.

### **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 LEP community contacts.

### **Staff Support for Language Assistance**

- Our staff (including receptionists) will be provided a list of referral resources that can assist LEP persons with written translation and oral interpretation, including the Title VI Coordinator. This list will be updated as needed to remain current.
- All main offices will have available language assistance flashcards and materials translated into the languages that meet the safe harbor threshold. When encountering an LEP person, staff should present the individual with an iSpeak flashcard and let them choose the language. Do not assume their preferred language. 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 and basic Title VI trainings.

### **Project-Specific LEP Outreach**

A project-specific four factor analysis will be conducted for any project or outreach event limited to a specific geographical area (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 Language Assistance Plan**

Monitoring of daily interactions with LEP persons will be continuous, thus language assistance techniques may be refined at any time. This Plan will be periodically reviewed—at least annually—to determine if our 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. 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.



## DISSEMINATION OF TITLE VI INFORMATION

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In accordance with 23 CFR 200.9(b)(12) and 49 CFR 21.9(d), the Lumber River RPO will utilize community outreach and public education to disseminate Title VI information to our employees, contractors, sub-recipients and the general public. Reasonable steps will be taken to make the public aware of their rights and our obligations under Title VI through, including, but not limited to:

- Visibly posting our Title VI Policy Statement in public areas at our facilities, on our website, at our meetings, and prominently in any documents and reports we distribute;
- Placing notices in newspapers and publications with a large circulation among minority groups in the general vicinity of projects and activities. Ads in newspapers and other publications shall include the following:

“Lumber River RPO operates without regard to **race, color, national origin, limited English proficiency, sex, age or disability**. For more information on our Title VI program, or how to file a discrimination complaint, please contact Janet Robertson at 910-775-9749 or [jfr@lrcog.org](mailto:jfr@lrcog.org).
- Translating information into languages other than English that meet the LEP safe harbor threshold;
- Incorporating Title VI language into our contracts and agreements (See **Appendix 1A-C** for Title VI Contract Language); and
- Ensuring any contractors and sub-recipients we have also disseminate Title VI information.

While our Public Participation Plan already includes many of the elements listed in the template, it will be updated to include the section provided.

## EXTERNAL DISCRIMINATION COMPLAINT PROCEDURES

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These discrimination complaint procedures outline the process used by Lumber River RPO (LRRPO) to process complaints of alleged discrimination filed under Title VI of the Civil Rights Act of 1964 and related nondiscrimination laws that are applicable to LRRPO programs, services, and activities. Complaints will be investigated by the appropriate authority. Upon completion of an investigation, the complainant will be informed of all avenues of appeal. Every effort will be made to obtain early resolution of complaints at the lowest level possible by informal means.

### FILING OF COMPLAINTS

1. **Applicability** – These procedures apply to the beneficiaries of our programs, activities, and services, such as the members of the public and any consultants/contractors we hire.
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, national origin, sex, age, or disability, may file a written complaint. 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:

- **Lumber River RPO**, Janet Robertson, 30 CJ Walker Rd, Pembroke, NC 28372; 910-775-9749; jfr@lrcog.org
- **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
- **Federal Highway Administration**, North Carolina Division Office, 310 New Bern Avenue, Suite 410, Raleigh, NC 27601, 919-747-7010
- **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
- **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. **Complaint Basis** – Allegations must be based on issues involving race, color, national origin, sex, age, or disability. The term “basis” refers to the complainant’s membership in a protected group category.

Protected Categories	Definition	Examples	Applicable Statutes and Regulations
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; 23 CFR 200. (Executive Order 13166)
Color	Color of skin, including shade of skin within a racial group	Black, White, brown, yellow, etc.	
National Origin (LEP)	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	1973 Federal-Aid Highway Act; 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

### Complaint Processing

1. When a complaint is received, an Acknowledgment Letter and a Complainant Consent/Release Form will be mailed to the complainant within ten (10) business days by registered mail.
2. We will consult with the NCDOT Title VI Program to determine the acceptability and jurisdiction of all complaints received. (Note: If NCDOT will investigate, the Title VI Program will be responsible for the remainder of this process. We will record the transfer of responsibility in our 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, we 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 our 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, 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 request the complaints log during pre-grant approval processes).
3. When reporting **no complaints**, check the **No Complaints or Lawsuits** box and sign the log.

Please refer to **Appendix 6** for a copy of our Discrimination Complaint Form, Complaints Log, and Sample Investigation Template.

## REVIEW OF ORGANIZATIONAL DIRECTIVES

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It is the responsibility of every official who develops policies, procedures, manuals, guidelines, and other directives to ensure they have been reviewed for Title VI compliance. All staff members will assist in carrying out this requirement by making sure drafts of these documents are submitted to the Title VI Coordinator to ensure Title VI requirements are included.

## TITLE VI TRAINING

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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 how Title VI applies to 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, such as agendas, sign-in sheets, copies of calendars, and certificates, will remain on file for at least three years (and in personnel files).

## COMPLIANCE AND ENFORCEMENT PROCEDURES

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FHWA recipients must have mechanisms in place to enforce compliance with Title VI. Lumber River RPO utilizes internal training, meetings, monitoring contractors, technical assistance, and findings from periodic NCDOT reviews to identify deficiencies and potential discrimination. If NCDOT identifies deficiencies, Lumber River RPO will correct all deficiencies within 90 days based on a Corrective Action Plan (CAP). If attempts by NCDOT to resolve a compliance issue are unsuccessful, NCDOT may take any or all of the following steps with FHWA's concurrence:

- a. Canceling, terminating, or suspending the contract or agreement in whole or in part;
- b. Refraining from extending any further assistance to the recipient under the program with respect to which the failure or refusal occurred until satisfactory assurance of future compliance has been received from the recipient.
- c. Taking such other action that may be deemed appropriate under the circumstances, until compliance or remedial action has been accomplished by the recipient.
- d. Referring the case to the FHWA for appropriate administrative or legal proceedings.
- e. Other means authorized by law.

To ensure compliance with Title VI, Lumber River RPO will take proactive steps to prevent discrimination in our programs and activities, including the following:

- |   |  |
|---|--|
| <input type="checkbox"/> Conduct periodic Title VI training;  | <input type="checkbox"/> Build a system of mutual trust and two-way communication with the public; |
| <input type="checkbox"/> Address Title VI issues at staff meetings;   | <input type="checkbox"/> Maintain pertinent demographic data (statistical);                        |
| <input type="checkbox"/> Participate or cooperate during compliance reviews conducted by NCDOT;   | <input type="checkbox"/> Ensure policies and procedures support and comply with Title VI;          |
| <input type="checkbox"/> Inform and monitor any consultants/contractors regarding their Title VI obligations, including review of contracts for nondiscrimination language; | <input type="checkbox"/> Document processes & activities related to Title VI.                      |
| <input type="checkbox"/> Customize public outreach according to the situation or community at hand;   |  |

If Lumber River RPO identifies compliance issues with our consultants/contractors, we will also take corrective action. If attempts at corrective action are unsuccessful, any or all of the following steps may be taken with NCDOT's concurrence:

- a. Canceling, terminating, or suspending the contract or agreement with the consultant/contractor in whole or in part.
- b. Taking such other action that may be deemed appropriate under the circumstances.
- c. Referring the case to the NCDOT for appropriate administrative or legal proceedings.

## Appendix 1



### STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

ROY COOPER  
GOVERNOR

JAMES H. TROGDON, III  
SECRETARY

#### United States Department of Transportation STANDARD TITLE VI / NONDISCRIMINATION ASSURANCES

DOT Order No. 1050.2A

The Lumber River Rural Planning Organization (herein referred to as the "Recipient"), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through **Federal Highway Administration (FHWA)**, is subject to and will comply with the following:

##### Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled Nondiscrimination In Federally-Assisted Programs Of The Department Of Transportation-Effectuation Of Title VI Of The Civil Rights Act Of 1964);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964).

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

##### General Assurances

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

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

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Nondiscrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

##### Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted **Federal-Aid Highway Program**:

*Mailing Address:*  
NC DEPARTMENT OF TRANSPORTATION  
OFFICE OF CIVIL RIGHTS  
1511 MAIL SERVICE CENTER  
RALEIGH, NORTH CAROLINA 27699-1511

*Telephone:* (919) 508-1808  
*Fax:* (919) 508-1814 / (919) 508-1818  
*Customer Service:* 1-877-368-4968

*Location:*  
104 FAYETTEVILLE STREET  
RALEIGH, NORTH CAROLINA 27601

*Website:* [www.ncdot.gov](http://www.ncdot.gov)



1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23(b) and 21.23(e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all Federal-Aid Highway Program and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

Lumber River Rural Planning Organization, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."
3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
  - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
  - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
  - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
  - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.

10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, the Lumber River Rural Planning Organization also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the **FHWA** access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the **FHWA**. You must keep records, reports, and submit the material for review upon request to **FHWA**, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The Lumber River Rural Planning Organization gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the **Federal-Aid Highway Program**. This ASSURANCE is binding on the Lumber River Council of Governments Rural Planning Organization, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the **Federal-Aid Highway Program**. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

\_\_\_\_\_  
Lumber River Rural Planning Organization

by   
David Richardson, Executive Director

DATED 09/11/2018

Attachments:

Appendices A, B, C, D, E

## APPENDIX A

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 (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Highway Administration (FHWA), as they may be amended from time to time, 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, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, 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 will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Nondiscrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the FHWA to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the FHWA, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:
  - a. withholding payments to the contractor under the contract until the contractor complies; and/or
  - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

## **APPENDIX B: CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY**

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the Lumber River Rural Planning Organization (LRCOG-RPO) will accept title to the lands and maintain the project constructed thereon in accordance with the Lumber River Council of Governments Rural Planning Organization, the Regulations for the Administration of the Federal-Aid Highway Program, and the policies and procedures prescribed by the Federal Highway Administration of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the *LRRPO* all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

### **(HABENDUM CLAUSE)**

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

The LRRPO, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]\* (2) that the LRRPO will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended [, and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].\*

(\*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

## **APPENDIX C: CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM**

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the Lumber River Rural Planning Organization (LRCOG-RPO) pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:
  - 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Nondiscrimination covenants, the LRRPO will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.\*
- C. With respect to a deed, in the event of breach of any of the above Nondiscrimination covenants, the LRRPO will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the LRCOG-RPO and its assigns.\*

(\*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)



## **APPENDIX D: CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM**

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by the Lumber River Rural Planning Organization (LRCOG-RPO) pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non discrimination covenants, the LRRPO will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.\*
- C. With respect to deeds, in the event of breach of any of the above Nondiscrimination covenants, the LRRPO will there upon revert to and vest in and become the absolute property of the NCDOT and its assigns.\*

(\*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)



## APPENDIX E

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

## Appendix 2

### Lumber River RPO TAC Members

<b><u>Name</u></b>	<b><u>Representing</u></b>	<b><u>Race</u></b>	<b><u>Gender</u></b>
Commissioner Harry Southerland	Hoke County	Black	Male
Commissioner Kenneth Robinette	Richmond County	White	Male
Mayor Bill Bayless, Hamlet	Richmond Municipalities	White	Male
Commissioner Faline Dial	Robeson County	American Indian	Female
Commissioner Raymond Cummings	Robeson County	American Indian	Male
Commissioner Tom Taylor	Robeson County	White	Male
Councilperson Elbert Gibson, St. Pauls	Robeson Municipalities	White	Male
Leroy Rising	Robeson Municipalities	White	Male
Commissioner Tim Ivey	Scotland County	White	Male
Councilperson Mary Jo Adams, Laurinburg	Scotland Municipalities	White	Female
Lisa Mathis, NCDOT Board Division 8	NCDOT	White	Female

#### **ALTERNATES**

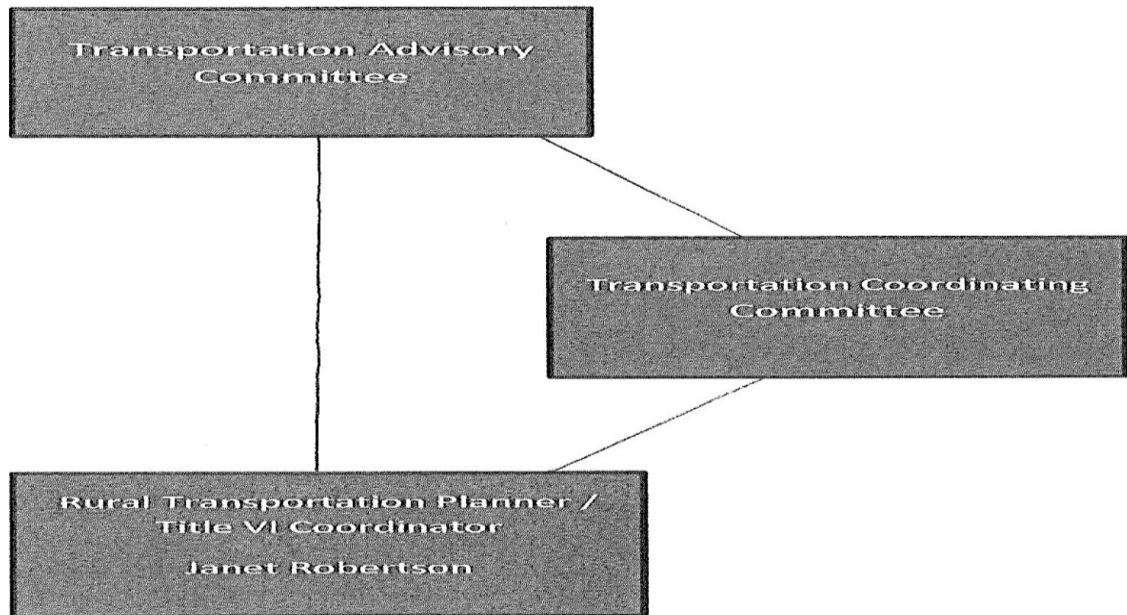
Commissioner James Leach	Hoke County	Black	Male
Commissioner Ben Moss	Richmond County	White	Male
Commissioner Greg Cummings	Robeson Municipalities	American Indian	Male
Commissioner David Edge	Robeson County	White	Male
Commissioner Roger Oxendine	Robeson County	American Indian	Male
Councilperson Caroline Sumpter	Robeson Municipalities	Black	Female
Commissioner Whit Gibson	Scotland County	White	Male

## Lumber River RPO TCC Members

<u>Name</u>	<u>Representing</u>	<u>Race</u>	<u>Gender</u>
Letitia Edens	Hoke County	Black	Female
Robert Farrell	Hoke County	White	Male
Vacant	Hoke County		
Vacant	Hoke County		
John Massey	Richmond County	White	Male
Tracy Parris	Richmond County	White	Female
Archie Robinson	Richmond County	Black	Male
Gail Strickland	Richmond County	White	Female
Gary Evans	Robeson County	White	Male
Tyler Thomas	Robeson County	American Indian	Male
Edward Henderson	Robeson County	Black	Male
Jimmy Jones	Robeson County	Black	Male
Brandon Love	Robeson County	White	Male
Arthur Morrissey	Robeson County	Black	Male
David Townsend	Robeson County	White	Male
Gerard Weindel	Robeson County	White	Male
Channing Jones	Robeson County	American Indian	Male
Charles Townsend	Robeson County	Black	Male
Roylin Hammond	Scotland County	White	Male
Charles Nichols	Scotland County	White	Male
Kevin Patterson	Scotland County	White	Male
Vacant	Scotland County		
Bryan Kluchar	NCDOT	White	Male
Liamcy Hogan Rivera	NCDOT	Hispanic	Female
Vacant	NCDOT		

Appendix 3  
Organizational Chart

# Lumber River RPO





## Appendix 4 Demographic Tables

### Race and Ethnicity

Data source: ACS, U.S. Census, Community Analyst, ESRI, 8/20/18

Race and Ethnicity	Number	Percent
Total Population	226,153	100
White	78,397	34.67
Black or African American	63,915	28.26
American Indian or Alaska Native	62,324	27.56
Asian	1,682	0.74
Native Hawaiian and Other Pacific Islander	224	0.10
Some other Race	10,364	4.58
Two or More Races	9,247	4.09
HISPANIC OR LATINO (of any race)	15,644	6.91
Mexican	11,870	5.25
Puerto Rican	1,187	0.52
Cuban	157	0.07
Other Hispanic or Latino	2,430	1.07

### Age and Sex

Data source: 2010 Census

Age	Number			Percent		
	Both sexes	Male	Female	Both sexes	Male	Female
Total Population	225,885	110,105	115,780	100%	100%	100%
Under 5 years	16,463	8,412	8,051	7.3	7.7	7.0
5 to19 years	50,046	25,683	24,363	22.1	23.3	21.0
20 to 64 years	131,852	64,578	67,274	58.4	58.6	58.1
65 years and over	27,523	11,432	16,092	12.2	10.4	13.9
<b>Median Age</b>	<b>37.5</b>					

## Disability

The following table was completed using data from ACS Census Table S1810; Disability Characteristics. Information was only available for Robeson County.

Subject – Robeson County	Total		With a Disability		Percent with a Disability	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-
Total civilian noninstitutionalized population	132,822	+/-402	24,231	+/-2,231	18.2%	+/-1.7
Population under 5 years	9,746	+/-48	0	+/-201	0%	+/-1.7
Population 5 to 17 years	25,356	+/-109	1,620	+/-584	6.4%	+/-2.3
Population 18 to 64 years	81,443	+/-478	13,788	+/-1,735	16.9%	+/-2.1
Population 65 years and over	16,277	+/-396	8,823	+/-825	54.2%	+/-5.2
SEX						
Male	63,406	+/-667	11,788	+/-1,425	18.6%	+/-2.3
Female	69,416	+/-617	12,443	+/-1,555	17.9%	+/-2.2
RACE AND HISPANIC OR LATINO ORIGIN						
White	39,640	+/-1,577	8,201	+/-1,133	20.7%	+/-3.0
Black or African American	31,868	+/-697	5,453	+/-1,016	17.1%	+/-3.2
American Indian and Alaska Native	51,224	+/-1,343	10,262	+/-1,332	20.0%	+/-3.2
Asian	N	N	N	N	N	N
Native American and Other Pacific Islander	N	N	N	N	N	N
Some other Race	N	N	N	N	N	N
Two or more races	N	N	N	N	N	N
Hispanic or Latino	N	N	N	N	N	N

## Poverty

The following table was completed using data from ACS Census Table S1701, Poverty Status in the Past 12 Months. Information was only available for Robeson County.

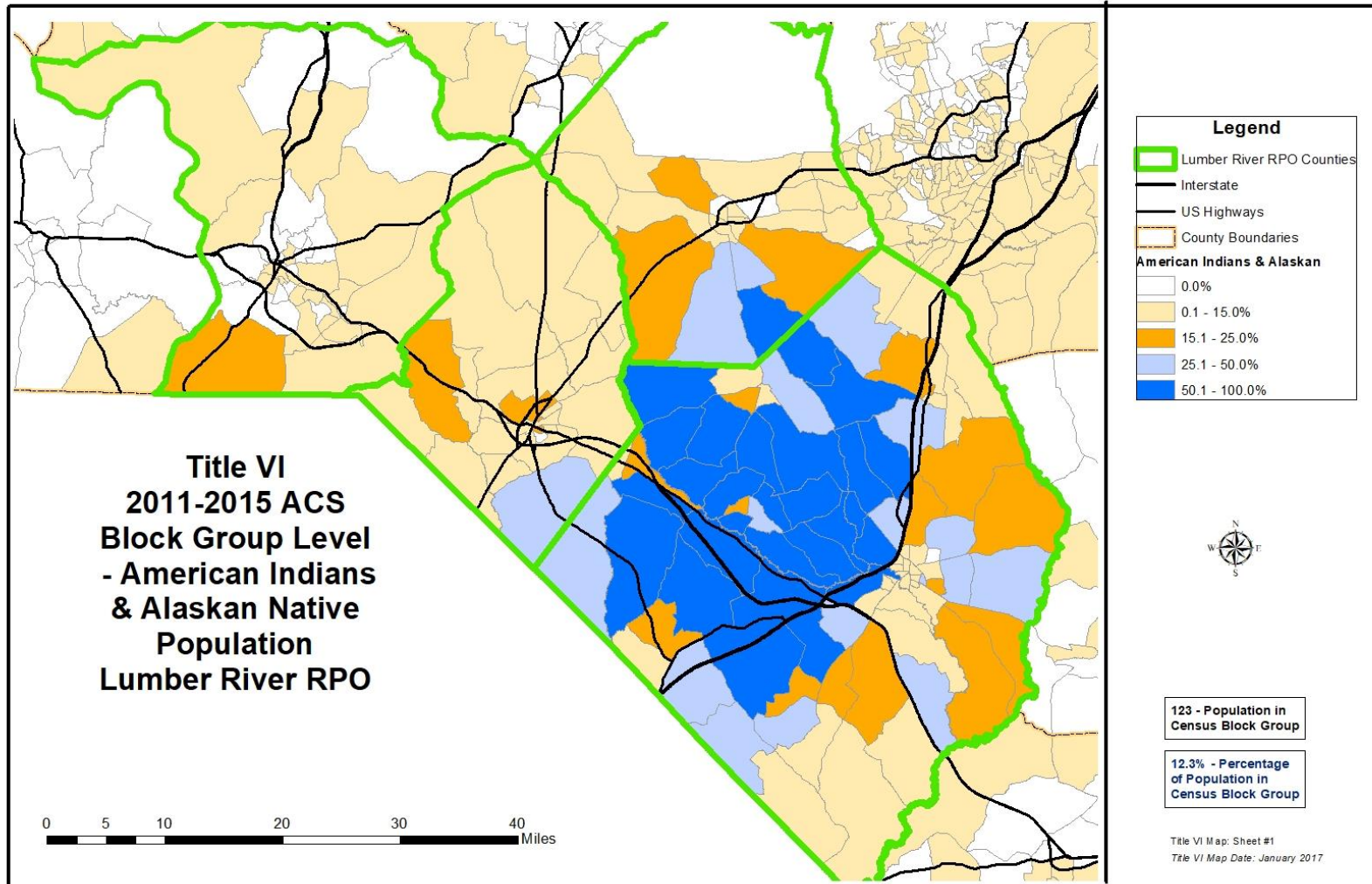
Subject – Robeson	Total		Below poverty level		Percent below poverty level	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-
Population for whom poverty status is determined	131,285	+/-919	39,045	+/-3,363	29.7%	+/-2.5
AGE						
Under 18	34,471	+/-417	15,058	+/-2,163	43.7%	+/-6.2
18 to 64	80,537	+/-837	20,838	+/-1,931	25.93%	+/-2.4
65 years and over	16,277	+/-396	3,149	+/-730	19.3%	+/-4.5
SEX						
Male	62,912	+/-741	17,706	+/-1,826	28.1%	+/-2.9
Female	68,373	+/-950	21,339	+/-2,141	31.2%	+/-2.9
RACE AND HISPANIC OR LATINO ORIGIN						
White	39,117	+/-1,577	7,857	+/-1,770	20.1%	+/-4.5
Black or African American	31,138	+/-771	11,292	+/-1,934	36.3%	+/-6.0
American Indian and Alaska Native	51,098	+/-1,355	16,381	+/-2,110	32.1%	+/-4.1
Asian	1,022	+/-96	322	+/-236	31.5%	+/-23.2
Native Hawaiian and Other Pacific Islander	N	N	N	N	N	N
Some other Race	5,667	+/-1,750	1,918	+/-1,110	33.8%	+/-17.0
Two or more races	3,243	+/-1,139	1,275	+/-859	39.3%	+/-20.2
Hispanic or Latino	10,499	+/-200	2,335	+/-1,087	22.2	+/-10.3
RACE AND HISPANIC OR LATINO ORIGIN						
All individuals below:						
50 percent of poverty level	18,747	+/-2,803	(X)	(X)	(X)	(X)
125 percent of poverty level	49,008	+/-3,507	(X)	(X)	(X)	(X)
150 percent of poverty level	58,062	+/-4,007	(X)	(X)	(X)	(X)
185 percent of poverty level	71,078	+/-4,579	(X)	(X)	(X)	(X)
200 percent of poverty level	76,830	+/-4,579	(X)	(X)	(X)	(X)

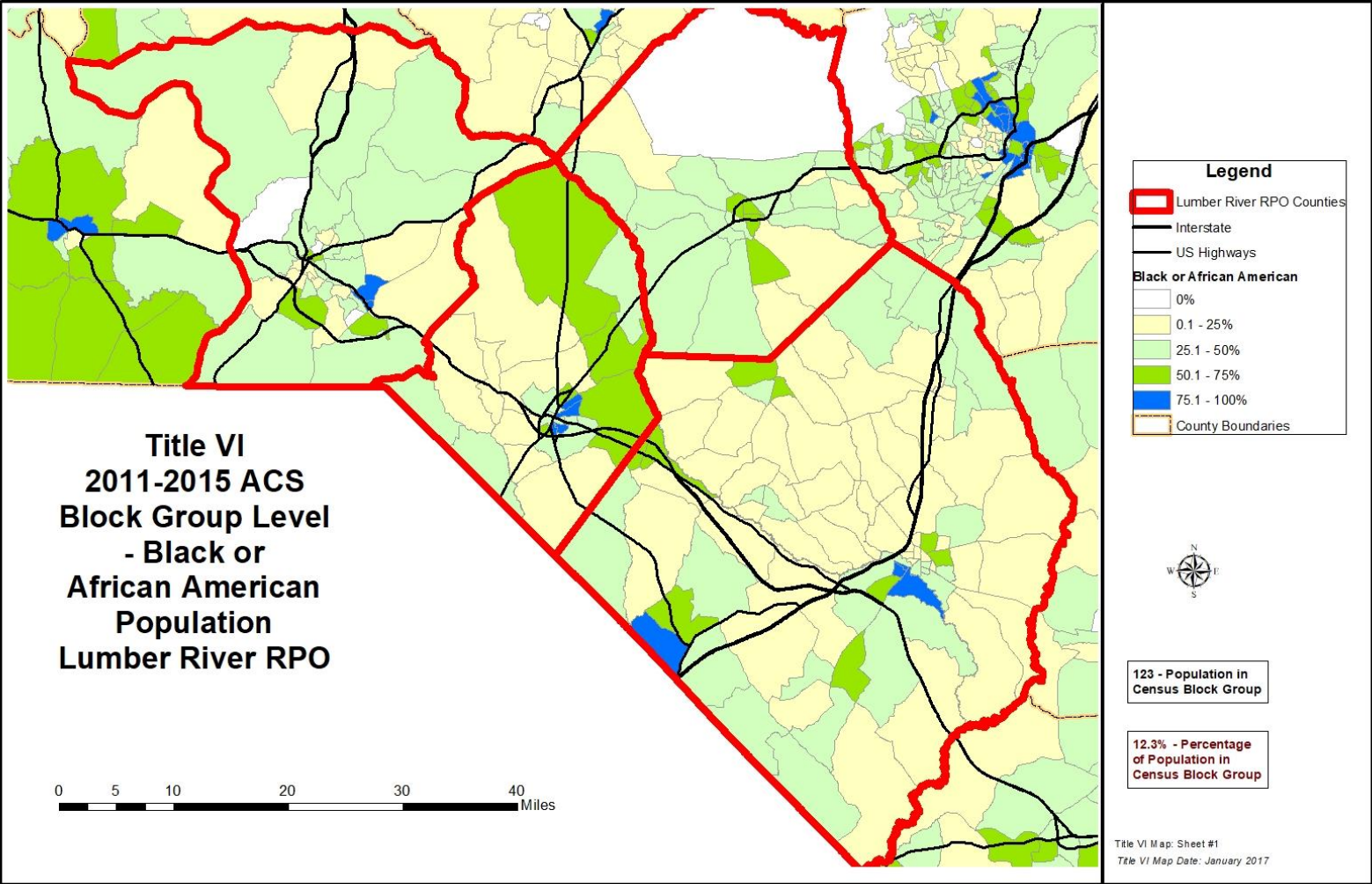
### Household Income

The following table was completed using data from ACS Census Table S1901, Income in the past 12 months. Information was only available for Robeson County.

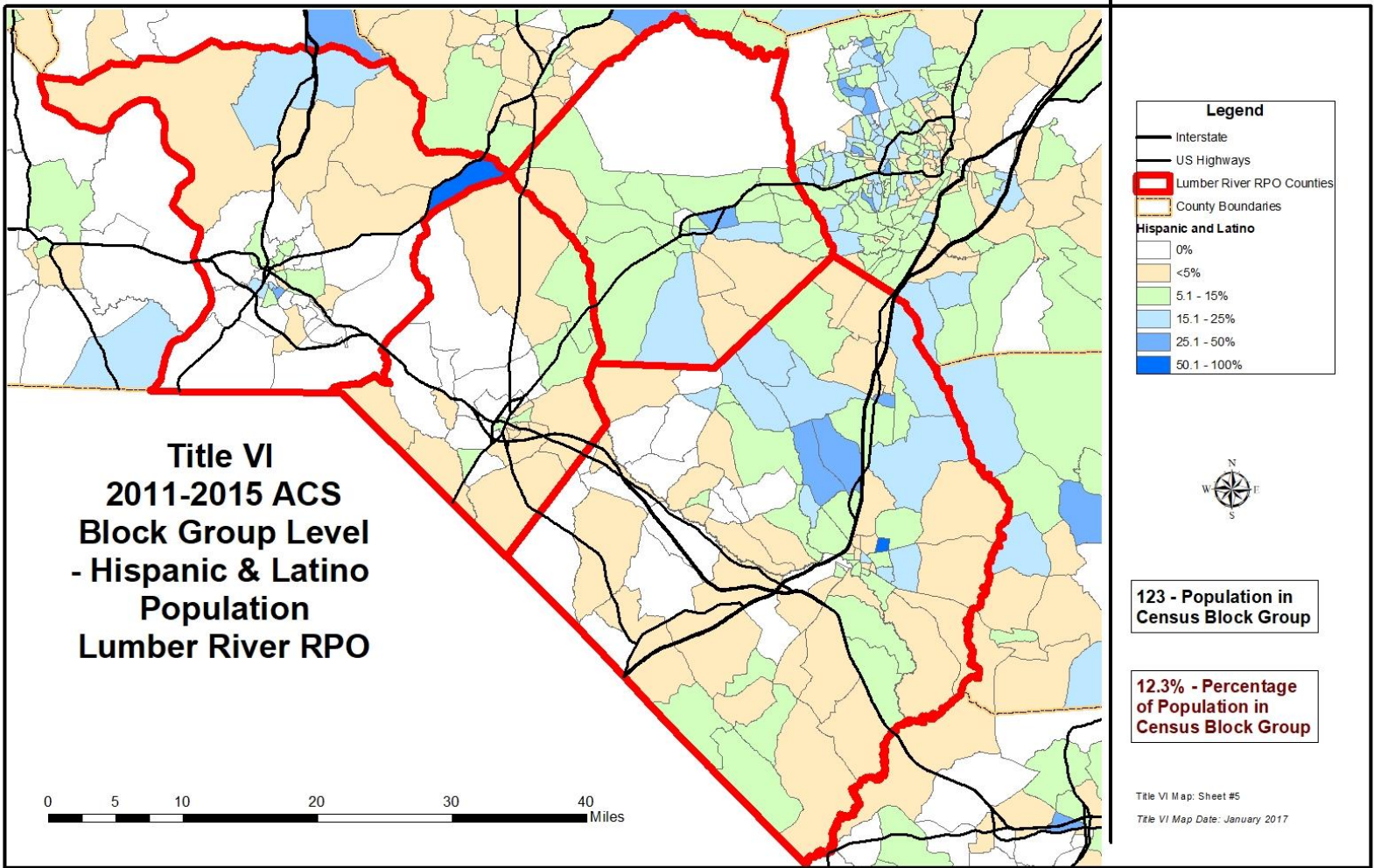
Subject – Robeson	Households	
	Estimate	Margin of Error +/-
Total	45,641	+/-835
Less than \$10,000	16.1%	+/-2.2
\$10,000 to \$14,999	10.8%	+/-2.0
\$15,000 to \$24,999	16.4%	+/-2.2
\$25,000 to \$34,999	15.0%	+/-2.3
\$35,000 to \$49,999	15.6%	+/-2.1
\$50,000 to \$74,999	13.2%	+/-1.9
\$75,000 to \$99,999	9.1%	+/-1.5
\$100,000 to \$149,999	3.1%	+/-0.8
\$150,000 to \$199,999	1.0%	+/-0.6
\$200,000 or more	0.6%	+/-0.4
Median income (dollars)	29,542	+/-1,851
Mean income (dollars)	39,587	+/-2,260

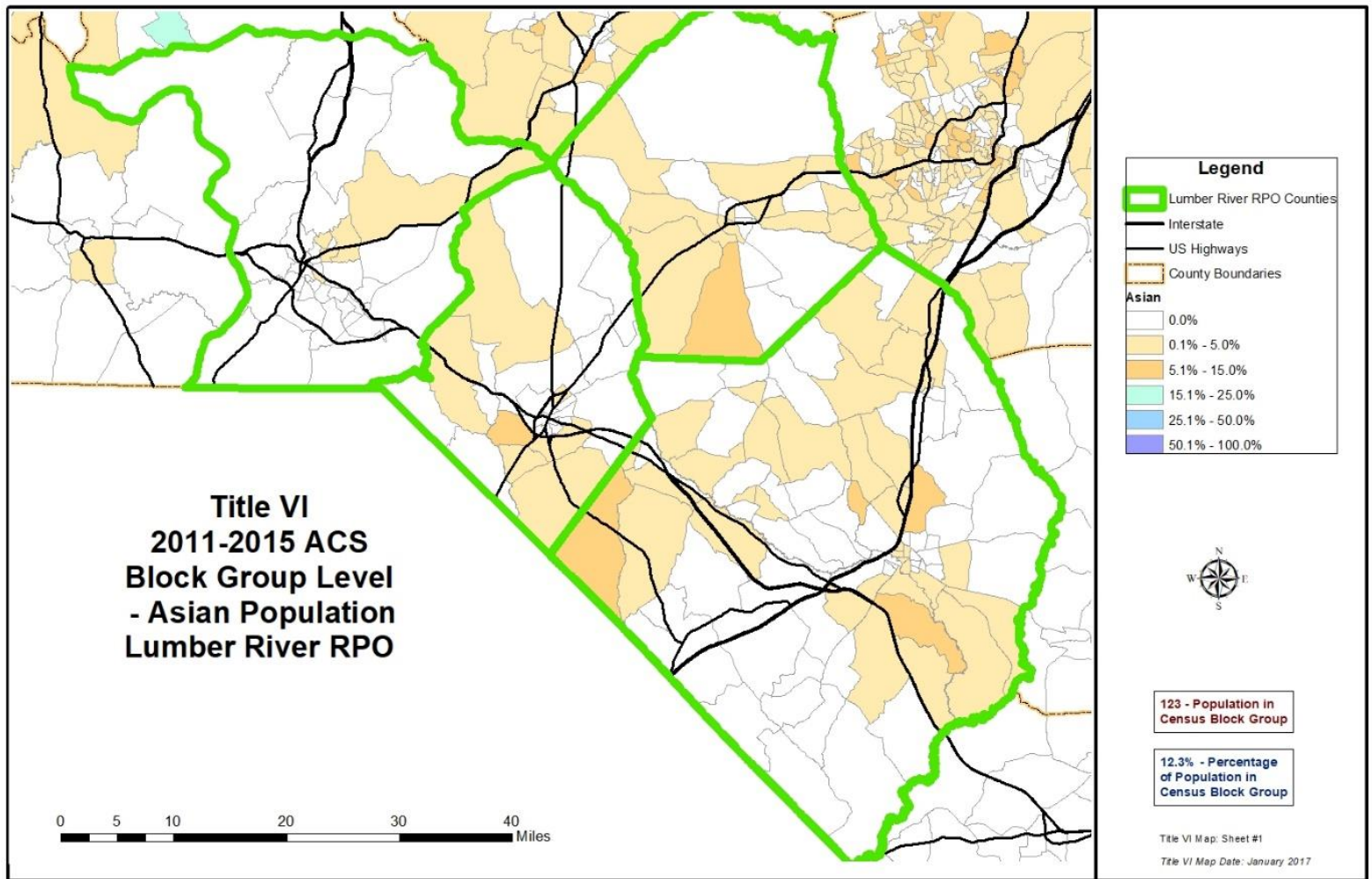
**Appendix 5**  
**Demographic Maps (EJ)**



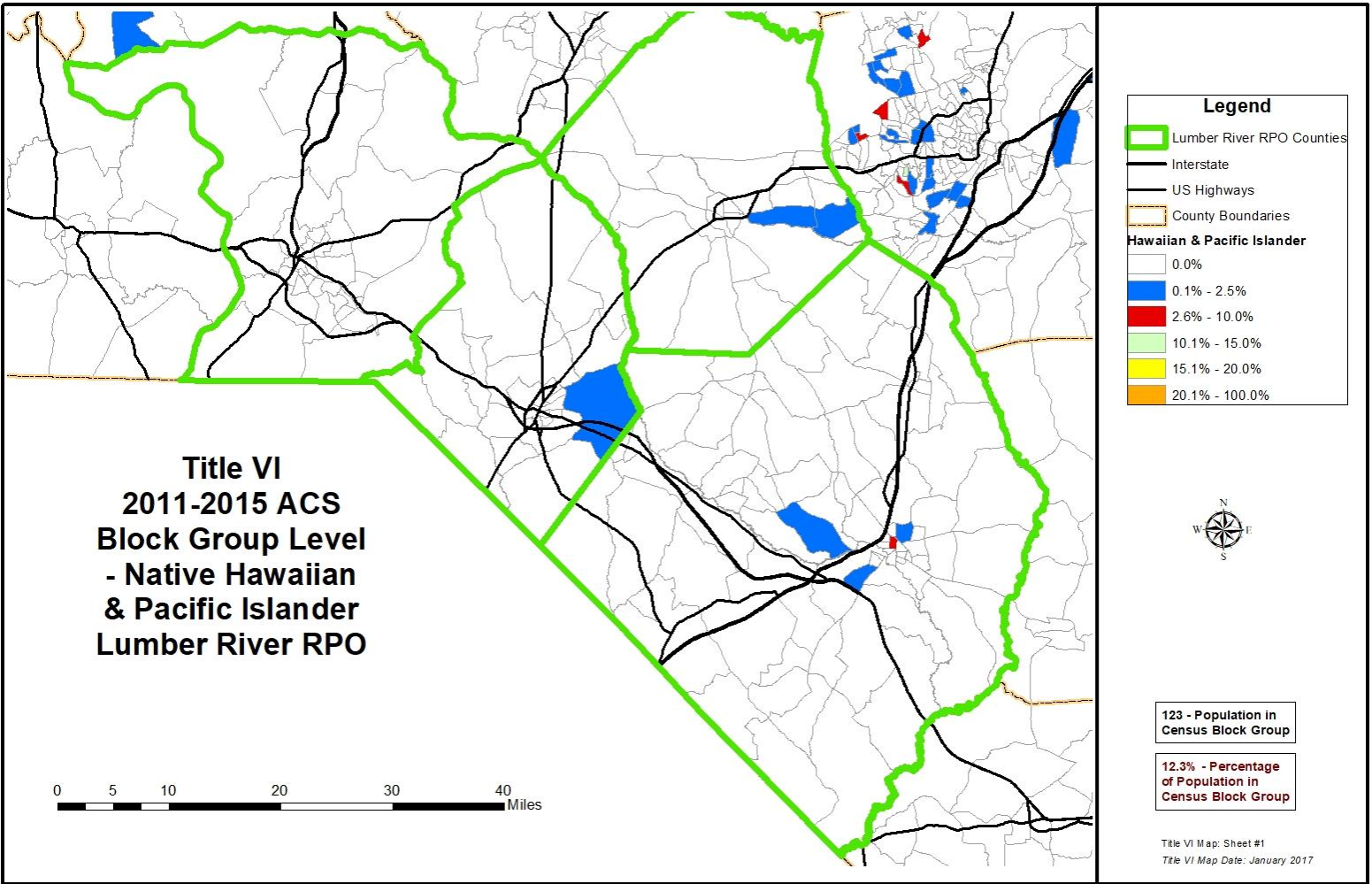


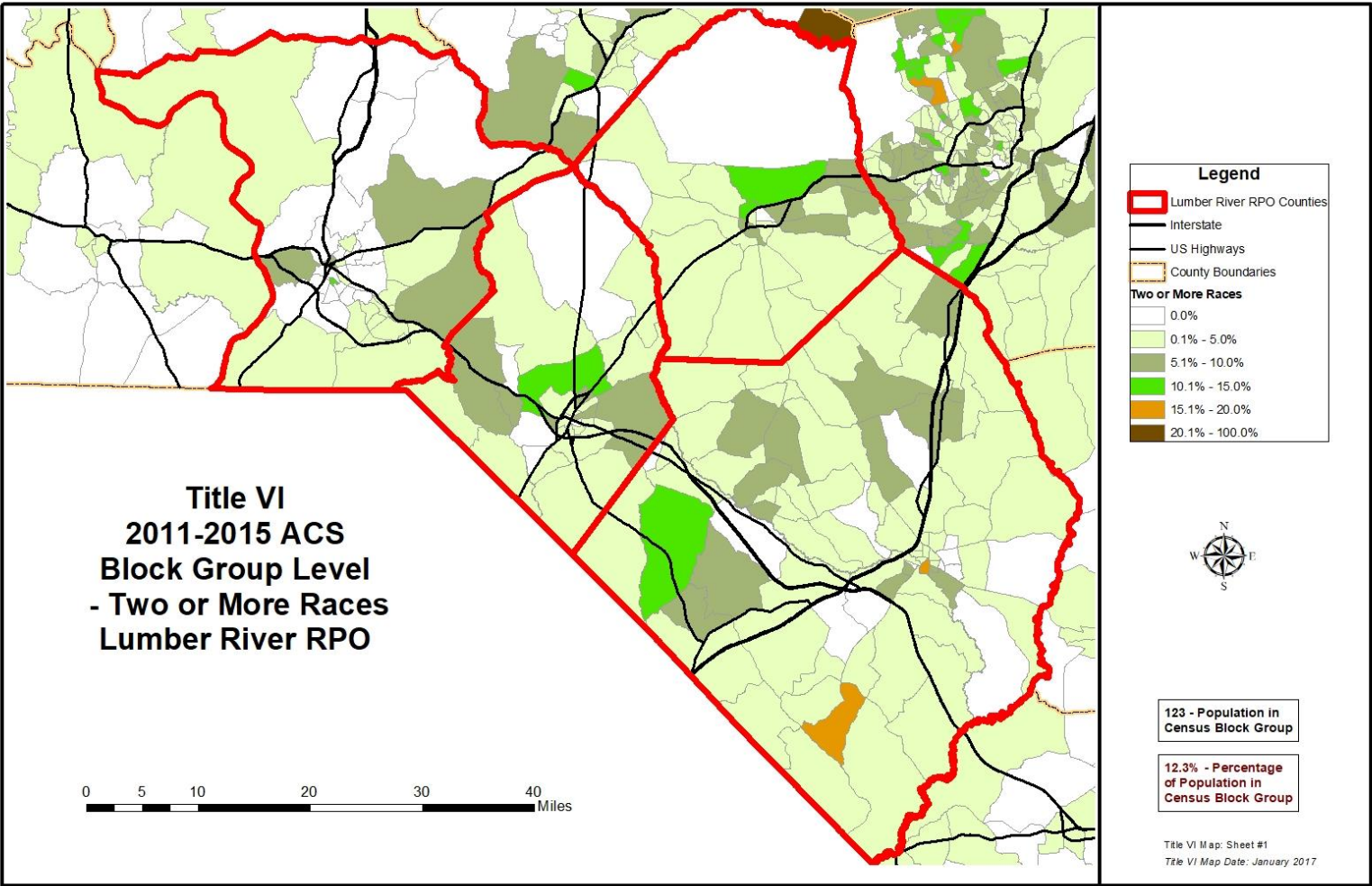


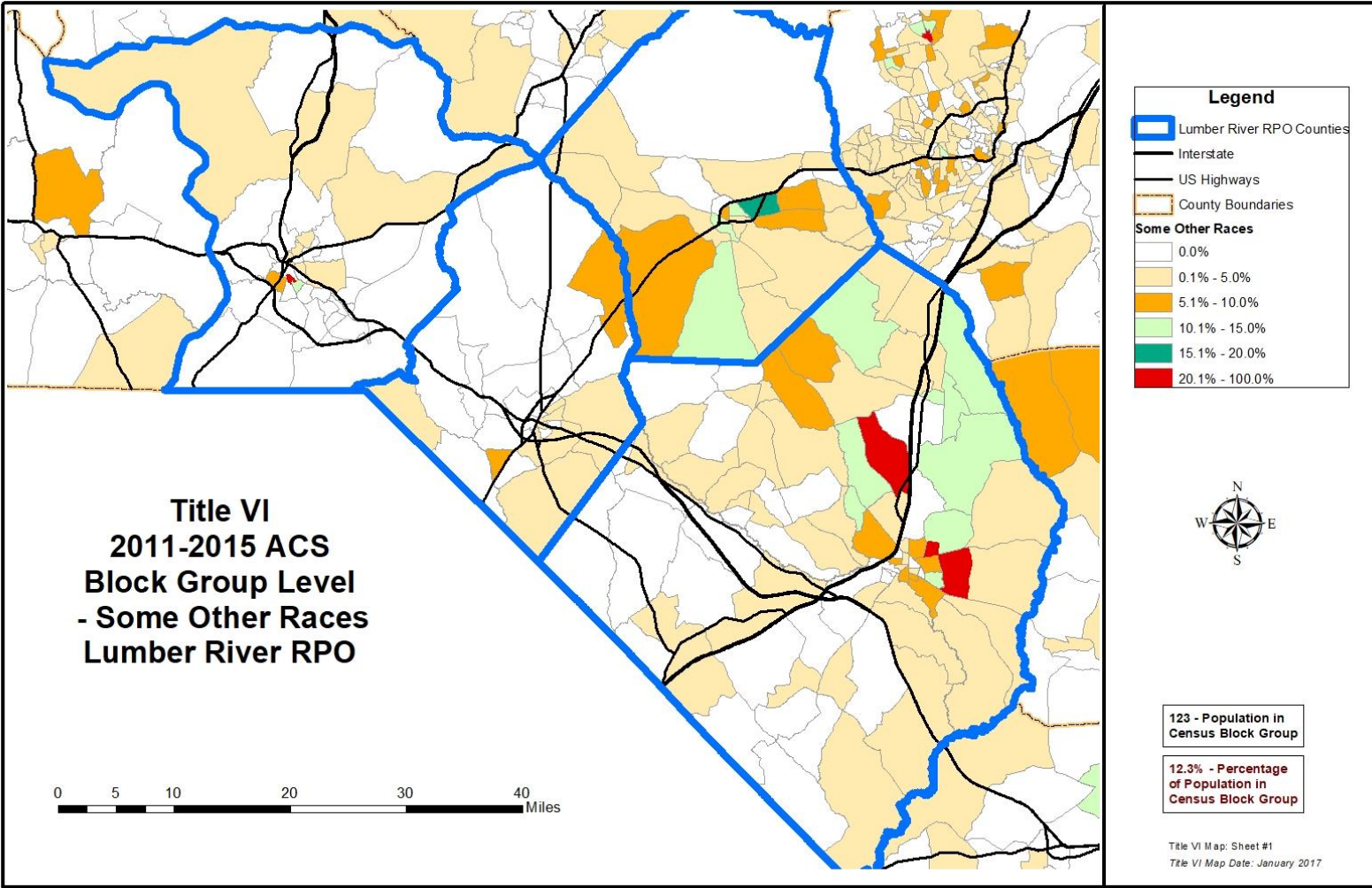




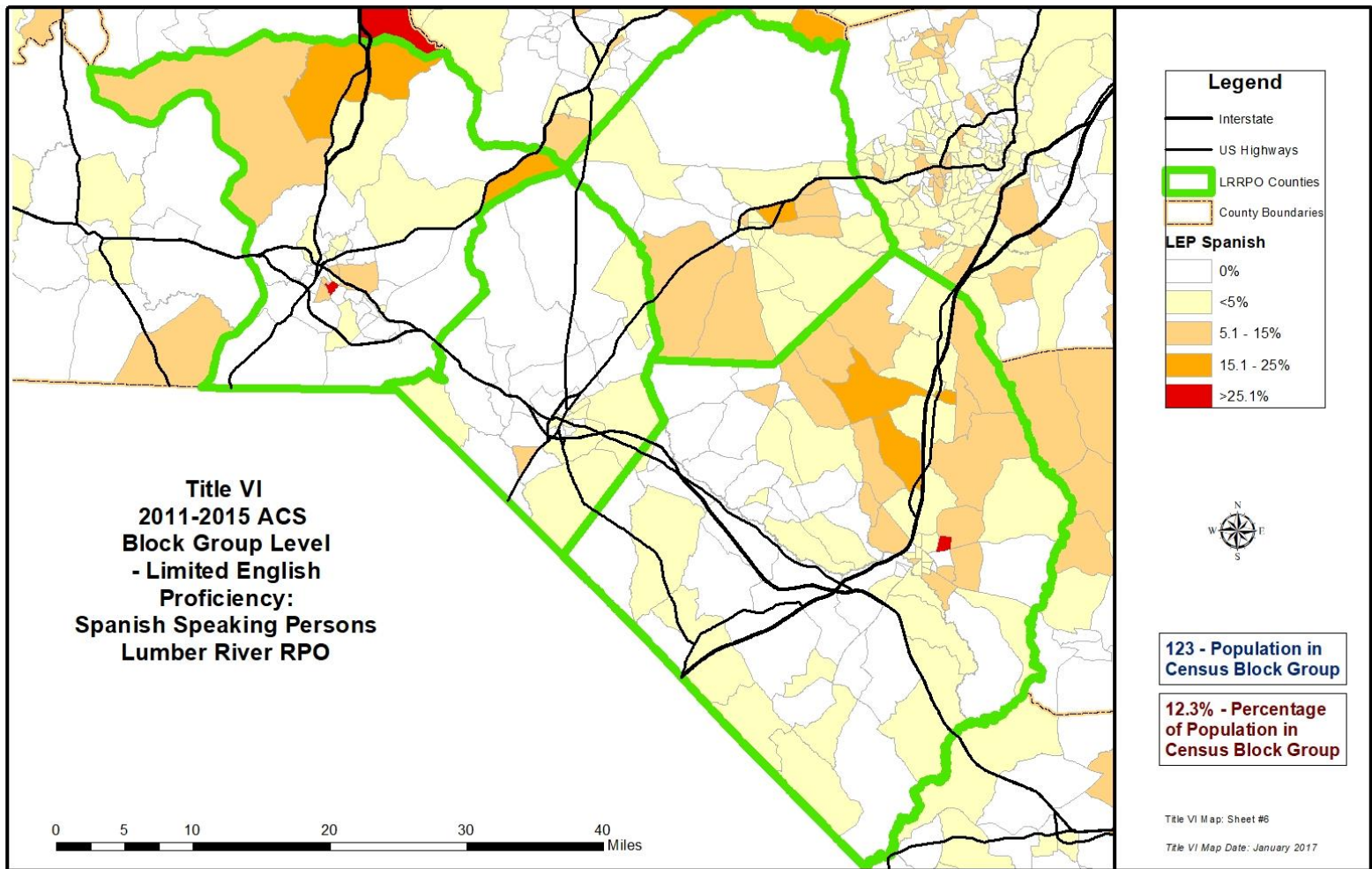


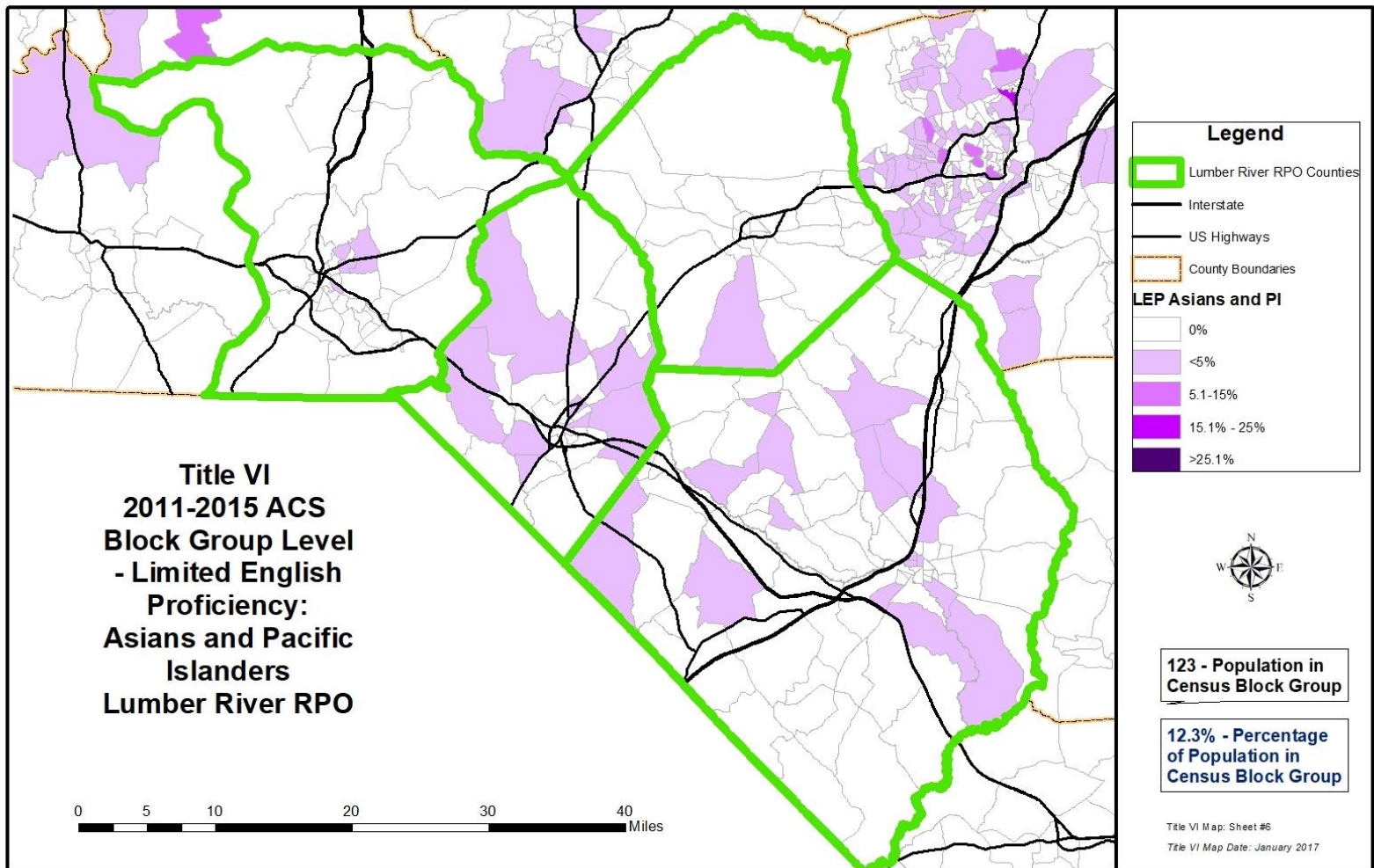


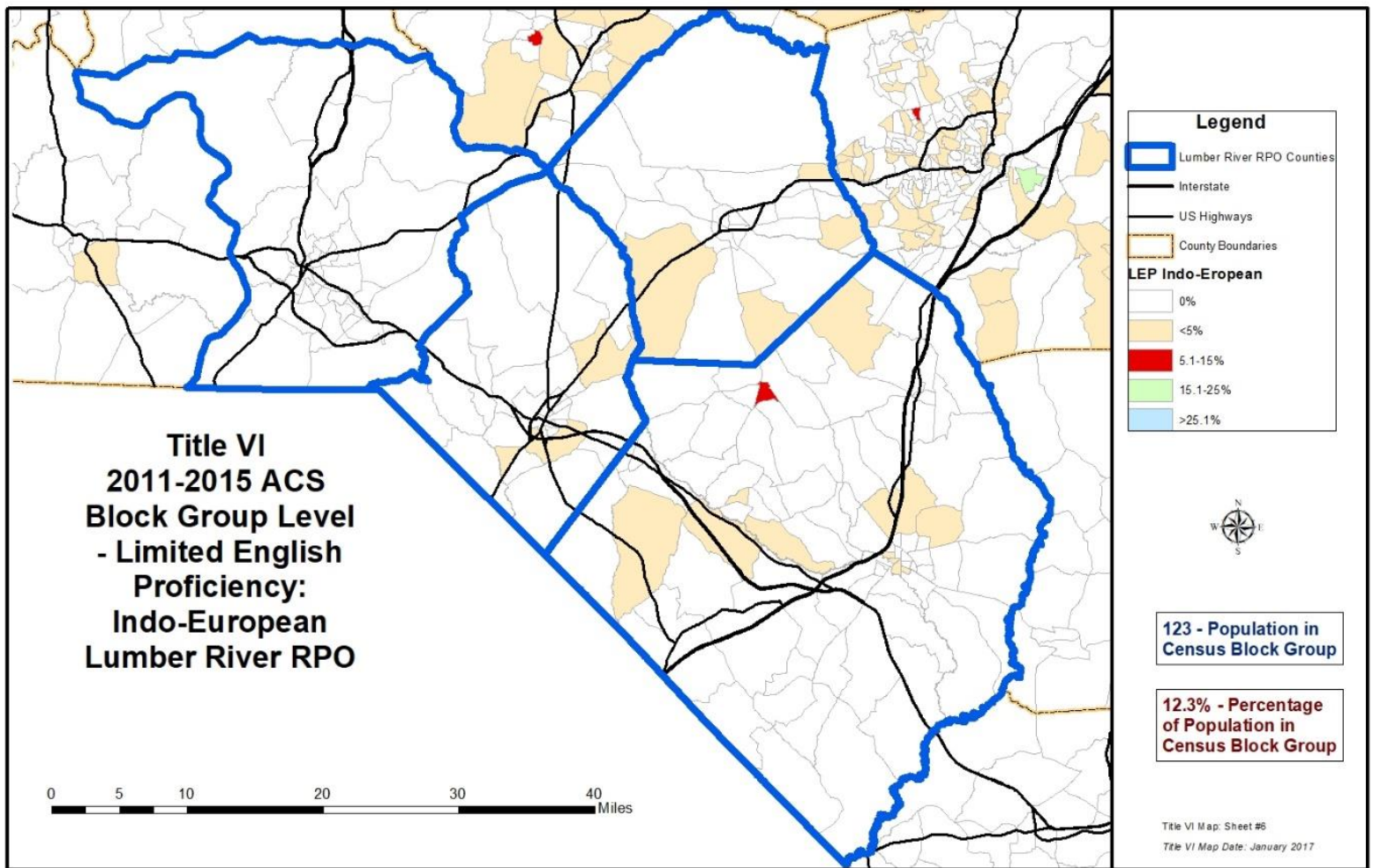




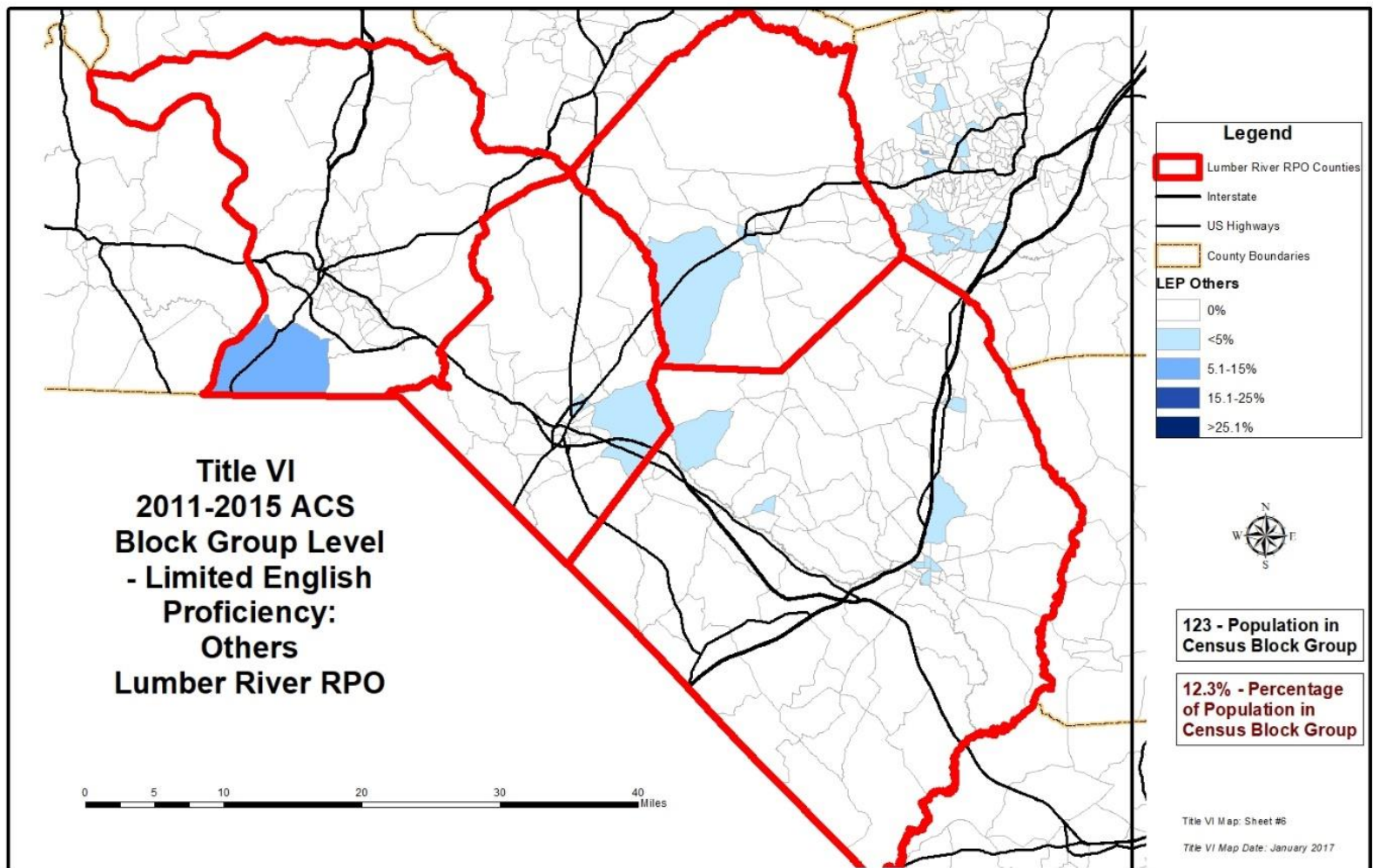


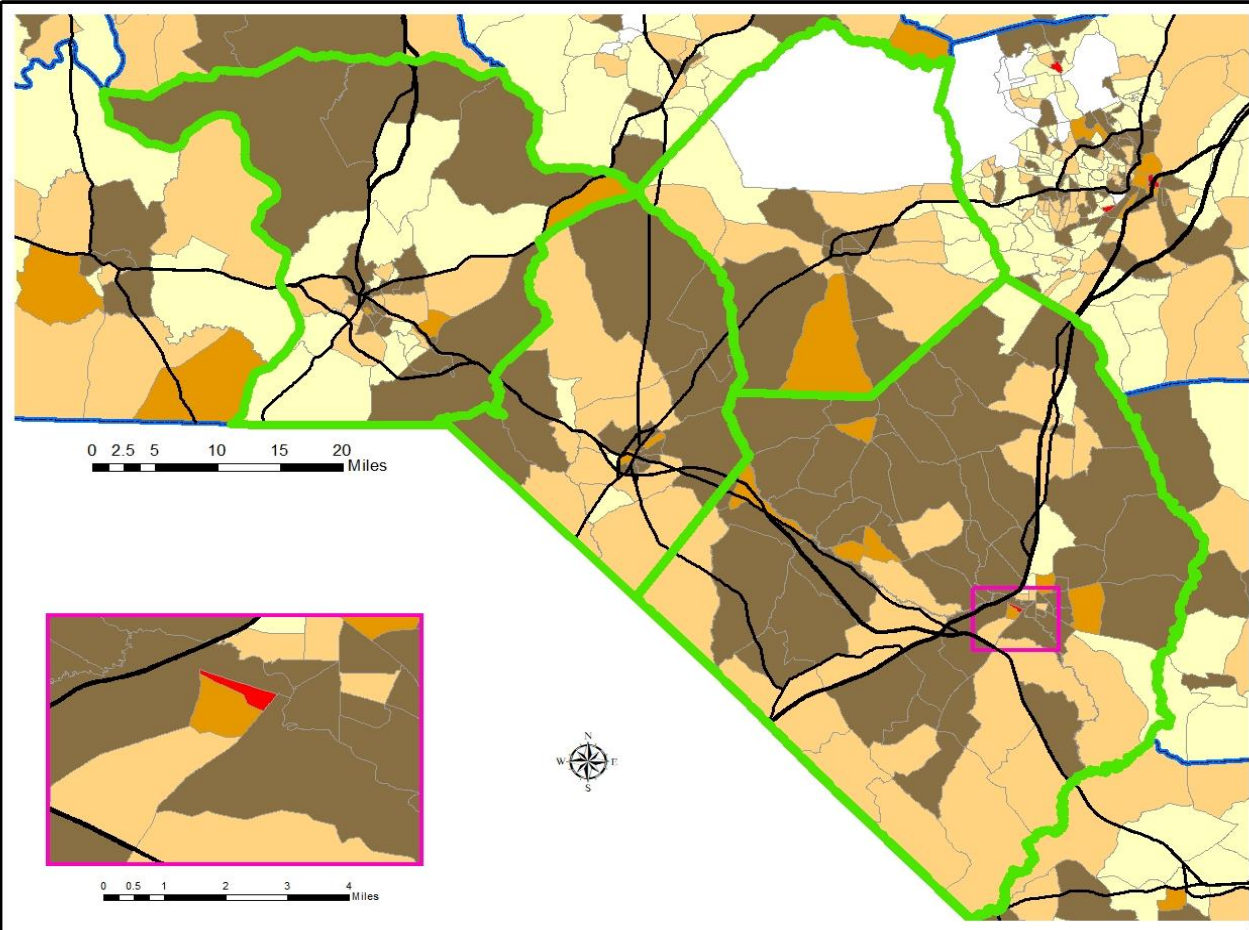












**Title VI**  
**2011-2015 ACS**  
**Block Group Level**  
**- Poverty**  
**Lumber River RPO**

**Legend**

- Lumber River RPO Counties
- Interstate
- US Highways
- County Boundaries
- Polygon 2

**Poverty**

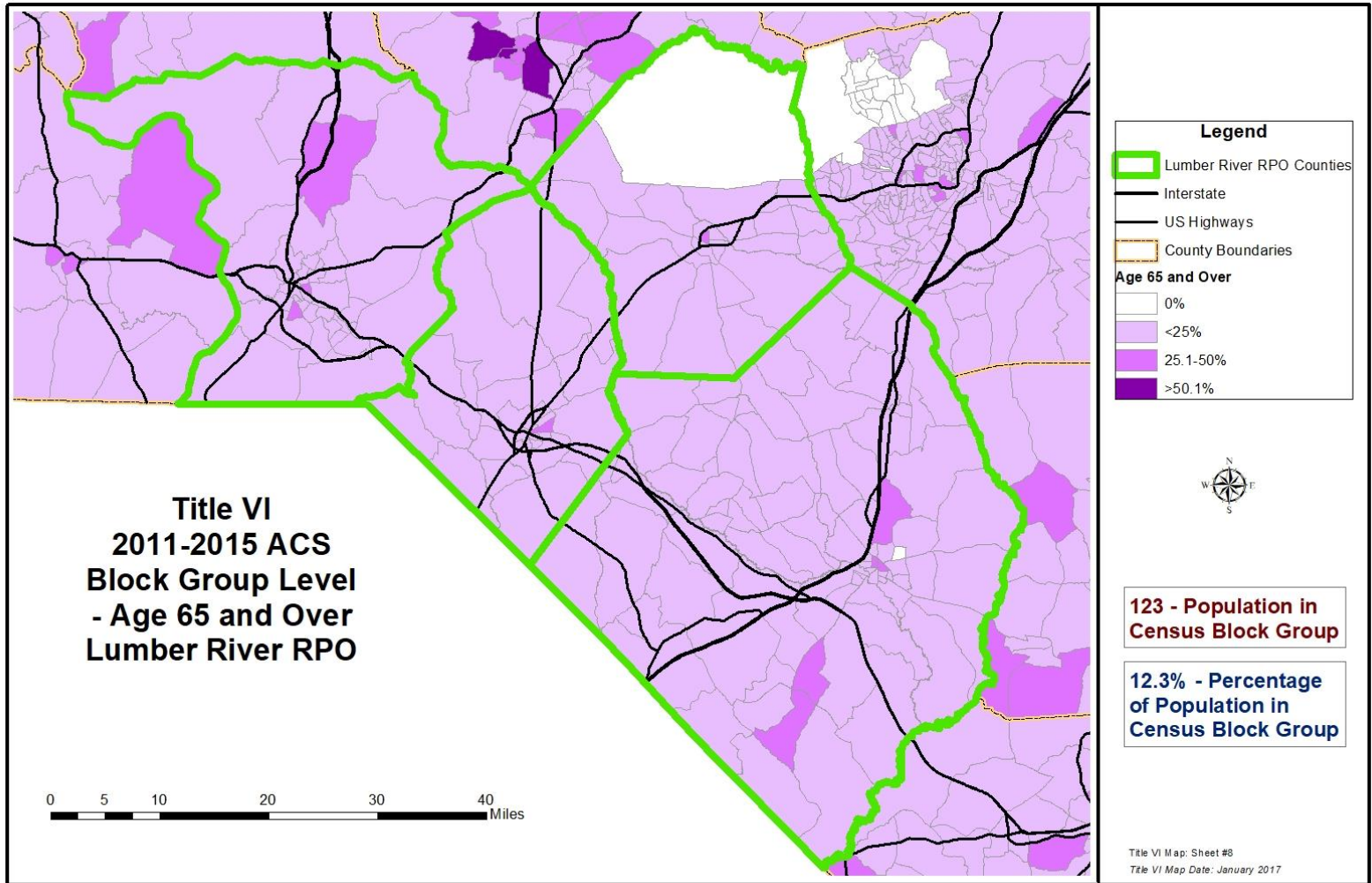
- 0%
- <15%
- 15.1 - 25%
- 25.1 - 50%
- 50.1 - 75%
- >75.1%

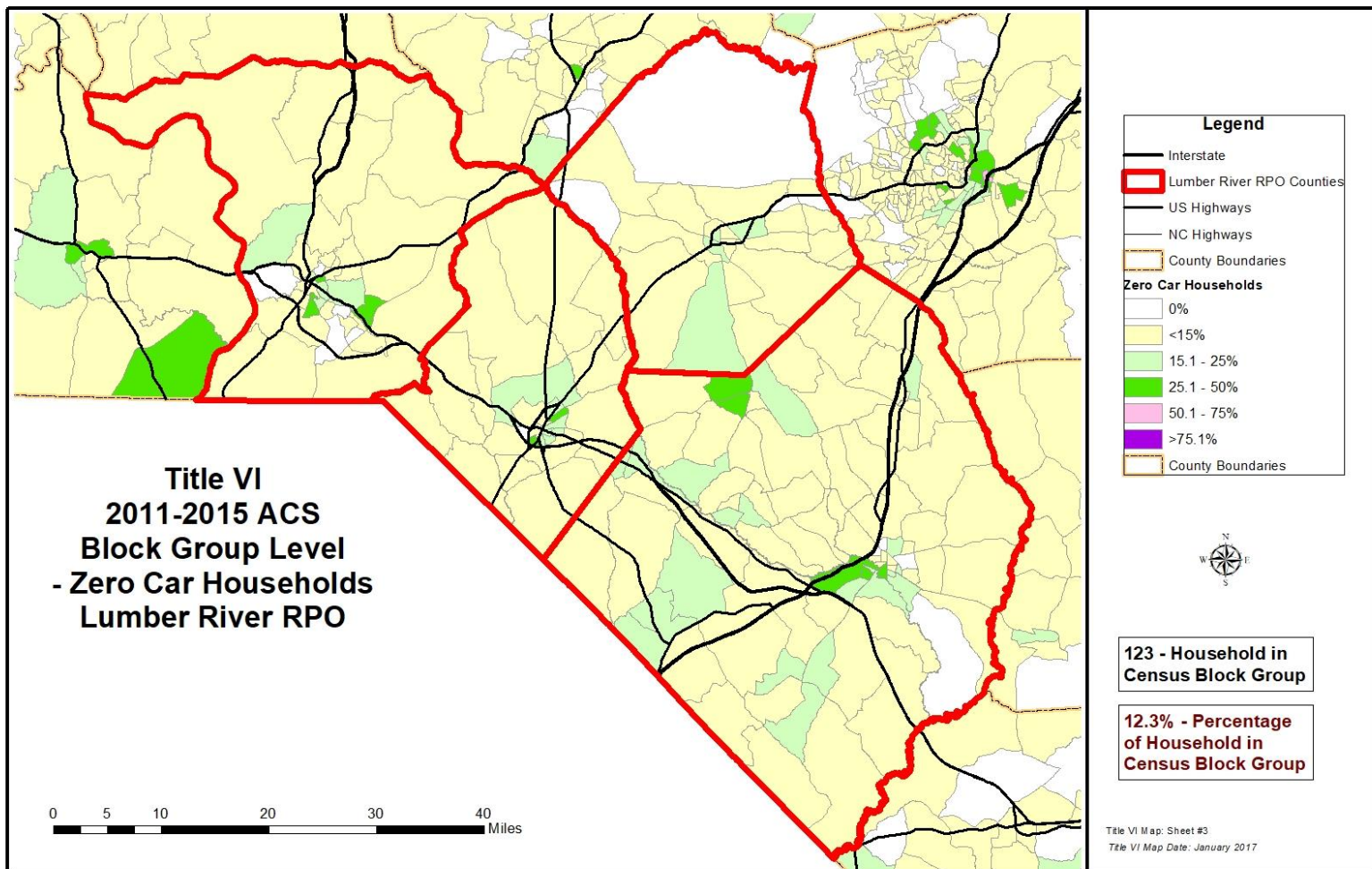
**123 - Population in Census Block Group**

**12.3% - Percentage of Population in Census Block Group**

Title VI Map: Sheet #2  
Title VI Map Date: January 2017







## **Investigation Guidance, Discrimination Complaint Form and Log**

### **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 (i.e., Title VI Coordinator or other official trained to conduct Title VI investigations) 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, if applicable)
  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 – e.g., Complainant alleges his predominantly African American community was excluded from a meeting concerning a future project which could affect the community.
      - i. Documents needed – e.g., mailing list which shows all physical addresses, P.O. Box numbers, property owner names, and dates when the meeting notification was mailed; other methods used to advertise the meeting.
- 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. Preparing 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 allegation. A sample outline for an investigative report is provided below.

### **Sample Investigative Report Template**

- I. COMPLAINANT(S) NAME** (or attorney for the complainant(s) – name and address if applicable)  
Name, Address, Phone: 999-999-9999
- II. RESPONDENT(S)** (or attorney for the respondent(s) – name and address if applicable)  
Name, Address, Phone: 999-999-9999
- III. APPLICABLE LAW/REGULATION**  
[For example, Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d); 49 CFR §21.11; 49 CFR §26.53]
- IV. COMPLAINT BASIS/(ES)**  
[For example, Race, Color, National Origin, Limited English Proficiency, Sex, Age, Disability)]
- V. ALLEGATIONS**  
[Describe in logical sequence, each allegation including the prohibited basis for the alleged discriminatory conduct, (e.g., race, color, national origin, sex, age, or disability) and the specific statutory or regulatory provision the allegation would violate, if proven to be true.]

Issue #1 – Complainant alleges that transit system failed to inform minority communities of rate increases.

Issue #2 – Complainant alleges that transit system has not sufficiently publicized or held public meetings to share information regarding fare increases and route changes that impacts low-income and minority citizens.

**VI. BACKGROUND**

[Provide detailed information regarding the complaint, including a historical overview of the case, including any activities or actions taken prior to accepting the complaint for investigation.]

**VII. INVESTIGATIVE PROCEDURE**

[Describe in detail, methods used to conduct the investigation, such as document requests, interviews and site visits. Include witnesses' names and addresses, documents received and/or reviewed, emails sent and received.]

**VIII. FINDINGS OF FACT**

[Provide a detailed description of the investigator's analysis of each allegation, based on clear and factual findings. Include specific evidence used to support your findings.]

**IX. CONCLUSION**

[State whether discrimination did or did not occur. Conclusions must be evidence-based and defensible. Test conclusions by considering all possible rebuttal arguments from the respondent and complainant. Both respondent and the complainant should be given an opportunity to confirm or rebut the assertions of the other party and your findings, but all the evidence you've presented should speak for itself.]

**X. RECOMMENDED ACTIONS**

[Outline what should be done to remedy the findings or, if necessary, provide justice for the complainant.]

**APPENDIX**

[Include in the Appendix any supplemental materials that support your findings and conclusion.]

## DISCRIMINATION COMPLAINT FORM

**Any person who believes that he/she has been subjected to discrimination based upon race, color, national origin, sex, age, or disability may file a written complaint with the Lumber River RPO, 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"/> SEX	<input type="checkbox"/> DISABILITY	<input type="checkbox"/> LIMITED ENGLISH PROFICIENCY		
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. <b>(Attach additional page(s), if necessary).</b>				
The law prohibits intimidation or <b>retaliation</b> 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: (Attach 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 \_\_\_\_\_
- ☐ Federal Highway Administration \_\_\_\_\_
- ☐ US Department of Transportation \_\_\_\_\_
- ☐ Federal or State Court \_\_\_\_\_
- ☐ Other \_\_\_\_\_

Have you discussed the complaint with any Lumber River RPO 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:

Janet Robertson  
Lumber River RPO  
30 CJ Walker Road  
Pembroke, NC 28372  
910-775-9749

### FOR OFFICE USE ONLY

Date Complaint Received: \_\_\_\_\_

Processed by: \_\_\_\_\_

Case #: \_\_\_\_\_

Referred to: ☐ NCDOT ☐ FHWA Date Referred: \_\_\_\_\_

**DISCRIMINATION COMPLAINTS LOG**

**Log Year(s):**

CAS E NO.	COMPLAIN ANT NAME	RACE / GEND ER	RESPOND ENT NAME	BASIS	DAT E FILE D	DATE RECEIV ED	ACTION TAKEN	DATE INVESTI G. COMPLE TED	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 Lumber River RPO 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**

# RECLAMOS POR DISCRIMINACIÓN EXTERNA

## Formulario de Reclamos por Discriminación



Departamento de Transporte de Carolina del Norte  
Oficina de Derechos Civiles  
Derechos Civiles Externos

Enero de 2017

### DEPARTAMENTO DE TRANSPORTE DE CAROLINA DEL NORTE (NCDOT) INSTRUCCIONES PARA LOS RECLAMOS POR DISCRIMINACIÓN EXTERNA

#### INTRODUCCIÓN

La sección de Derechos Civiles Externos (ECR) de la Oficina de Derechos Civiles (OCR) del NCDOT es responsable de procesar los reclamos por discriminación presentados bajo el Título VI del Acta de Derechos Civiles de 1964 y otras leyes antidiscriminatorias relacionadas. Los participantes y beneficiarios de programas o actividades administrados o financiados por el NCDOT que consideren han sido discriminados con base en su raza, color, país de origen, nivel de ingresos, limitación para hablar o entender inglés (LEP), sexo, edad o discapacidad tienen el derecho de presentar un reclamo. Los reclamos por supuesta discriminación serán investigados por las autoridades apropiadas, como la ECR, una agencia federal o un subreceptor del NCDOT (usualmente una agencia gubernamental local). *Nota:* la religión *solo* queda



cubierta bajo el programa de Derecho de Vía (Vivienda Justa) del NCDOT y aquellos programas financiados por la Administración Federal de Aviación o la Administración Federal de Transporte Público.

## **PRESENTAR RECLAMOS**

1. **Aplicabilidad** – Estos procedimientos para presentar reclamos aplican a programas, actividades y servicios del NCDOT, incluyendo a aquellos subreceptores (por ejemplo, municipalidades, condados, Organizaciones Metropolitanas de Planeación o MPOs, agencias de transporte público) y contratistas (por ejemplo, subcontratistas, consultores, agencias de placas vehiculares) que reciban fondos federales a través del NCDOT. *Nota:* el Título VI no incluye reclamos internos relacionados con la Igualdad de Oportunidades en el Empleo (EEO).
2. **Eligibilidad** – Cualquier persona o clase de personas que considere que ha sido sujeta a un acto discriminatorio prohibido por cualquier autoridad pertinente de derechos civiles con base en su raza, color, país de origen, sexo, edad, discapacidad, nivel de ingresos o LEP (y religión, cuando aplique) puede presentar un reclamo por escrito ante la ECR. La ley también prohíbe cualquier tipo de intimidación o represalias contra aquellas personas que presenten un reclamo.
3. **Opciones para presentar reclamos y límites de tiempo** – Los reclamos deben ser presentados por los individuos afectados o su representante antes de 180 días después de:
  - La fecha del supuesto acto discriminatorio; o
  - La fecha cuando las personas se enteraron de la supuesta discriminación; o
  - Cuando exista una conducta continua, la fecha en que dicha conducta fue descontinuada o la más reciente instancia de dicha conducta.

Los reclamos por discriminación bajo el Título VI y autoridades relacionadas pueden ser presentados ante las siguientes entidades:

- **Departamento de Transporte de Carolina del Norte**, Oficina de Derechos Civiles, Derechos Civiles Externos, 1511 Mail Service Center, Raleigh, NC 27699-1511; 919-508-1896 o sin costo al 800-522-0453
- **Departamento de Transporte de los EE.UU.**, Oficina Departamental de Derechos Civiles, División de Programas de Derechos Civiles Externos, 1200 New Jersey Avenue, SE, Washington, DC 20590; 202-366-4070
  - **Administración Federal de Carreteras**, Oficina de Derechos Civiles, 1200 New Jersey Avenue, SE, 8<sup>th</sup> Floor, E81-314, Washington, DC 20590, 202-366-0693 / 202-366-0752
  - **Administración Federal de Carreteras**, División Carolina del Norte, 310 New Bern Avenue, Suite 410, Raleigh, NC 27601, 919-747-7010

**Administración Federal de Transporte Público**, Oficina de Derechos Civiles, ATTN: Coordinador del Programa Título VI, East Bldg. 5<sup>th</sup> Floor – TCR, 1200 New Jersey Avenue

- **Administración Federal de Seguridad de Autotransporte**, Oficina de Derechos Civiles, 1200 New Jersey Avenue, SE, Room #W65-312, Washington, DC 20591, 202-366-8810
  - **Administración Federal de Aviación**, Oficina de Derechos Civiles, 800 Independence Avenue, SW, Washington, DC 20591, 202-267-3258
  - **Departamento de Justicia de los EE.UU.**, Sección de Litigios Especiales, División de Derechos Civiles, 950 Pennsylvania Avenue, NW, Washington, DC 20530, 202-514-6255 o sin costo al 877-218-5228
4. **Formato de los reclamos** – Los reclamos deben presentarse **por escrito**, deben incluir la **firma** de los reclamantes o un representante e incluir nombre, dirección y número de teléfono de los reclamantes.

Los reclamos recibidos por fax o correo electrónico serán aceptados y procesados. Las denuncias recibidas por teléfono serán redactadas y proporcionadas al reclamante para que las confirme o haga cambios antes de procesarlas. Serán aceptados reclamos en otros idiomas, incluyendo Braille. (Ver más abajo el FORMULARIO DE RECLAMOS POR DISCRIMINACIÓN)

5. **Fundamento de los reclamos** – Las denuncias deben estar fundamentadas en asuntos que involucren raza, color, país de origen, nivel de ingresos, LEP, sexo, edad o discapacidad; (y religión, cuando aplique). El término “fundamento” se refiere a que el reclamante debe pertenecer a un grupo protegido. *Nota:* la religión (o credo) *solo* queda cubierta bajo los programas de derecho de vía, transporte público y aviación.

Categorías protegidas	Definición	Ejemplos	Estatutos y regulaciones pertinentes	
			FHWA	FTA
Raza	Un individuo perteneciente a alguno de los grupos raciales aceptados; o la percepción, usualmente basada en las características físicas, de una persona como miembro de un grupo racial.	Negro/Afroamericano, Hispano/Latino, Asiático, Amerindio/ Nativo de Alaska, Nativo de Hawaii/Islas del Pacífico, Blanco	Título VI del Acta de Derechos Civiles de 1964; 49 CFR Parte 21; 23 CFR 200; (Orden Ejecutiva 13166)	Raza Color País de origen (LEP)
Color	Color de la piel, incluyendo tonalidades dentro de un grupo racial	Negra, blanca, café, amarilla, etc.		
País de origen (LEP)	Lugar de nacimiento. La ciudadanía no es un factor. (También queda cubierta la discriminación con base en el lenguaje o el acento de una persona)	Mexicano, cubano, japonés, vietnamita, chino, ruso, francés		
Nivel de ingresos	Un individuo u hogar considerado como de bajos ingresos	Estado de pobreza	Orden Ejecutiva 12898	
Sexo	El sexo de un individuo. Nota: la orientación sexual no está incluida en este programa.	Mujeres y hombres	Acta de Asistencia Federal para Carreteras de 1973	Sexo
Edad	Personas de cualquier edad	Persona de 21 años de edad	Acta contra la Discriminación por Razón de Edad de 1975	
Discapacidad	Impedimento físico o mental, permanente o temporal, o percibido	Ciego, alcohólico, amputado, epiléptico, diabético, artrítico	Sección 504 del Acta de Rehabilitación de 1973; Acta para Americanos con Discapacidades de 1990	
Religión	Credo. Un individuo perteneciente a un grupo religioso; o la percepción, usualmente basada en características que indiquen que una persona es miembro de un grupo religioso	Musulmán, cristiano, sikh, hindú, etc.	Título VIII del Acta de Derechos Civiles de 1968 (Acta de Vivienda Justa); 49 USC 47123 (FAA); 49 USC 5332 (FTA)	

## RECEPCIÓN DEL RECLAMO Y RESPUESTA

- La Oficina de Derechos Civiles del NCDOT confirmará por escrito y vía correo certificado que ha recibido su reclamo a más tardar diez (10) días después de recibirlo.
- La sección de Derechos Civiles Externos (ECR) evaluará su reclamo al recibirlo para asegurarse que este contiene la información necesaria, que está dentro de los límites de tiempo y que cumple con los requisitos jurisdiccionales.
  - Si el reclamo está completo y no se requiere información adicional, la ECR le enviará una carta de aceptación junto con un formulario de Consentimiento/Descargo.

- b. Si el reclamo no está completo, usted será contactado por escrito o telefónicamente para obtener la información adicional. **Nota:** tendrá 15 días para responder y/o brindar la información solicitada; no hacerlo podría ser considerado como causa justa para determinar que su reclamo no amerita ser investigado.
3. A más tardar 15 días después de haber recibido su reclamo, la ECR determinará si el asunto cae bajo su jurisdicción y si el reclamo amerita ser investigado. A más tardar cinco (5) días después de tomar esta decisión, la ECR informará sobre la misma por correo certificado tanto a usted como a los demandados (aquellas personas contra quienes usted presenta su reclamo).
  - a. Si la decisión es no investigar el reclamo, la notificación deberá especificar las razones de la misma.
  - b. Si la decisión es investigar el reclamo, la notificación deberá mencionar por qué cae bajo la jurisdicción del NCDOT y solicitará que usted y los demandados brinden su cooperación absoluta y asistencia al investigador.
  - c. Durante la investigación, es posible que las entrevistas sean grabadas. Deberá obtenerse el consentimiento del entrevistado si éste se encuentra fuera de NC.
4. El NCDOT intentará solucionar todo reclamo por discriminación a más tardar 60 días después de que haya aceptado investigar un reclamo. Se hará un esfuerzo para obtener una solución temprana ante los reclamos y al nivel más bajo posible. La opción de una mediación informal entre las partes afectadas y personal del NCDOT podría ser utilizada en busca de una solución. La ECR dará a conocer todas las opciones para presentar su demanda y las avenidas para apelar.



Departamento de Transporte de Carolina del Norte

## FORMULARIO DE RECLAMOS POR DISCRIMINACIÓN

<b>Cualquier persona que considere ha sido sujeta a un acto discriminatorio con base en su raza, color, sexo, edad, país de origen, discapacidad, nivel de ingresos o limitación para hablar o entender inglés, puede presentar un reclamo por escrito ante la Oficina de Derechos Civiles del NCDOT, a más tardar 180 días después de ocurrido el acto discriminatorio.</b>				
Apellido:		Nombre:		<input type="checkbox"/> Hombre <input type="checkbox"/> Mujer
Dirección:		Ciudad	Estado	Código postal
Teléfono casa:	Teléfono trabajo:	Dirección de correo electrónico:		
Identifique la categoría del acto discriminatorio: <input type="checkbox"/> RAZA <input type="checkbox"/> COLOR <input type="checkbox"/> PAÍS de ORIGEN <input type="checkbox"/> LIMITACIONES con el IDIOMA INGLÉS <input type="checkbox"/> EDAD <input type="checkbox"/> RELIGIÓN <input type="checkbox"/> DISCAPACIDAD <input type="checkbox"/> SEXO <input type="checkbox"/> NIVEL de INGRESOS				
NOTA: la religión <i>solo</i> queda cubierta bajo el programa de Derecho de Vía (Vivienda Justa) del NCDOT y las divisiones de Transporte Público y Aviación.				
Identifique la raza del reclamante <input type="checkbox"/> Negro <input type="checkbox"/> Blanco <input type="checkbox"/> Hispano <input type="checkbox"/> Asiático <input type="checkbox"/> Amerindio <input type="checkbox"/> Nativo de Alaska <input type="checkbox"/> Isleño del Pacífico <input type="checkbox"/> Otro _____				

<p>Fecha y lugar del supuesto acto discriminatorio. Favor de incluir dos fechas: la más antigua y la más reciente del acto discriminatorio.</p>															
<p>Nombres de los individuos responsables del acto discriminatorio:</p>															
<p>¿De qué manera fue usted discriminado? Describa la naturaleza del acto, decisión o condiciones del supuesto acto discriminatorio. Explique de la manera más clara posible qué ocurrió y por qué considera que su condición protegida (fundamento) fue un factor en el acto discriminatorio. Incluya cómo otras personas recibieron un trato diferente al suyo. <b>(De ser necesario, añada más páginas)</b></p>															
<p>La ley prohíbe actos de intimidación o <b>represalias</b> contra cualquier persona que haya actuado o haya participado en una acción para asegurar se respeten los derechos protegidos por estas leyes. Si usted considera que ha sido víctima de represalias o ha sido aislado del acto discriminatorio mencionado arriba, por favor explique las circunstancias en el espacio de abajo. Explique qué acciones tomó usted las cuales considera fueron la causa de las supuestas represalias. <b>(De ser necesario, añada más páginas)</b></p>															
<p>Nombres de las personas (testigos, compañeros de trabajo, supervisores u otros) a quienes podemos contactar para obtener información adicional que corrobore o clarifique su reclamo: (De ser necesario, añada más páginas)</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 33%;"><u>Nombre</u></th> <th style="text-align: left; width: 33%;"><u>Dirección</u></th> <th style="text-align: left; width: 33%;"><u>Teléfono</u></th> </tr> </thead> <tbody> <tr> <td>1. _____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>2. _____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>3. _____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>4. _____</td> <td>_____</td> <td>_____</td> </tr> </tbody> </table>	<u>Nombre</u>	<u>Dirección</u>	<u>Teléfono</u>	1. _____	_____	_____	2. _____	_____	_____	3. _____	_____	_____	4. _____	_____	_____
<u>Nombre</u>	<u>Dirección</u>	<u>Teléfono</u>													
1. _____	_____	_____													
2. _____	_____	_____													
3. _____	_____	_____													
4. _____	_____	_____													

OCR-ECR (Rev 01/17)

#### FORMULARIO DE RECLAMOS POR DISCRIMINACIÓN

<p>¿Ha presentado o pretende presentar un reclamo relacionado con este asunto ante alguna de las entidades siguientes? De ser así, favor de proporcionar las fechas en las que presentó su reclamo. Marque todas las que apliquen.</p> <div style="margin-left: 40px;"> <input type="checkbox"/> Administración Federal de Carreteras _____  <input type="checkbox"/> Administración Federal de Transporte Público _____  <input type="checkbox"/> Administración Federal de Seguridad de Autotransporte _____  <input type="checkbox"/> Departamento de Transporte de los EE.UU. _____  <input type="checkbox"/> Corte federal o estatal _____  <input type="checkbox"/> Otra _____         </div>
<p>¿Ha hablado sobre su reclamo con algún representante del NCDOT? De ser así, proporcione el nombre, cargo y fecha de la conversación.</p>

Favor de proporcionar cualquier información adicional que usted considere sería útil durante una investigación.

Explique brevemente qué solución o acción espera usted sea tomada como resultado de su reclamo por el supuesto acto discriminatorio.

**\*\*NO PODEMOS ACEPTAR RECLAMOS SIN FIRMA. FAVOR DE FIRMAR Y FECHAR ESTE FORMULARIO AL CALCE.**

\_\_\_\_\_  
**FIRMA DEL RECLAMANTE**

\_\_\_\_\_  
**FECHA**

**ENVÍE POR CORREO ESTE FORMULARIO DE RECLAMOS A:**

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

OFFICE OF CIVIL RIGHTS – EXTERNAL CIVIL RIGHTS

1511 MAIL SERVICE CENTER

RALEIGH, NC 27699-1511

919-508-1808 o sin costo al 800-522-0453

**FOR OFFICE USE ONLY / SOLO PARA USO OFICIAL**

Date Complaint Received: \_\_\_\_\_

Processed by: \_\_\_\_\_

Case #: \_\_\_\_\_

Referred to: ☐ FHWA ☐ FTA ☐ FMCSA

Date Referred: \_\_\_\_\_

OCR-ECR (Rev 01/17)

## NOTIFICACIÓN ANTIDISCRIMINATORIA Y DERECHOS DE ACCESIBILIDAD

En cumplimiento con el Título VI del Acta de los Derechos Civiles de 1964 y otras autoridades antidiscriminatorias, el Departamento de Transporte de Carolina del Norte (NCDOT) no excluirá de participar, negará beneficios o discriminará a ninguna persona con base en su **raza, color, origen nacional, limitación para hablar o entender inglés, nivel de ingresos, sexo, edad o discapacidad (o su religión, cuando así aplique)**, de cualquier programa o actividad financiada por el NCDOT.

Si usted siente que ha sido discriminado por el NCDOT o sus proveedores, puede presentar una queja. Para obtener información sobre cómo presentar una queja o sobre las obligaciones antidiscriminatorias del NCDOT, favor de contactar a la:

Oficina de Derechos Civiles del NCDOT

Programa Antidiscriminatorio del Título VI

1511 Mail Service Center

Raleigh, NC 27699

1-800-522-0453

[TitleVI@ncdot.gov](mailto:TitleVI@ncdot.gov)

También puede visitar <https://www.ncdot.gov/programs/titleVI/>.

Cualquier persona con un impedimento auditivo o del habla puede contactar al servicio Relay NC marcando 711 o 1-877-735-8200.

**ATENCIÓN:** si usted habla otro idioma que no sea inglés, puede solicitar, sin costo, los servicios de intérpretes calificados o información escrita en otros idiomas llamando al 1-800-481-6494.

## TÍTULO VI ENCUESTA DE PARTICIPACIÓN PÚBLICA

El llenado de este formato es **completamente** voluntario. Usted no está obligado a proporcionar la información solicitada con el fin de participar en esta reunión.

<b>Tipo de Reunión:</b> _____	<b>Fecha:</b> _____
<b>Lugar de la Reunión:</b> _____	
<b>STIP No.:</b> _____	
<b>Descripción del Proyecto:</b> _____	

De conformidad con el Título VI del Acta de Derechos Civiles de 1964 y otras disposiciones de derechos civiles de la ley Federal estatutaria, el **Departamento de Transporte de Carolina del Norte (NCDOT por sus siglas en inglés)** asegura que ninguna persona(s) afectada por sus programas, políticas o actividades, quedarán excluidos de su participación en, negada de los beneficios de, o sometidos a la discriminación por motivos de raza, color, origen nacional, discapacidad, edad, ingresos o género.

**Completando este formato nos ayudará a cumplir con nuestra recopilación de datos y a cumplir con las obligaciones de participación pública bajo el Título VI y NEPA, y así mejorar nuestro servicio al público.** Por favor deposite el formato llenado en la casilla designada en la mesa de registro o envíelo por correo a NCDOT PDEA-Human Environment Section, 1598 Mail Service Center, Raleigh, NC 27699-1598.

Los formatos completados serán guardados en los archivos de NCDOT como parte del registro público.

<b>Código Postal:</b> _____	<b>Sexo:</b> <input type="checkbox"/> Masculino <input type="checkbox"/> Femenino
<b>Nombre de la Calle:</b> (ej. Main Street) _____	<b>Edad:</b> <input type="checkbox"/> Menor de 18 <input type="checkbox"/> 45-64 <input type="checkbox"/> 18-29 <input type="checkbox"/> 65 and older <input type="checkbox"/> 30-44
<b>Ingreso Total del Hogar:</b> <input type="checkbox"/> Menos de \$12,000 <input type="checkbox"/> \$47,000 – \$69,999 <input type="checkbox"/> \$12,000 – \$19,999 <input type="checkbox"/> \$70,000 – \$93,999 <input type="checkbox"/> \$20,000 – \$30,999 <input type="checkbox"/> \$94,000 – \$117,999 <input type="checkbox"/> \$31,000 – \$46,999 <input type="checkbox"/> \$118,000 o Mayor	<b>Discapacidad:</b> <input type="checkbox"/> Si <input type="checkbox"/> No
<b>Raza/Etnicidad:</b> <input type="checkbox"/> Blanco <input type="checkbox"/> Afro Americano <input type="checkbox"/> Asiático <input type="checkbox"/> Indio Americano/Nativo de Alaska <input type="checkbox"/> Nativo de Hawaii/Islands del Pacífico <input type="checkbox"/> Hispano/Latino <input type="checkbox"/> Otra (por favor especifique): _____	<b>Nacionalidad de Origen:</b> (Si nació fuera de los EU) <input type="checkbox"/> Mexicano <input type="checkbox"/> Centro Americano: _____ <input type="checkbox"/> Sudamericano: _____ <input type="checkbox"/> Puertorriqueño <input type="checkbox"/> Chino <input type="checkbox"/> Vietnamita <input type="checkbox"/> Coreano <input type="checkbox"/> Otro (por favor especifique): _____

¿Cómo se enteró de esta reunión? (anuncio en el periódico, folleto, y/o correo) \_\_\_\_\_

Para más información relacionada con el Título VI o este proceso, por favor contacte a **NCDOT Sección Título VI** al teléfono (919) 508-1896 o llame sin costo al 1-800-508-1886, o por correo electrónico [sddickens@ncdot.gov](mailto:sddickens@ncdot.gov).

**Appendix 8**  
**Compliance Review Checklist for FHWA Subrecipients**

General Requirements	Completed
1. A copy of the recipient's signed USDOT Title VI Assurances	<input type="checkbox"/>
2. Title VI Policy Statement (signed)	<input type="checkbox"/>
3. Title VI Notice to Public, including a list of locations where the notice is posted	<input type="checkbox"/>
4. Name and official title of Title VI Coordinator and a list of their Title VI duties	<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 Title VI complaints, investigations, or lawsuits (i.e., Title VI Complaint Log)	<input type="checkbox"/>
8. Public Participation Plan, including information about outreach methods to engage traditionally underserved constituencies (e.g., minorities, low-income, disabled), as well as a summary of outreach efforts	<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 any non-elected committees and councils, broken down by race and gender, and a description of the process the RPO uses to encourage minorities and women to participate 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 reviewed and approved the Title VI Program	<input type="checkbox"/>
12. Compliance and enforcement procedures to ensure nondiscriminatory administration of programs and services	<input type="checkbox"/>
13. A demographic profile of your planning area that includes identification of the locations of minority, low-income, LEP, and/or other underserved populations	<input type="checkbox"/>
14. Information regarding how consultants and/or subrecipients are monitored for compliance with Title VI	<input type="checkbox"/>
15. Any environmental justice analysis conducted in the past three years and, if necessary, a description of the measures used to address any disproportionately high and adverse impacts to minority or low-income communities	<input type="checkbox"/>
16. Documentation from any Title VI compliance reviews or investigations conducted by any agency other than NCDOT-OCR in the last three years.	<input type="checkbox"/>