

Title VI Nondiscrimination Program

"No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." (42 U.S.C. Section 2000d).

IMPLEMENTATION
PLAN



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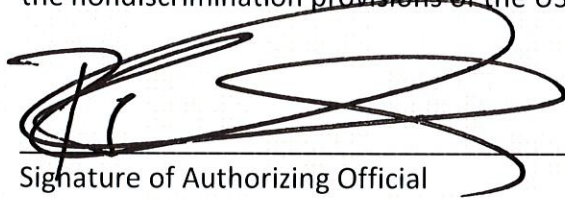
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TITLE VI PLAN REVIEW AND ADOPTION

On behalf of the City of Greenville, NC City Council, I hereby acknowledge receipt of the Title VI Nondiscrimination Plan. We, the Council, have **reviewed and hereby adopt** this Plan. We are committed to ensuring that all decisions are made in accordance with the nondiscrimination guidelines of this Plan, and that no person is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any City of Greenville, NC services and activities on the basis of race, color, national origin, sex, age, creed (religion), or disability, as protected by Title VI of the Civil Rights Act of 1964 and the nondiscrimination provisions of the USDOT operating administrations and other federal agencies.



Signature of Authorizing Official

1/9/2025

Date

INTRODUCTION

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." (42 U.S.C. Section 2000d).

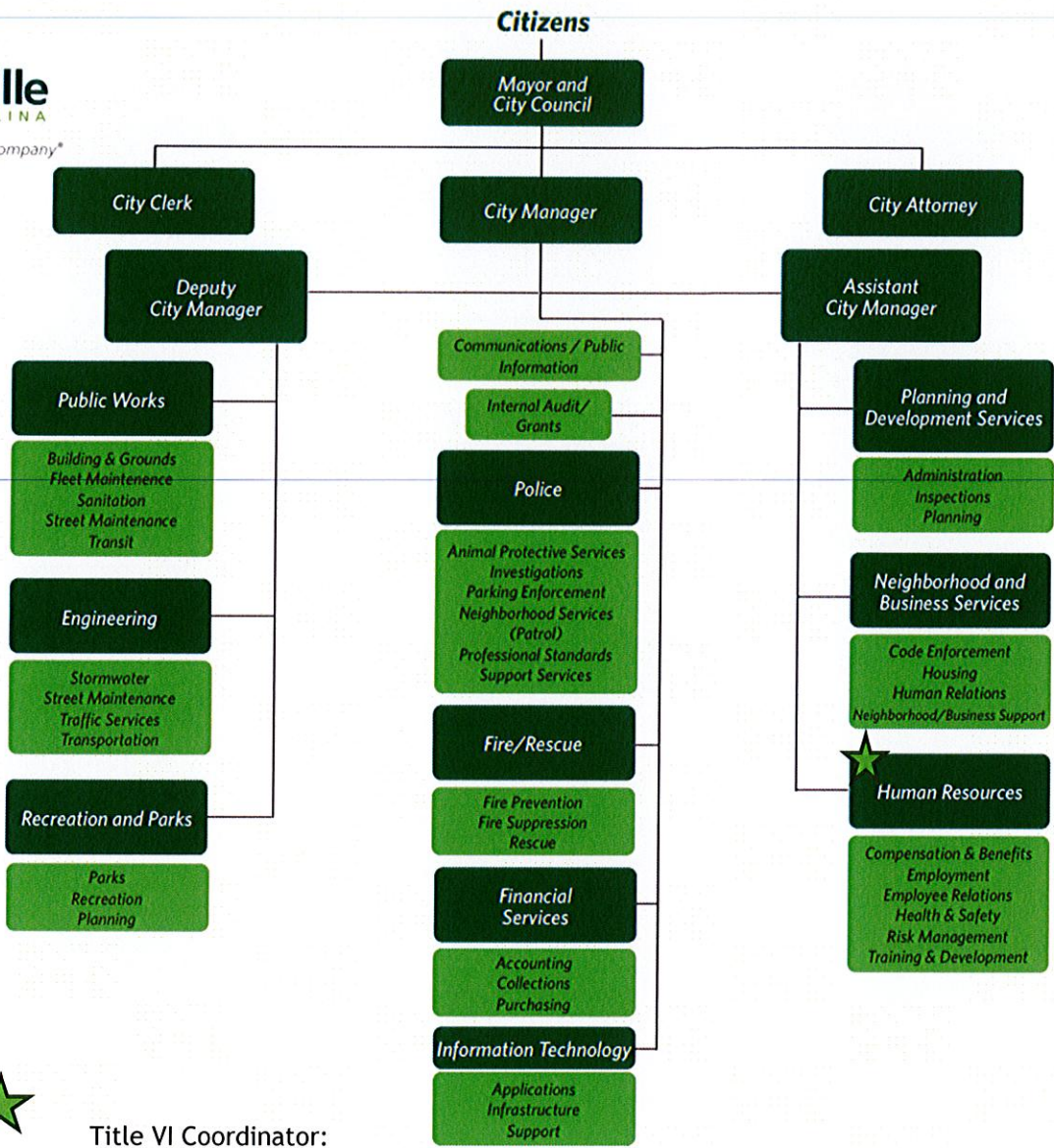
The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities of Federal-aid recipients, sub-recipients, and contractors whether those programs and activities are federally funded or not.

The City of Greenville, NC ("City") is a direct recipient and sub recipient of federal financial aid from USDOT operating administrations and other federal agencies, and Title VI is implemented across the City's programs and activities.

NONDISCRIMINATION AUTHORITIES

- Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq.
- 49 Code of Federal Regulations ("C.F.R."), Part 21
- 23 C.F.R. Part 300
- 28 C.F.R. Part 42, Subpart F
- Civil Rights Restoration Act of 1987
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (August 11, 2000)
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (February 11, 1994)
- Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government (January 20, 2021)
- Executive Order 14008, Tackling the Climate Crisis at Home and Abroad (February 1, 2021)
- DOT 1000.12C, The U.S. Department of Transportation Title VI Program
- Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination based on disability.
- Title IX of the Education Amendments Act of 1972, which prohibits discrimination based on sex in education programs or activities.
- Age Discrimination Act of 1975, which prohibits discrimination based on age.
- U.S. Department of Homeland Security regulation 6 C.F.R. Part 19, which prohibits discrimination religion in social service programs.

ORGANIZATIONAL CHART



Updated 11/7/23



Title VI Coordinator:
Jessica Carter

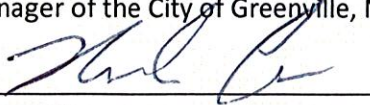
TITLE VI NONDISCRIMINATION POLICY STATEMENT

It is the policy of the City of Greenville, NC 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, U.S. Department of Transportation Order 1050.2A, Title 49 C.F.R. Part 21, 23 C.F.R. Part 200, the Civil Rights Restoration Act of 1987, Executive Orders 12898 and 13166, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments Act of 1972, Age Discrimination Act of 1975, U.S. Department of Homeland Security regulation 6 C.F.R. Part 19, and other pertinent nondiscrimination authorities.

The following practices are hereby prohibited throughout the City to comply, at a minimum, with Title VI and related requirements:

- Denying a person any service, financial aid, or other benefit provided under the program.
- Providing any service, financial aid, or other benefit to a person which is different, or is provided in a different manner, from that provided to others under the program.
- Subjecting a person to segregation or separate treatment in any matter related to his receipt of any service, financial aid, or other benefit under the program.
- Restricting a person in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under the program;
- Treating a person differently from others in determining whether they satisfy any admission, enrollment, quota, eligibility, membership, or other requirement or condition which persons must meet in order to be provided any service, financial aid, or other benefit provided under the program;
- Denying a person an opportunity to participate in the program through the provision of services or otherwise or afford them an opportunity to do so which is different from that afforded others under the program; or
- Discrimination in any employment resulting from a program, a primary objective of which is to provide employment;
- Acts of intimidation or retaliation, including threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by any pertinent nondiscrimination law, or because they have made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing; or
- Denying a person the opportunity to participate as a member of a planning, advisory, or similar body.

To ensure that appropriate program measures are implemented and monitored, I have designated Jessica Carter as the City's Title VI Coordinator, 252-329-4418 or jcarter@greenvillenc.gov and Linda McCarthy, ADA Coordinator, 252-329-4452 or lmccarthy@greenvillenc.gov. As expression of my commitment to and support of the City of Greenville, North Carolina's Title VI Nondiscrimination program, below is my signature as City Manager of the City of Greenville, North Carolina.


Signature

12/31/29
Date

TITLE VI NOTICE TO THE PUBLIC



NOTICE OF NONDISCRIMINATION AND ACCESSIBILITY RIGHTS

Find yourself in good company®

In accordance with Title VI of the Civil Rights Act of 1964 and other nondiscrimination authorities, the City of Greenville, NC will not exclude from participation in, deny the benefits of, or subject to discrimination any person, based on race, color, national origin, Limited English Proficiency, income-level, sex, age, or disability (or religion, where applicable), under any programs or activities.

City of Greenville provides free aids and services, such as qualified sign language interpreters and written information in other formats (large print, audio, accessible electronic formats, translate setting, etc.), to communicate effectively with persons with disabilities or persons with limited English proficiency.

ATTENTION: If you speak a language other than English, qualified interpreters or information written in other languages are available, free of charge, by contacting Jessica Carter at 252-329-4418 or jcarter@greenvillenc.gov.

If you need to request a reasonable accommodation, please contact Linda McCarthy at 252-329-4452 or lmccarthy@greenvillenc.gov.

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 Jessica Carter at 252-329-4418.

COMPLAINTS: If you feel that the City of Greenville, NC has failed to provide these services or that you have been discriminated against by the City of Greenville, NC or its business partners in another way based on race, color, national origin (including language), disability, sex, age, income-level, or religion, you may file a complaint. For information on filing a complaint or City of Greenville, NC's nondiscrimination obligations, please contact:

CITY OF GREENVILLE, NC
TITLE VI COORDINATOR
200 W. Fifth Street
Greenville, NC 27858
252-329-4418
jcarter@greenvillenc.gov

TITLE VI COORDINATOR

The City Manager, as part of this Plan appoints Jessica Carter as the Title VI Coordinator. The Title VI Coordinator reports to the HR Director and has easy access to the City Manager. The Title VI Coordinator relies on assistance from liaisons in each of the City's departments to help implement the Title VI Nondiscrimination Program.

The Title VI Coordinator is responsible for:

- Maintaining knowledge of Title VI and related requirements.
- Attending civil rights training when offered by 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.
- Ensuring all City of Greenville, NC employees receive basic Title VI Training at least once every three years.
- 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.
- Ensuring 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 and cooperating during compliance reviews and investigations.
- Promptly resolving deficiencies to ensure compliance with Title VI nondiscrimination requirements.
- Establishing/maintaining contracts that provide meaningful access to language services, including interpreting, translation, and transcription.

If the Title VI Coordinator changes, the Title VI Policy Statement and Title VI Assurances will immediately be updated, and an updated policy statement (and nondiscrimination agreement, if standalone) will be signed by the new Title VI Coordinator.







TRAINING | EDUCATION

Training/Education are key components of successful Title VI Nondiscrimination Programs, as it raises awareness. Training/Education is regularly provided to internal and external stakeholders of the City. Events may also substantiate the need for training, e.g., complaints, investigations, requests, etc. The City will work to provide internal training to allow its staff to determine compliance with Title VI effectively and efficiently.

All employees of recipients will receive basic Title VI training at least once every three years. New hires will receive this training within 90 days of their start date. Basic training covers all sections of its Title VI Implementation Plan and the 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, receive annual refresher training. Training is provided or organized by the Title VI Coordinator and often coincides with updates to our nondiscrimination policies and procedures. Records of staff trainings, such as signed acknowledgement forms, sign-in sheets, will be maintained on file electronically for at least three years.

TRAINING OBJECTIVES

At a minimum, training presentations include the following components of Title VI:

-  What is Title VI/Policy
-  Title VI Assurances/Appendices
-  Community Participation Plan
-  Executive Order 13166 - Limited English Proficiency
-  Executive Order 12898 - Environmental Justice
-  Complaints and Investigations
-  Program Staff and Contact Information

COMPLAINTS

OVERVIEW

The City follows its complaints process for all Title VI complaints received and all investigations initiated based on available information and factors. The City encourages the informal resolution of complaints, including the use of alternative dispute resolution (ADR) methods, such as mediation. The City may refer complaints to the appropriate agency in the event it is determined the City lacks jurisdiction over the complaint.

The City publishes notices and provides instructions/procedures and the complaint form to persons who believe they are subject to discrimination or disparate impact in the provision of its programs, activities, benefits, or services. *See Appendices C and D.* The guidance is posted in conspicuous locations, including but not limited to, on the City's website and in public areas of the City's office(s), including the reception desk, meeting rooms, break rooms, etc. The City also posts Title VI notices at stations or stops, and/or on transit vehicles.

WHO MAY FILE A COMPLAINT

Individuals who believe they have been denied the benefits of, excluded from participation in, or subject to discrimination on the grounds of race, color, or national origin (including limited English Proficiency) by a recipient of federal funding can file an administrative complaint with the City's Title VI Coordinator under Title VI of the Civil Rights Act of 1964.

Under the Executive Order 12898, *Environmental Justice and the U.S. Department of Transportation's Order to Address Environmental Justice in Minority Populations and Low-Income Populations*, a member of the public, a group of people, or their representatives can file an administrative complaint against a recipient of FFA, a transportation provider, a transportation-related entity, or the City itself alleging discrimination and/or adverse environmental effects, including social and economic effects, against a specific minority or low income community or population group, due to a project or activity funded or carried out by DOT.

No one may intimidate, threaten, coerce, or engage in other discriminatory conduct against anyone because he or she has either filed a complaint to secure rights protected by the nondiscrimination statutes we enforce. Any individual alleging such harassment or intimidation may file a complaint with the City and it would investigate such a complaint.

TIMING

Complaints are to be filed within 180 days of the alleged act unless an extension is granted by the City. The complaints must be in writing and signed by the complainant. The City will attempt to resolve all discrimination complaints within 180 days of accepting the complaint for investigation unless extenuating circumstances are present. The City will make known all filing options and avenues of appeal.

INVESTIGATION

The City investigates complaints on the basis of intentional discrimination or on the basis of disparate impact discrimination, where a neutral policy or practice has the effect of disproportionately excluding or adversely affecting minority beneficiaries or other protected individuals and the recipient's practice lacks a substantial legitimate justification.

Once a complaint has been accepted by the City for investigation, the Title VI Coordinator will notify the department or unit that it is the subject of a Title VI complaint and ask the department or unit to respond in writing to the complainant's allegations. If the complainant agrees to release the complaint to the department or unit, the Title VI Coordinator will provide the department or unit with the complaint, which may have personal information redacted at the request of the complainant. If the complainant does not agree to release the complaint to the department or unit, the City may choose to close the complaint.

The City strives to promptly investigate the complaints received and expects its departments and units to cooperate during the investigation. At the conclusion of any investigation, the City will transmit a letter of finding to the complainant and the recipient. If our investigation determines that the recipient is not in violation of Title VI, our letters will explain why the recipient was found in compliance. If the City determines that a department or unit is in violation of Title VI, letters of finding will document the violation and ensure the City takes action to come into compliance.

ADMINISTRATIVE CLOSURE

The City may administratively close Title VI complaints before a resolution is reached where:

- The complainant decides to withdraw the case.
- The complainant is not responsive to the City's requests for information or to sign a consent release form.
- Litigation has been filed raising similar allegations involved in the complaint.
- The complaint was not filed within 180 days of the alleged discrimination.
- The complaint does not indicate a possible violation of Title VI law, rules or regulations.
- The complaint is so weak, insubstantial, or lacking in detail that the City determines it is without merit, or so replete with incoherent or unreadable statements that it, as a whole, cannot be considered to be grounded in fact.
- The complaint has been investigated by another agency and the resolution of the complaint meets DOT regulatory standards.
- The City obtains credible information that the allegations raised by the complaint have been resolved

- The complaint is a continuation of a pattern of previously filed complaints involving the same or similar allegations against the same department or unit that have been found factually or legally insubstantial by the City.
- The same complaint allegations have been filed with another Federal, state, or local agency, and the City anticipates that the recipient will provide the complainant with a comparable resolution process under comparable legal standards; or the death of the complainant or injured party makes it impossible to investigate the allegations fully.

DATA COLLECTION | ANALYSIS | REPORTING

Data collection, analysis and reporting are key elements of a successful Title VI enforcement strategy and engagement should be early on and continuing. The data provides context for the Title VI Nondiscrimination Program and will be used to ensure nondiscrimination in public outreach and delivery of programs, activities, and services. Data collection is the primary means by which the City can monitor whether the FFA is reaching communities that need assistance. Understanding demographics for individuals in the City's service area(s) is integral to help foster an equitable environment of sound decision making and appropriate engagement. Any trends and changes should be captured regularly to ensure continued equity when implementing the Program.

To ensure that Title VI reporting requirements are met, the City will collect and maintain data on potential and actual beneficiaries of its programs, services, and activities. Data should include relevant population data for overall service area(s), including:

- Race & Ethnicity
- Age & Sex, Disability
- Poverty
- Household Income
- Limited English Proficiency

Data should also include:

- The manner in which services are provided in the programs, activities and services.
- The location of existing or proposed facilities and information regarding whether the location will have the effect of denying access to any person on the basis of prohibited discrimination.
- Requirements and procedures designed to guard against unnecessary impact on persons on the basis of race, color, or national origin (including limited English proficiency) when relocation is involved.
- The race, color, and national origin of the members of any planning or advisory body that is an integral part of the program.

Data and information should be documented using narratives or through maps that overlay boundaries and demographic features on specific communities, and provide this information, upon request.

DATA COLLECTION RESOURCES

- American Census Survey
- State and Local Governments
- Metropolitan Planning and Rural Planning Organizations
- Environmental Protection Agency EJSCREEN
- Geographic Information System Mapping

REPORTING METRICS

The City tracks and maintains metrics that relate to components of the Title VI requirements in its program and activities. Depending on the type of programs, activities, and services provided, metrics may include but not be limited to the following:

- Number of complaints, lawsuits, received, active, closed/resolved.
- Number of compliance reviews completed.
- Number of trainings completed – internal/external.
- Contract language assistance services.
- Environmental Justice impacts identified, including mitigation efforts.
- Board and committee makeups.
- Number of employees who can fluently speak a language other than English (include language).
- Demographics of relocations, including appraisers used in the process.
- Demographics of consultants/contractors with contracts, task orders, payments.

COMMUNITY PARTICIPATION PLAN

Effective public involvement is a key element in addressing Title VI in decision-making. This chapter describes how the City will disseminate vital agency information and engage the public. The City will seek out and consider the input and needs of interested parties and groups traditionally underserved by transportation systems who may face challenges accessing services, such as minority and limited English proficient (LEP) persons. Underlying these efforts is the City's commitment to determining the most effective outreach methods for a given project or population.

The City is engaged in planning and other decision-making activities, and considers the principles embodied in the planning regulations to develop and use a documented public participation plan or process that provides adequate notice of public participation activities, as well as early and continuous opportunities for public review and comment at key decision points.

General public involvement practices include:

- Expanding traditional outreach methods. Think outside the box: Go to hair salons, barbershops, street fairs, etc.
- Providing for early, frequent, and continuous engagement by the public.
- Use of social media and other resources to gain public involvement.
- Coordinating with community- and faith-based organizations such as churches, educational institutions, and other entities to implement public engagement strategies that reach out specifically to members of affected minority and/or LEP communities.
- Providing opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral comments.
- Considering radio, television, or newspaper ads on stations and in publications that serve LEP populations. Outreach to LEP persons could also include audio programming available on podcasts.
- Ensuring accessibility by making measures free of linguistic, cultural, economic, and historical barriers that impede or prevent effective public participation in decision-making processes.

PUBLIC NOTIFICATION

The City will inform people of their rights under Title VI and related authorities with regard to their programs, activities, benefits and services. The primary means of achieving this will be posting and disseminating the policy statement and notice. Additional measures may include verbally announcing obligations and the public's rights at meetings, placing flyers at places frequented by targeted populations, and an equal opportunity tag-on at the end of radio announcements. The method of notification will be determined through an initial screening of the area.

DISSEMINATION OF INFORMATION

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

At a minimum, nondiscrimination information should be disseminated on the recipient's website and in public areas of the recipient's office(s), including the reception desk, meeting rooms, break rooms, etc. Recipients should also post Title VI notices at stations or stops, and/or on transit vehicles. Project-related information and the most current Title VI-related information should be maintained online.

MEETINGS AND OUTREACH

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

PUBLIC RELATIONS AND OUTREACH

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

- The city seeks out and facilitates the involvement of those potentially affected.
- The city provides a translate tool for persons with limited English proficiency that include numerous language options on greenvillenc.gov
- Public events aim to be collaborative, fun, and educational for all, rather than confrontational and prescriptive.
- Media plans typically involve multiple channels of communication like mailings, radio, TV, and newspaper ads.
- Abstract objectives should be avoided in meeting announcements. Specific "attention-grabbing" reasons to attend will be used, such as "Help us figure out how to relieve congestion on [corridor name]" or "How much should it cost to ride the bus? Let us know on [date]."
- Efforts will be made to show how the input of participants can, or did, influence final decisions.

-
- Recipients should do its best to form decision-making committees that look like and relate to the populations served.
 - Recipients should seek out and identify community contacts and partner with local community- and faith-based organizations that can represent, and help us disseminate information to, target constituencies.
 - Demographic data should be requested during public meetings, surveys, and from community contacts and committee members.

PUBLIC MEETINGS

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

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

SMALL GROUP MEETINGS

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

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

COMMUNITY SURVEYING

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

- Surveys will be translated into languages other than English, when appropriate.

REPORTED OUTCOMES

Applicants and recipients should summarize compliance with the Community Participation Plan requirements in a narrative describing the following:

1. The steps taken to produce meaningful engagement with affected communities;
2. The results of those efforts; and
3. How the affected communities' comments and views are or will be incorporated into the decision-making process.

Using effective communications, including languages other than English, as may be required, the affected communities should receive notification on decisions made about any existing or proposed project receiving FFA, including the underlying reasons for the decision, whether alternatives existed and the reason(s) for rejection.

RECORD KEEPING

The City maintains and makes available to the public, upon request, the full record of its engagement, including demographics of the attendees at events, and comments from affected communities.

LIMITED ENGLISH PROFICIENCY (EO 13166)

Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English can be limited English proficient, or "LEP." These individuals may be entitled to language assistance with respect to a particular type or service, benefit, or encounter. Federal laws particularly applicable to language access include Title VI of the Civil Rights Act of 1964, and the Title VI regulations, prohibiting discrimination based on national origin, and Executive Order 13166 issued in 2000.

FOUR FACTOR ANALYSIS

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

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

FACTOR #1:

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

LANGUAGE SPOKEN AT HOME	Estimate	Margin of Error	Percent of Population	Margin of Error
Total (population 5 years and over):	82,658	+/-399	100%	(X)
Speak only English	78,276	+/- 768	95%	+/- .9%
Spanish:	1,912	+/- 443	2%	+/- 23%
Speak English "very well"	1,537	+/- 351	2%	+/- 23%
Speak English less than "very well"	555	+/- 173	.7%	+/- 3.1%
Other Asian and Pacific Island:	723	+/- 313	.9%	+/- 43%
Speak English "very well"	357	+/- 221	.4%	+/- 62%

Speak English less than "very well"	366	+/- 197	.4%	+/- 54%
Arabic:	379	+/- 253	.5%	+/- 67%
Speak English "very well"	271	+/-176	.3%	+/- 65%
Speak English less than "very well"	108	+/- 94	.1%	+/-87%

After review of the data provided by the Census in table C16001, only Spanish and Other Asian and Pacific Island languages reached the safe harbor threshold of 5% or 1,000 persons, including the margin of error. Based on the breakdown of the table, Other Asian and Pacific Island languages does not include Chinese, Korean, Mandarin, Vietnamese or Tagalog, although there is a notable population of individuals who speak these languages in the City of Greenville, North Carolina. Geographically, the City's Spanish speaking population is located to the North of the City's jurisdiction.

FACTOR #2:

The frequency with which LEP individuals come in contact with the program.

Generally, any of the programs, activities and services provided by the City have potential to come in contact with LEP persons. The most frequent engagement with LEP persons is through the following: transit services which are offered throughout the City's jurisdiction, police, and fire/rescue, planning and development services, neighborhood, and business services, specifically housing, public meetings, and public works.

The city will continue to evaluate any additional programs, activities, and services to determine if there is a significant level of engagement with LEP persons through surveying and will implement appropriate strategies to ensure meaningful access by LEP persons.

FACTOR #3:

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

Each of the programs, activities and services enumerated under Factor 2 are important to people's lives as they each help to ensure persons can work, live, learn and play in the City where they reside. As a few examples:

- On demand and fixed route transit services allow people to appear at doctors' appointments, work, public meetings and other activities through safe and reliable means.
- Participation in public meetings allows individuals to contribute to the City's planning processes as it relates to funding and development of major projects, programs and activities implemented by the city.
- Accessible website, translation tool, to stay informed about events and offered opportunities in their community (employment, services, transportation, etc.).
- Police and Fire/Rescue services are imperative to persons' health, safety and wellbeing, and access to these services can mean the difference in life or death.

As previously stated under Factor Number 2, the city will continue to evaluate any additional programs, activities, and services to determine if there the importance of same to LEP persons through surveying and will implement appropriate strategies to ensure meaningful access the public.

FACTOR #4:

The resources available to the recipient and costs.

The City is currently evaluating the procurement of a language line as a resource for use by all City departments. Funding is also available to support the translation of any vital documents necessary to create a pipeline for meaningful engagement by LEP individuals. Individuals will contact Title VI coordinator if LEP support or services are needed.

LANGUAGE ASSISTANCE PLAN

As a result of the above four factor analysis, a Language Assistance Plan (Plan) was required. 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 City provides a means of communication to individuals whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. More specifically, the city provides language assistance and interpretation through City of Greenville bilingual staff whenever they are on duty or through assistance from the East Carolina University, Pitt Community College Foreign Language Departments, and contracted company that provides access to language services. Availability

of language assistance services is provided through the public notice included on page 8 of this Title VI Nondiscrimination Plan.

In addition to practices cited above, some other best practices the City implements to ensure meaningful access, include:

- Identifying internal resources, including employees who may be able to provide written translation or verbal interpretation when necessary, and maintain a list for circulation, especially in program areas that experience substantial and regular contact with the public.
- Identifying external resources such as the language line mentioned under factor 4 or local organizations that can assist with translation on an as needed basis.
- Providing a language translation plugin on its websites or other electronic applications. Translating public notices posted in the local paper and at stations, stops, and in vehicles into any languages that meet the safe harbor threshold in Factor 1.
- Vital documents—such as brochures with service times and routes—are translated into necessary languages across the entire service area, and available in facilities, doctor’s offices, and shopping centers.
- 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 various languages.
- 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.
- Language line translation services are provided at call centers.
- Where possible, utilizing or hiring staff who speak a language other than English and can provide competent language assistance.
 - Note: The City avoid asking community-based organizations (CBO) to provide, or serve as, interpreters at our meetings. Relying upon CBOs in that capacity could raise ethical concerns. If a CBO decides (on its own) to translate any materials for its constituents, or bring interpreters it trusts to our meetings, we will not object. That is their right.
- Using language identification flashcards to determine appropriate services, including “iSpeak” handouts.
- Establishing a process to obtain feedback on our language assistance measures.

SPECIFIC MEASURES BY LANGUAGE GROUP

The City has determined the most effective measures to involve each language group that meet the safe harbor threshold, include partnering with Spanish and other Asian and Pacific Island organizations to bring

awareness (churches, community organizations, etc.), as well as utilization of the language line translation services. Additionally, the City's website currently provides an option for translation of over 30 different languages and dialects.

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

- Agency staff (including call center staff) will be provided a list of referral resources that can assist LEP persons with written translation and oral interpretation, including the Title VI Coordinator and any outside consultant contracted to provide language services. This list will be updated as needed to remain current.
- All main offices and vehicles will have on hand a supply of language assistance flashcards and materials translated into the languages of the largest LEP language groups. When encountered by an LEP person, staff (including drivers) should present the individual with an iSpeak flashcard and let them choose the language. Do not assume you know their preferred language. Drivers are permitted to seek volunteer assistance from other passengers before contacting a referral resource. Document the encounter and report it to the Title VI Coordinator.
- All employees will be given training on the City's 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.

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 LAP

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, including observing drivers or surveying riders. To the best of our ability, we will attempt to never eliminate a successful existing LEP service. Significant LEP program revisions will be approved or adopted by our board or designated official and dated accordingly. LEP data and procedures will be reviewed and updated at least once every three years.

ENVIRONMENTAL JUSTICE (EO 12898)

The City makes achieving EJ part of its mission and EJ analyses will be conducted to determine if its 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 the City's policies, such as where public meetings will be held, and projects, such as when it plans to construct or expand a facility. Thus, the City looks at various alternatives and seeks input from potentially affected communities before making a final decision. Demographic data is collected to document public involvement in the decision-making process. EJ analyses remain on file indefinitely, and copies will be can be provided, upon request, during compliance reviews or complaint investigations.

To achieve EJ, the City's programs are 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.
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 Long-Range Plans, Community Participation Plans, and Corridor Studies.

MONITORING, COMPLIANCE, AND ENFORCEMENT

The City will monitor and ensure the compliance of third-party contractors at any tier and each subrecipient at any tier under its project with all requirements prohibiting discrimination on the basis of race, color, or national origin, and will include non-discrimination language in all written contracts and agreements. This language is consistent with Appendix F.

The City will also include the following language in its bids and solicitations:

The City of Greenville, NC, in accordance with Title VI of the Civil Rights Act of 1964 and related nondiscrimination authorities, and Title 49 Code of Federal Regulations, Parts 21 and 26, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority and women business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, sex, age, creed, limited English proficiency, low-income, or disability in consideration for an award.

To ensure compliance with Title VI, the City and its subrecipients will take proactive steps to prevent discrimination in its programs and activities, including the following:

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

The City understands that if it fails to take appropriate corrective action in response to findings of deficiency and/or noncompliance proceedings may be initiated resulting in action taken to suspend, terminate, or refuse to grant or continue FFA to a recipient, or may make a referral to the U.S. Department of Justice with a recommendation that appropriate proceedings be brought to enforce any rights of the United States under any law of the United States or any assurance or other contractual undertaking.

APPENDICES

Appendix A: Definitions | Table of Abbreviations

Appendix B: Standard U.S. DOT Title VI Assurances

Appendix C: Complaint Procedures and Reasonable Accommodations

Appendix D: Complaint Form

Appendix E: Complaint(s) Log

Appendix F: Contract Language for Contractors

Appendix G: Service Area Population Characteristics

APPENDIX A: DEFINITIONS | TABLE OF ABBREVIATIONS

All definitions in chapter 103 of title 49, United States Code, and in 49 C.F.R. part 21 apply to this Order, as well as the following definitions:

1. **Affected Community.** The person or persons served or likely to be directly or indirectly impacted by a program receiving FFA from the Department, including that from an OA.
2. **Compliance.** The condition that exists when a recipient of FFA has fully implemented all Title VI requirements and there is no evidence of discrimination.
3. **Discrimination.** Any action or inaction, whether intentional or unintentional, in any program or activity of a Federal aid recipient, subrecipient, or contractor that results in disparate treatment, disparate impact, or perpetuating the effects of prior discrimination based on race, color, or national origin.
4. **Disparate Impact.** A facially neutral policy or practice that disproportionately affects members of a group identified by race, color, or national origin, where the recipient's policy or practice lacks a substantial legitimate justification and where there exists one or more alternatives that would serve the same legitimate objectives but with less disproportionate effect on the basis of race, color, or national origin.
5. **Disproportionate Burden.** A neutral policy or practice that disproportionately affects low-income populations more than non-low-income populations. A finding of disproportionate burden requires the recipient to evaluate alternatives and mitigate burdens where practicable.
6. **Disparate Treatment.** Actions that result in circumstances where similarly situated persons are intentionally treated differently (i.e., less favorably) than others based on their race, color, or national origin.
7. **Federal Financial Assistance.** Grants and loans of Federal funds; the grant or donation of Federal property and interests in property; the detail of Federal personnel; the sale and lease of, and the permission to use (on other than a casual or transient basis), Federal property or any interest in such property without consideration or at a nominal consideration, or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient; and any Federal agreement, arrangement, or other contract that has as one of its purposes the provision of assistance.
8. **Limited English Proficient (LEP) Persons.** Persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. It includes people who reported to the U.S. Census that they speak English less than very well, not well, or not at all.
9. **Low-income person.** A person whose median household income is at or below the U.S. Department of Health and Human Services (HHS) poverty guidelines. Recipients are encouraged to use a locally developed threshold, such as the definition found in 49 U.S.C. § 5302 as amended by MAP-21: "refers to an individual whose family income is at or below 150 percent of the poverty line (as that term is defined in Section 673(2) of the Community Services Block Grant Act (42 U.S.C. § 9902(2)), including any revision required by that section) for a family of the size involved" or another threshold, provided that the threshold is at least as inclusive as the HHS poverty guidelines.
10. **Low-income population.** Any readily identifiable group of low-income persons who live in geographic proximity, and, if circumstances warrant, geographically dispersed/transient

persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed the City's program, policy, or activity.

11. Minority persons.

- a. American Indian and Alaska Native, which refers to people having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.
- b. Asian, which refers to people having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
- c. Black or African American, which refers to people having origins in any of the Black racial groups of Africa.
- d. Hispanic or Latino, which includes persons of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.
- e. Native Hawaiian or Other Pacific Islander, which refers to people having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

- 11. **Minority population.** Any readily identifiable group of minority persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient populations (such as migrant workers or Native Americans) who will be similarly affected by a proposed DOT program, policy, or activity.
- 12. **National origin.** The nation in which a person was born, or where the person's parents or ancestors were born.
- 13. **Noncompliance.** A determination that the City is not in compliance with the DOT Title VI regulations and has engaged in activities that have had the purpose or effect of denying persons the benefits of, excluding from participation in, or subjecting persons to discrimination in the recipient's program or activity based on race, color, or national origin.
- 14. **Non-profit organization.** A corporation or association determined by the Secretary of the Treasury to be an organization described by 26 U.S.C. § 501(c) which is exempt from taxation under 26 U.S.C. § 501(a) or one which has been determined under State law to be non-profit and for which the designated State agency has received documentation certifying the status of the non-profit organization.
- 15. **Operating Administration.** The DOT's operating administrations and the Departmental offices in the Office of the Secretary.
- 16. **Predominantly minority area.** A geographic area, such as a neighborhood, Census tract, block or block group, or traffic analysis zone, where the proportion of minority persons residing in that area exceeds the average proportion of minority persons in the recipient's service area.
- 17. **Public meeting.** Any meeting open to the public, such as hearings, charrettes, open house, and board meetings intended to bring diverse groups of stakeholders together for a specific purpose, including but not limited to, information sharing and raising awareness of an issue or proposal.
- 18. **Recipient.** Any public or private entity that receives Federal financial assistance from US, whether directly from an operating administration or indirectly through a primary recipient.

This term includes subrecipient's, direct recipients, designated recipients, and primary recipients. The term does not include any ultimate beneficiary under any such assistance program.

19. **Secretary.** The Secretary of the U.S. Department of Transportation.
20. **Statewide transportation improvement program (STIP).** A statewide prioritized listing/program of transportation projects covering a period of four years that is consistent with the long-range statewide transportation plan, metropolitan transportation plans, and TIPs, and required for projects to be eligible for funding under title 23 U.S.C. and title 49 U.S.C. Chapter 53.
21. **Subrecipient.** An entity that receives Federal financial assistance from USDOT through a primary recipient.
22. **Title VI Coordinator.** The Title VI Coordinator is responsible for providing leadership, direction, and policy to ensure compliance with all aspects of an entities' Title VI Nondiscrimination Program.
23. **Title VI Program.** Refers to a document developed by a USDOT recipient to demonstrate how the recipient is complying with Title VI requirements. Direct and primary recipients must submit their Title VI Programs to USDOT operating administrations every three years. The Title VI Program must be approved by the recipient's board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to USDOT. For State DOTs, the appropriate governing entity is the State's Secretary of Transportation or equivalent.
24. **Transportation improvement program (TIP).** A prioritized listing/program of transportation projects covering a period of four years that is developed and formally adopted by an MPO as part of the metropolitan transportation planning process, consistent with the metropolitan transportation plan, and required for projects to be eligible for funding under title 23 U.S.C. and title 49 U.S.C. Chapter 53.

Table of Abbreviations

DOCR	Departmental Office of Civil Rights	LEP	Limited English Proficiency
DOJ	U.S. Department of Justice	OGC	Office of General Counsel
DOT	U.S. Department of Transportation	OA	Operating Administration
EJ	Environmental Justice	OST	Office of the Secretary
EO	Executive Order	PIP	Public Involvement Plan
FFA	Federal Financial Assistance	STIP	Statewide Transportation Improvement Program
FRA	Federal Railroad Administration	TIP	Transportation Improvement Program
FTA	Federal Transit Administration		

APPENDIX B: STANDARD U.S. DOT TITLE VI/NONDISCRIMINATION ASSURANCES (INCLUDING APPENDICES A-E)

The United States Department of Transportation
Standard Title VI/Non-Discrimination Assurances
DOT Order No. 1050.2A

The City of Greenville, NC (herein referred to as the “Recipient”), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the United States Department of Transportation (DOT), 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);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Title IX of the Education Amendments of 1972, as amended, (20 U.S.C. § 1681 *et seq.*), (prohibits discrimination on the basis of sex in education programs or activities);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability);
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 *et seq.*), (prohibits discrimination on the basis of disability);
- 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*);
- 49 C.F.R. part 27 (entitled *Nondiscrimination On The Basis Of Disability In Programs Or Activities Receiving Federal Financial Assistance*);
- 49 C.F.R. part 28 (entitled *Enforcement Of Nondiscrimination On The Basis Of Handicap In Programs Or Activities Conducted By The Department Of Transportation*);
- 49 C.F.R. part 37 (entitled *Transportation Services For Individuals With Disabilities (ADA)*);
- 49 C.F.R. part 303 (FRA’s Title VI/Nondiscrimination Regulation);
- 28 C.F.R. part 35 (entitled *Discrimination On The Basis Of Disability In State And Local Government Services*);
- 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.

Although not applicable to Recipients directly, there are certain Executive Orders and relevant guidance that direct action by Federal agencies regarding their federally assisted programs and activities to which compliance is required by Recipients to ensure Federal agencies carry out their responsibilities. Executive Order 12898 (1995), entitled “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations” emphasizes that Federal agencies should use existing laws to achieve Environmental Justice, in particular Title VI, to ensure nondiscrimination against minority populations. Recipients should be aware that certain Title VI matters raise Environmental Justice concerns and USDOT intends that all Recipients evaluate and revise existing procedures (as appropriate) to address and implement Environmental Justice considerations. See the following FHWA website for more information and facts about Environmental Justice: http://www.fhwa.dot.gov/environment/environmental_justice/index.cfm

Additionally, Executive Order 13166 (2001) on Limited English Proficiency, according to the U.S. Department of Justice in its Policy Guidance Document dated August 16, 2000 (65 Fed. Reg. at 50123), clarifies the responsibilities associated with the “*application of Title VI’s prohibition on national origin discrimination when information is provided only in English to persons with limited English proficiency.*” When receiving Federal funds Recipients are expected to conduct a Four-Factor Analysis to prevent discrimination based on National Origin. (See also U.S. DOT’s “*Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons,*” dated December 14, 2005, (70 Fed. Reg. at 74087 to 74100); the Guidance is a useful resource when performing a Four-Factor Analysis).

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, national origin, sex, age, disability, low-income, or LEP 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.”

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination 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 non-discrimination 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 Assurances, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted **Program**:

1. The Recipient agrees that each “activity,” “facility,” or “program,” as defined in 49 C.F.R. §§ 21.23 (b) and 21.23 (e) 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 the USDOT Program and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

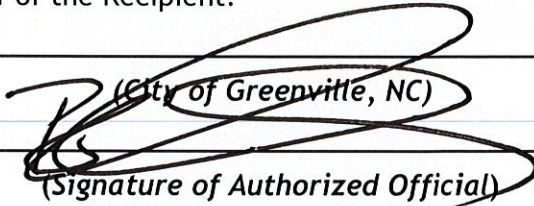
“The Recipient, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, all contractors will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of the owner’s race, color, national origin, sex, age, disability, income-level, or LEP 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, City of Greenville, NC 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 USDOT 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 USDOT. You must keep records, reports, and submit the material for review upon request to USDOT, 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 City of Greenville, NC 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 Department of Transportation. This ASSURANCE is binding on [insert State], other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the USDOT's Program. The person (s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

by _____


(City of Greenville, NC)
(Signature of Authorized Official)

DATED 1/9/2025

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 Motor Carrier Safety Administration (FMCSA), 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, national origin, sex, age, disability, income-level, or LEP 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 as set forth in Appendix E, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 C.F.R. 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 Non-discrimination on the grounds of race, color, national origin, sex, age, disability, income-level, or LEP.
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 FMCSA 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 FMCSA, 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 FMCSA 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 FMCSA 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.

CLAUSES FOR DEEDS TRANSFERING UNITED STATES PROPERTY

APPENDIX B

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 Department of Transportation as authorized by law and upon the condition that the City of Greenville, NC will accept title to the lands and maintain the project constructed thereon in accordance with the Regulations for the Administration of **Federal Motor Carrier Safety Administration (FMCSA) Program**, and the policies and procedures prescribed by the **FMCSA** of the Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, Department of Transportation, subtitle A, Office of the Secretary, part 21, Non-discrimination in Federally-assisted programs of the 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 City of Greenville all the right, title and interest of the Department of Transportation in and to said lands described in Exhibit "A" attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto City of Greenville, NC 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 City of Greenville, NC, its successors and assigns.

The City of Greenville, NC, 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, national origin, sex, age, disability, income-level, or LEP 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 City of Greenville, NC 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, Department of Transportation, subtitle A, Office of the Secretary, part 21, Non-discrimination in Federally-assisted programs of the 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 non-discrimination 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 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 effectuate the purpose of Title VI.)

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

APPENDIX C

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the City of Greenville, NC 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 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, national origin, sex, age, disability, income-level, or LEP will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, City of Greenville, NC will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the City of Greenville, NC 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 City of Greenville, NC and its assigns. *

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

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

APPENDIX D

The following clauses will be included in deeds, licenses, permits, or similar instruments/ agreements entered into by City of Greenville, NC 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, national origin, sex, age, disability, income-level, or LEP 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, national origin, sex, age, disability, income-level, or LEP 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, City of Greenville, NC 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 Non-discrimination covenants, City of Greenville, NC will thereupon revert to and vest in and become the absolute property of City of Greenville, NC and its assigns. *

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to effectuate 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 non-discrimination statutes and authorities; including but not limited to:

- Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. § 2000d *et seq.*), (prohibits discrimination on the basis of race, color, national origin), as implemented by 49 C.F.R. § 21.1 *et seq.* and 49 C.F.R. part 303;
- 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, as amended (29 U.S.C. § 794 *et seq.*) (prohibits discrimination on the basis of disability); and 49 C.F.R. 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 (Pub. L. 97-248 (1982)), as amended (prohibits discrimination based on race, creed, color, national origin, or sex).
- The Civil Rights Restoration Act of 1987 (102 Stat. 28) (“...which restore[d] the broad scope of coverage and to clarify the application of title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and title VI of the Civil Rights Act of 1964.”);
- 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 Justice regulations at 28 C.F.R. parts 35 and 36, and Department of Transportation regulations at 49 C.F.R. parts 37 and 38.
- The Federal Aviation Administration’s Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex).
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations.
- Executive Order 13166, Improving Access to Services for 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 C: COMPLAINT PROCEDURES AND REQUESTS FOR REASONABLE ACCOMMODATIONS

These discrimination complaint procedures outline the process used by **City of Greenville, NC** 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 **City of Greenville, NC's** 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:

- **City of Greenville**, Jessica Carter, Title VI Coordinator, 200 West Fifth Street, Greenville, NC 27835; 252-329-4418.
- **North Carolina Department of Transportation**, Office of Civil Rights, External Civil Rights Section, 1511 Mail Service Center, Raleigh, NC 27699-1511; 919-508-1830 or toll free 800-522-0453.
- **US Department of Transportation**, Departmental Office of Civil Rights, External Civil Rights Programs Division, 1200 New Jersey Avenue, SE, Washington, DC 20590; 202-366-4070.
- **Federal Transit Administration**, Office of Civil Rights, ATTN: Title VI Program Coordinator, East Bldg. 5th Floor - TCR, 1200 New Jersey Avenue, SE, Washington, DC 20590.
- **US Department of Justice**, Special Litigation Section, Civil Rights Division, 950 Pennsylvania Avenue, NW, Washington, DC 20530, 202-514-6255 or toll free 877-218-5228.

- **U.S. Department of Homeland Security**, Office for Civil Rights and Civil Liberties, Compliance Branch, Mail Stop #0190, 2707 Martin Luther King, Jr. Ave., SE, Washington, D.C. 20528, 202-401-1474, Toll-Free 1-866-644-8360.

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. <i>(Executive Order 13166)</i>
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. The City will determine the acceptability and jurisdiction of all complaints received. (Note: If the City will investigate, the Title VI Coordinator 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 City's Title VI Coordinator during Title VI compliance reviews.
3. When reporting **no complaints**, check the **No Complaints or Lawsuits** box and sign the log.

REQUESTS FOR REASONABLE ACCOMMODATIONS

The City provides various avenues for individuals to learn how they can request reasonable accommodations, including identification of an ADA Coordinator and ADA Project Team who helps to facilitate the following:

- Posting notices throughout the City’s facilities.
- Hosting public outreach meetings to offer the community an opportunity to learn and comment on accessibility of programs, services and activities provided by the City and at City facilities.
- Hosting a webpage with information regarding requests for accommodations found here: [ADA Compliance Notice | Greenville, NC \(greenvillenc.gov\)](#).
- Identifying of barriers in services, programs and activities that may prevent an individual with disabilities from access.
- Reviewing and updating City policies and practices to ensure reasonable access is obtained.

Upon receipt of a request, the ADA Coordinator works with the requisite City department and requesting individual to identify a solution for access to the program or activity.

GRIEVANCE PROCEDURES FOR ADA COMPLAINTS

The City of Greenville, in response to the Americans with Disabilities Act of 1990 (ADA), adopted an internal grievance procedure for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Justice regulations implementing Title II of the Americans with Disabilities Act, relating to access to public facilities. Title II states, in part, that a) No otherwise qualified disabled individual shall, solely by reason of such disability, b) Be excluded from participation in, be denied the benefits of, or be subjected to discrimination; c) In programs or activities sponsored by a public entity. Complaints should be addressed to Linda McCarthy, ADA Coordinator; Post Office Box 7207, Greenville, NC 27835, who has been designated to coordinate ADA compliance efforts.

The ADA was amended in 2008 and became effective in 2009. The ADA Standards for Accessible Design of 2010 regulations became effective on March 15, 2011. The regulations directed that on March 15, 2012, the 2010 Standards shall be applied to all new construction and alterations. Between September 15, 2010, when the new regulations were enacted, and March 15, 2012, covered entities such as the City of Greenville may choose to comply with the 1991 Design Standards, Uniform Federal Accessibility Standards or the 2010 Design Standards for new construction or alterations. If a structure was built or altered in compliance with the 1991 Design Standards or Uniform Federal Accessibility Standards, the structure would not be required to come into compliance with the 2010 standards until the subject elements were subjected to alteration. The same “safe harbor” provision applies to “paths of travel.”

1. A complaint may be filed in writing or verbally, contain the name and address of the person filing, and briefly describe the alleged violation of the regulation.
2. A complaint should be filed within fifteen (15) days after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination which occurred before this grievance procedure was in place will be considered on a case-by-case basis).
3. An investigation, as may be appropriate, shall follow the filing of a complaint. The investigation shall be conducted by Linda McCarthy, the City Manager, The Deputy City Manager, or Assistant City Manager and forwarded to the ADA Project Team. (The city may request assistance from representatives from the community, including educational, medical, county, businesses, and non-profit professions.). This procedure requires thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint. Under the Department of Justice regulations, the City of Greenville need not process complaints from applicants for employment.
4. A written determination as to whether the complaint was sustained or not and a description of the resolution, if any, shall be issued by the ADA Compliance Committee and a copy forwarded to the complainant no later than thirty (30) days after filing.
5. The Director of Human Resources shall maintain the files and records for complaints pertaining to employment. The ADA Coordinator shall maintain the files and records of all other complaints filed.
6. The complainant can request a reconsideration of the case in instances where he/she is dissatisfied with the resolution. The request for reconsideration should be made within thirty (30) days to the City Manager; Post Office Box 7207, Greenville, NC 27835.
7. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of an ADA complaint with the responsible federal department or agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.
8. These rules shall be constructed to protect the substantive rights of interested persons to meet appropriate due process standards, and to assure that the City of Greenville complies with the ADA and implementing regulations.

APPENDIX D: COMPLAINT FORM

The City of Greenville, North Carolina (“City”) is responsible for civil rights compliance and monitoring, which includes ensuring that providers of public transportation properly abide by Title VI of the Civil Rights Act of 1964, Executive Order 12898, “Federal Actions To Address Environmental Justice in Minority Populations and Low Income Populations,” and the Department of Transportation’s Guidance to Recipients on Special Language Services to Limited English Proficient (LEP) Beneficiaries.

In the City’s complaint investigation process, we analyze the complainant’s allegations for possible Title VI and related deficiencies. If deficiencies are identified, they are presented and assistance is offered to correct the inadequacies within a predetermined timeframe. The City also may refer the matter to the U.S. Department of Justice for enforcement.



Title VI Nondiscrimination Complaint Form

Instructions: Any person who believes that they have been subjected to discrimination based upon race, color, sex, age, national origin, disability, income-level, or limited English proficiency, may file a written complaint with City of Greenville, NC’s Title VI Coordinator, within 180 days after the discrimination occurred.

Section I: Complainant Basic Information

Last Name:		First Name:		<input type="checkbox"/> Male
				<input type="checkbox"/> Female

Mailing Address:	City:	State:	Zip:
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Telephone:	<input type="checkbox"/> Home <input type="checkbox"/> Work	E-Mail:
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Accessible Format Requirement(s): Large Print Audio Tape TDD Other _____

Identify the Category of Discrimination (Check all that apply):

Race National Origin Limited English Proficiency Age
 Color Disability Income-Level Religion

Identify the Race of the Complainant (Check all that apply):

Black White Native Hawaiian or Other Pacific Islander
 Hispanic Asian American Alaskan Native
 American Indian or Native American Other _____

Section II: Third Party

Are you filing this complaint on your own behalf? Yes No If you answered "yes" to this question, go to Section III.

If you answered "no" to this question, please supply the name and relationship of the person for whom you are complaining:

Please explain why you have filed for a third party.

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party. Yes No

Section III: Other Filings

Have you previously filed a Title VI complaint with City of Greenville, NC? Yes No

If yes, what was your City of Greenville Complaint Number? _____

Note: This information is needed for administrative purposes; we will assign the same complaint number to the new complaint.

Have you filed this complaint with any of the following agencies? Recipient Department of Transportation Department of Justice Equal Employment Opportunity Commission
 Other _____

Have you filed a lawsuit regarding this complaint? Yes No

Note: This above information is helpful for administrative tracking purposes. However, if litigation is pending regarding the same issues, we defer to the decision of the court.

Section IV: Nature of Complaint

Name of entity complaint is against: _____

Contact Person: _____ Title: _____

Telephone Number: _____

Date and place of alleged discriminatory action(s). Please include earliest date of discrimination and most recent date of discrimination.

Names of individuals responsible for the discriminatory action(s):

How were you discriminated against? Describe the nature of the action, decision, or conditions of the alleged discrimination. Explain as clearly as possible what happened and why you believe your protected status (basis) was a factor in the discrimination. Include how other persons were treated differently from you. (Attach additional page(s), if necessary).

The law prohibits intimidation or retaliation against anyone because he/she has either taken action, or participated in action, to secure rights protected by these laws. If you feel 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. (Attach additional page(s), if necessary).

Names of persons (witnesses, fellow employees, supervisors, or others) whom we may contact for additional information to support or clarify your complaint: (Attached additional page(s), if necessary).

	<u>Name</u>	<u>Address</u>	<u>Telephone</u>
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

Have you discussed the complaint with any City of Greenville 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:

Section V: Release of Information

May we release a copy of your complaint to the recipient? Yes No

May we release your identity to the recipient? Yes No

****CITY OF GREENVILLE CANNOT ACCEPT AN UNSIGNED COMPLAINT****

COMPLAINANT'S SIGNATURE	COMPLAINANT'S PRINTED NAME	DATE

You may mail your completed complaint to:

City of Greenville, NC
Jessica Carter
Title VI Coordinator
200 W. Fifth Street
Greenville, NC 27858
252-329-4418
OR fax it to 252-329-4747

OR e-mail it to: jcarter@greenvillenc.gov

Once your complaint is received, you will receive a letter acknowledging receipt of the complaint.

FOR OFFICE USE ONLY

Date Complaint Received: _____

Processed by: _____

Case #: _____

Referred to:

DOT

Other _____

Date Referred: _____

APPENDIX E: CITY OF GREENVILLE, NC COMPLAINT(S) LOG

DISCRIMINATION COMPLAINTS LOG

Log Year(s):

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

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 *City of Greenville, NC* since the previous Title VI Program submission.

Signature of Title VI Coordinator or Other Authorized Official _____

Date _____

Print Name and Title of Authorized Official _____



APPENDIX F: CONTRACT LANGUAGE FOR CONTRACTORS

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 Transit Administration (FTA), 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, national origin, sex, age, creed (religion), low-income, limited English proficiency, or disability 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 Subcontractors, Including Procurements of Materials and Equipment: In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier 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 FTA 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 FTA, 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 Nondiscrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the FTA 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 FTA 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.

- i. During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the

"contractor") agrees to comply with the following nondiscrimination statutes and authorities; including but not limited to:

Pertinent Nondiscrimination Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Nondiscrimination statute (49 U.S.C. § 47123)

(prohibits discrimination on the basis of race, color, national origin, and sex);

- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures Nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of Limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq);
- Federal transit laws, specifically 49 U.S.C. § 5332 (prohibiting discrimination based on race, color, religion, national origin, sex (including gender identity), disability, age, employment, or business opportunity).

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

Contractor's Initials

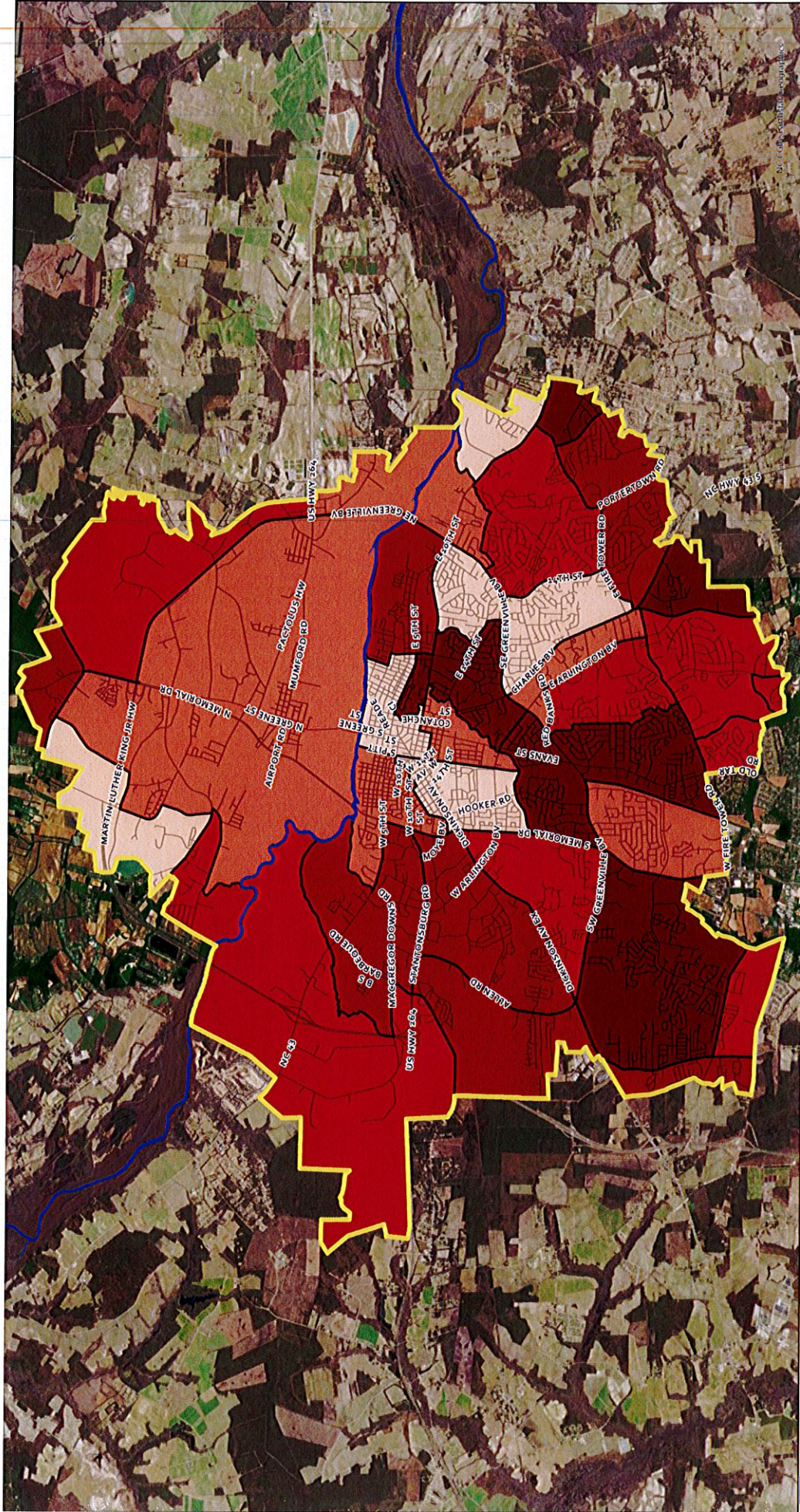
Date

APPENDIX G: SERVICE AREA POPULATION CHARACTERISTICS

To ensure that Title VI reporting requirements are met, we will collect and maintain population data on potential and actual beneficiaries of our programs and services. This section contains relevant population data for our overall service area. This data provides context for the Title VI Nondiscrimination Program and will be used to ensure nondiscrimination in public outreach and delivery of our programs and services.

Below, maps representing the following service area population characteristics are provided:

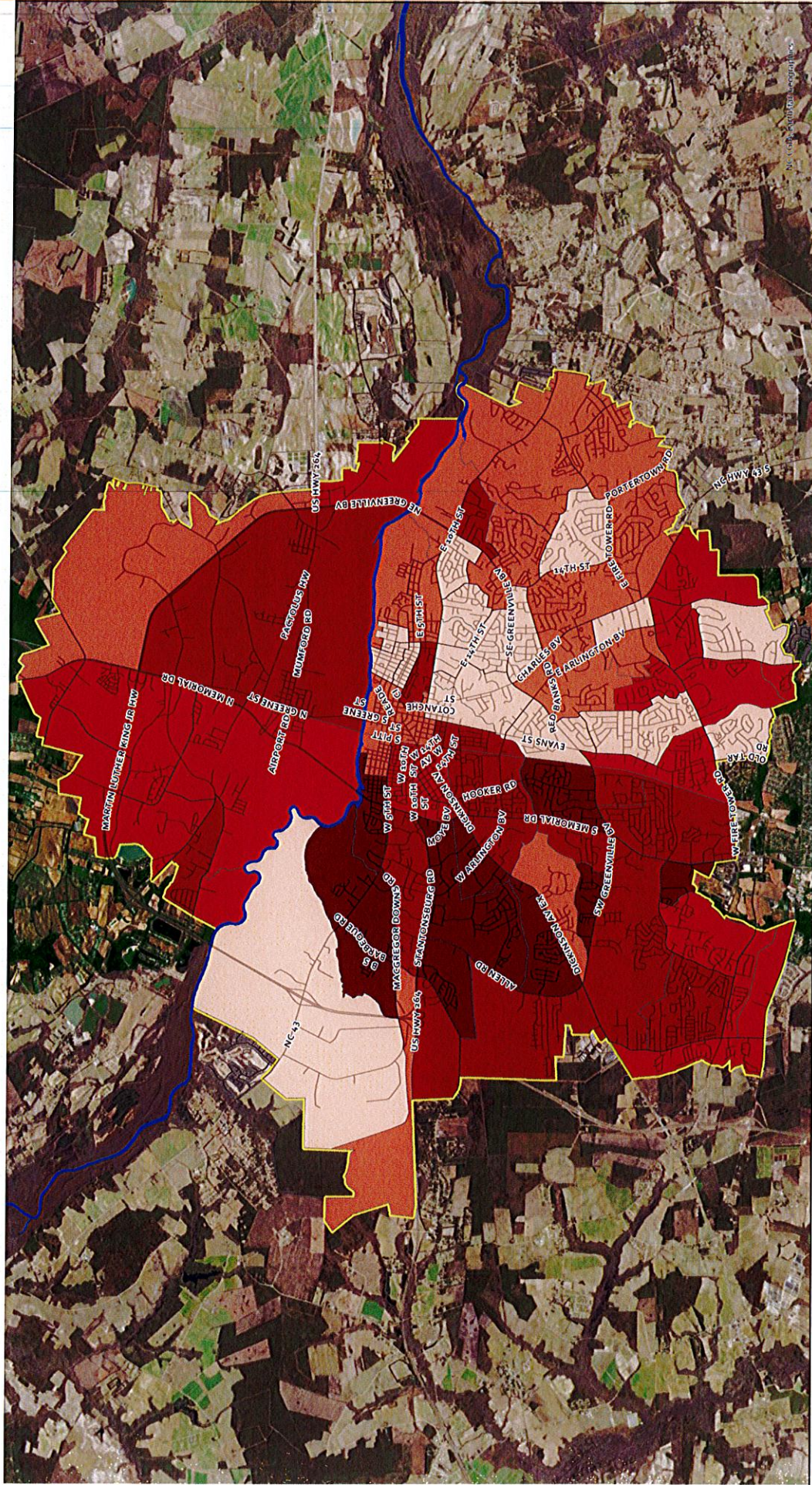
- Race & Ethnicity
- Age & Sex, Disability
- Poverty
- Household Income
- Limited English Proficiency



City of Greenville

Population



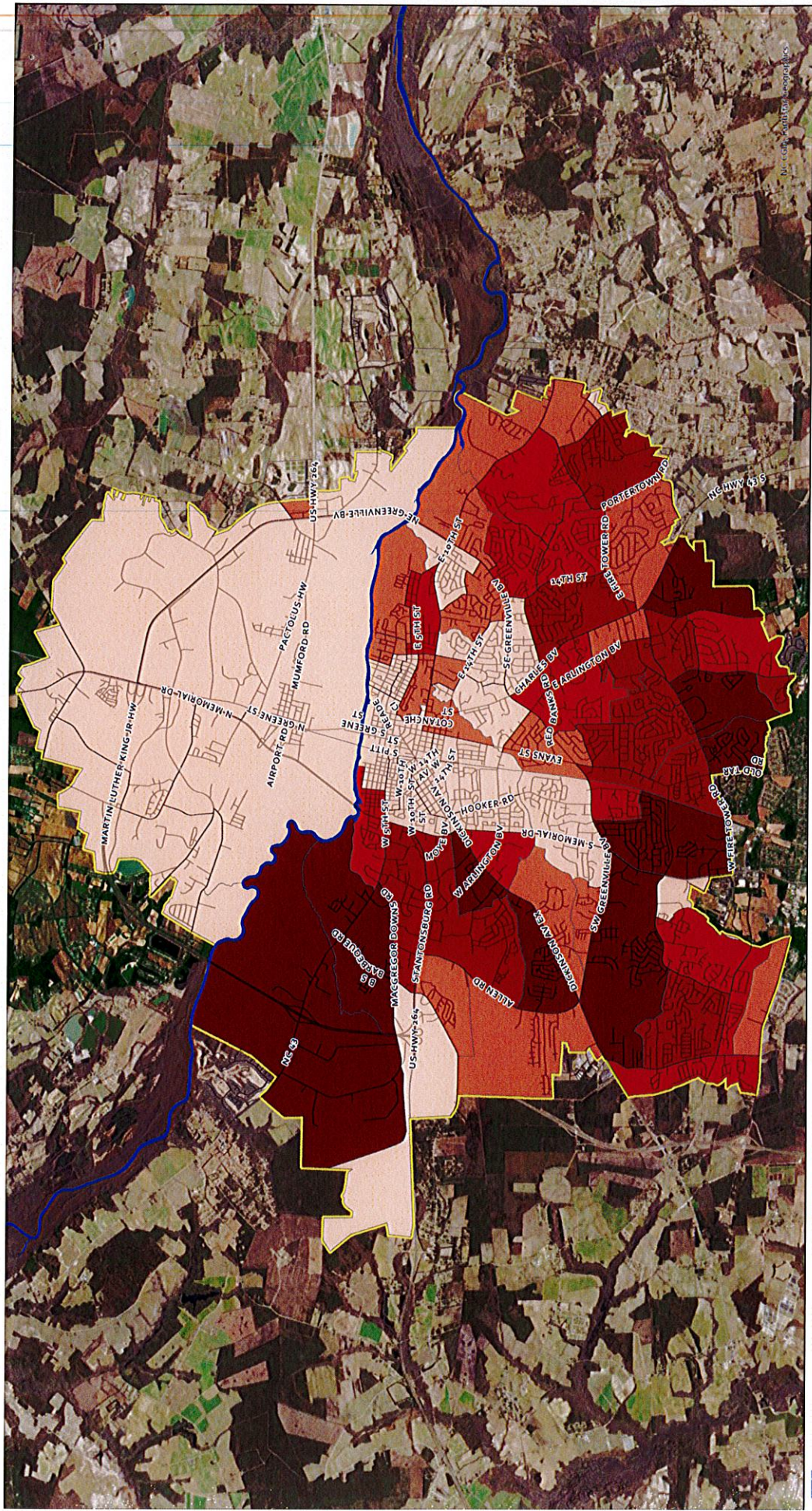


 Tar River
 ETD

Population Density
 436 - 707
 708 - 1084
 1085 - 1690
 32 - 195
 196 - 435

City of Greenville

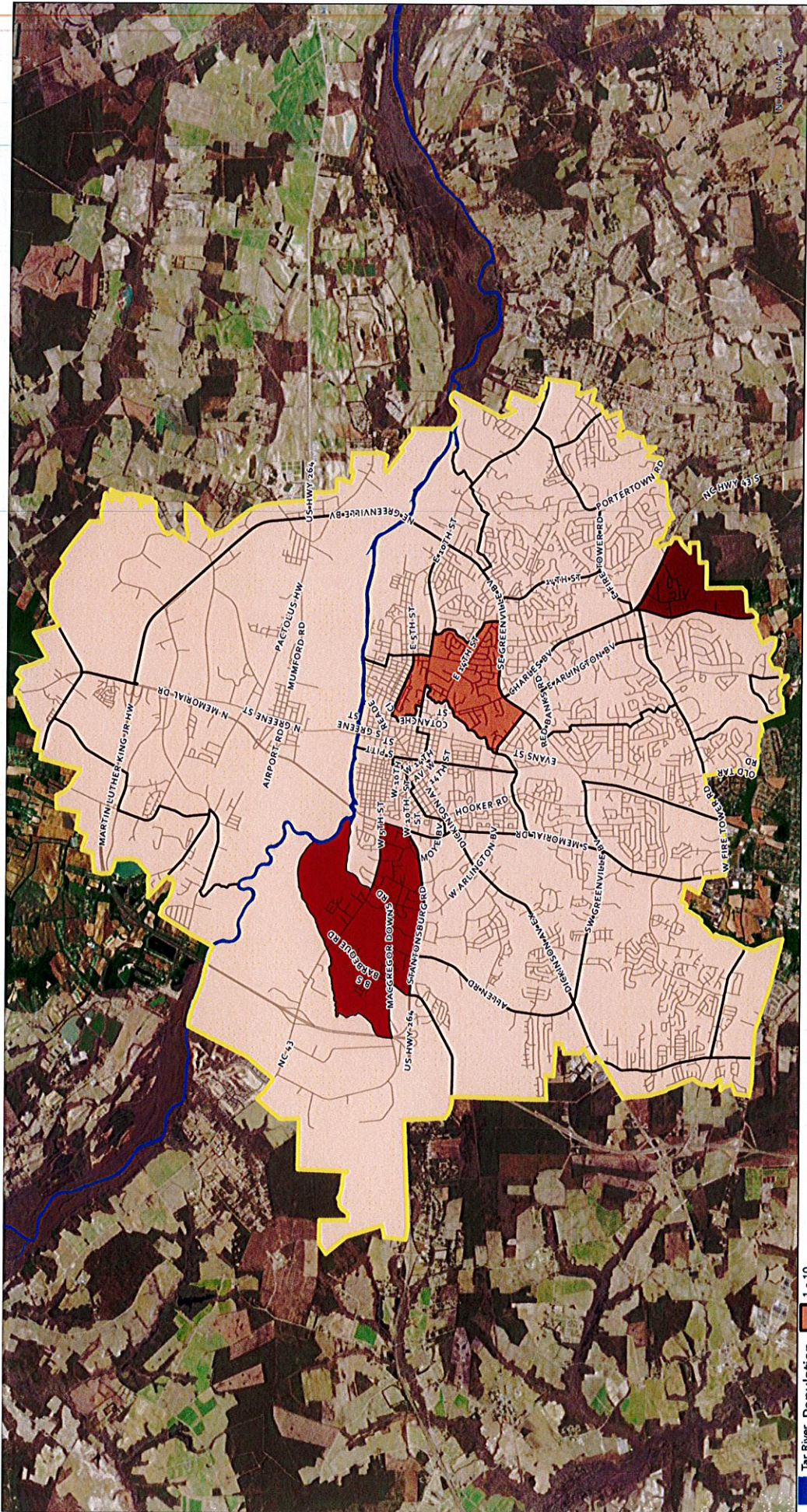
African American Population



City of Greenville

Asian Population

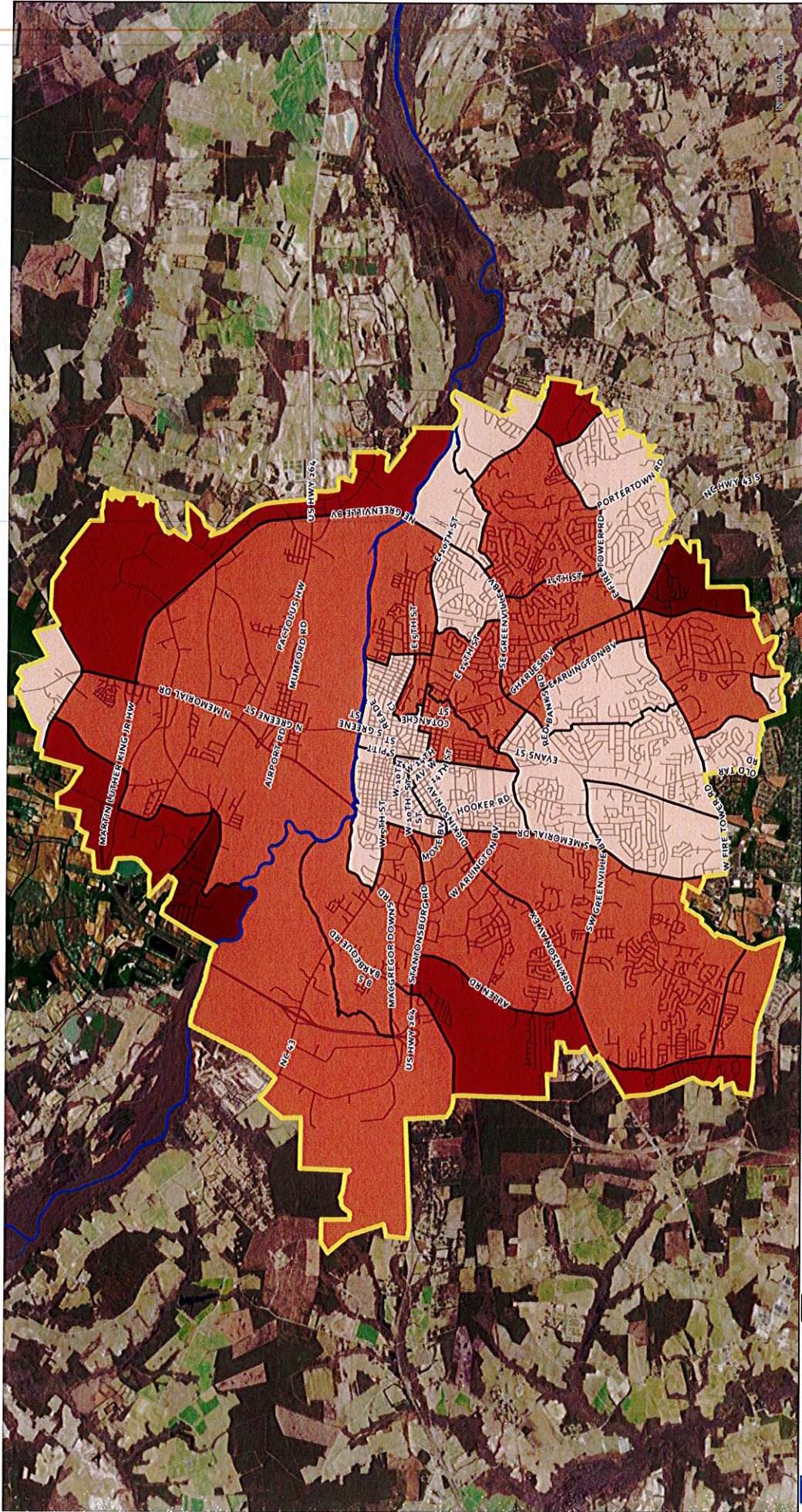




City of Greenville

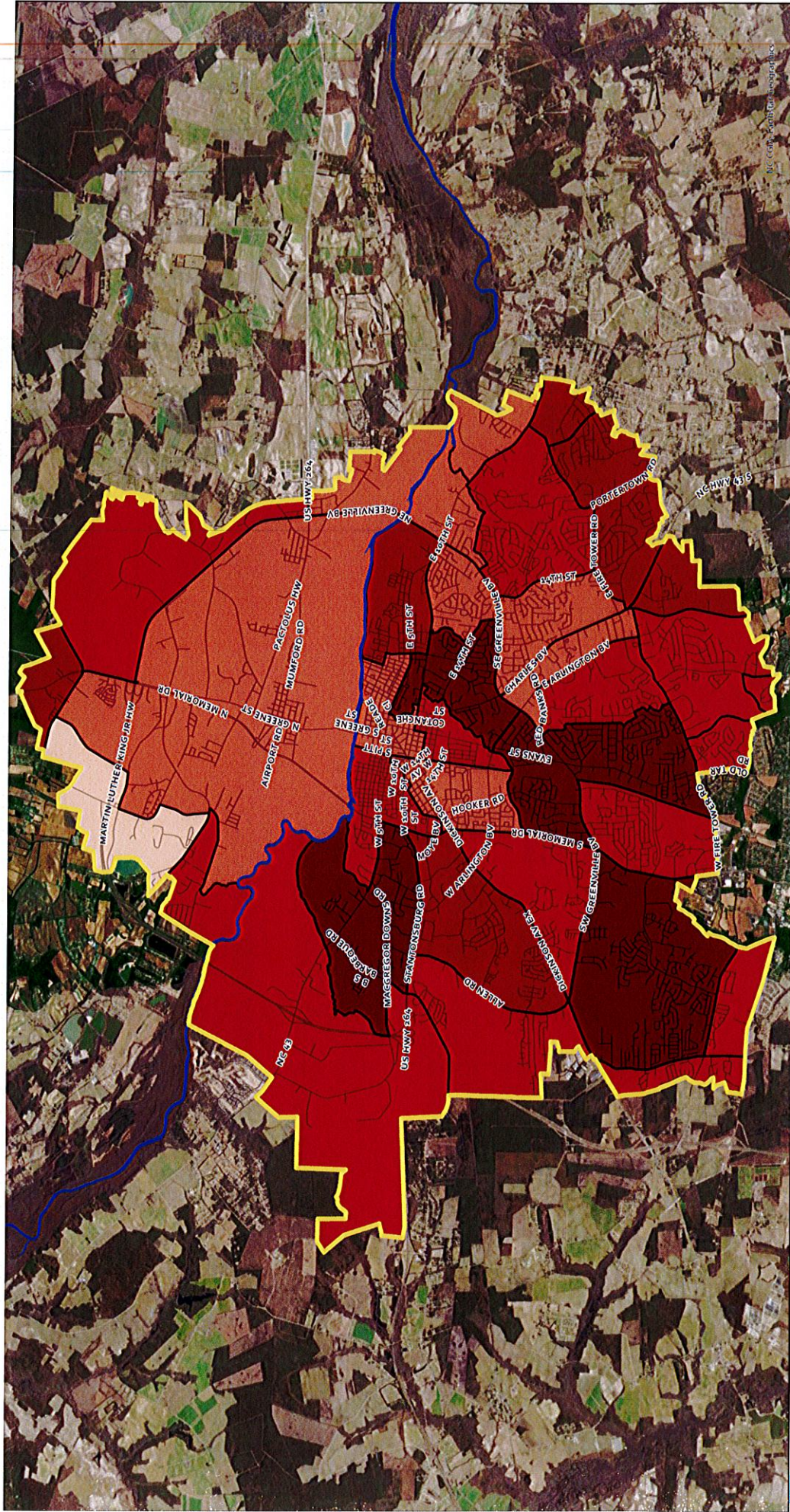
Native Hawaiian and other Pacific Islander Population





City of Greenville

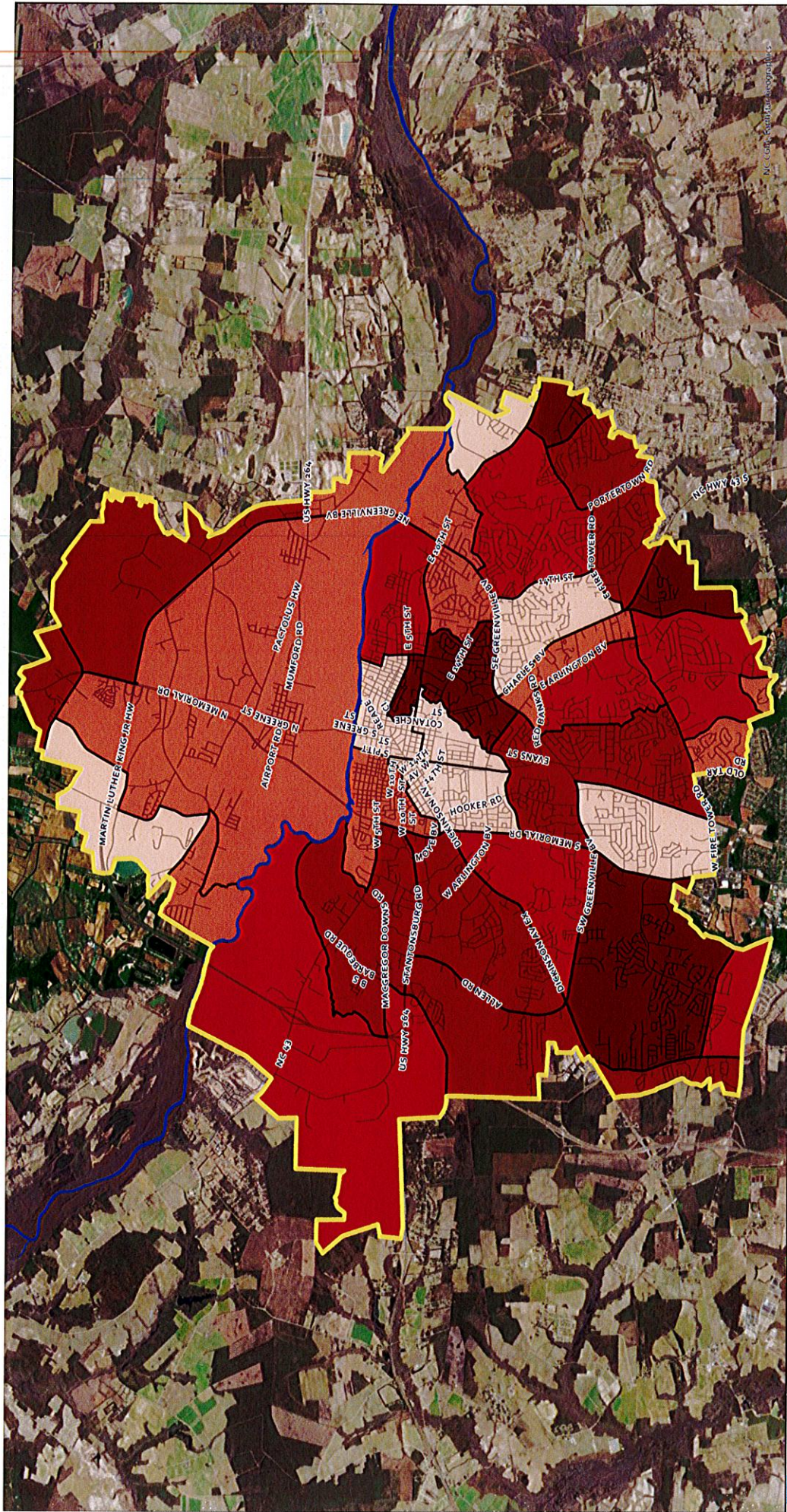
Hispanic and Latino Population



City of Greenville

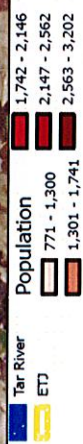
Female Population

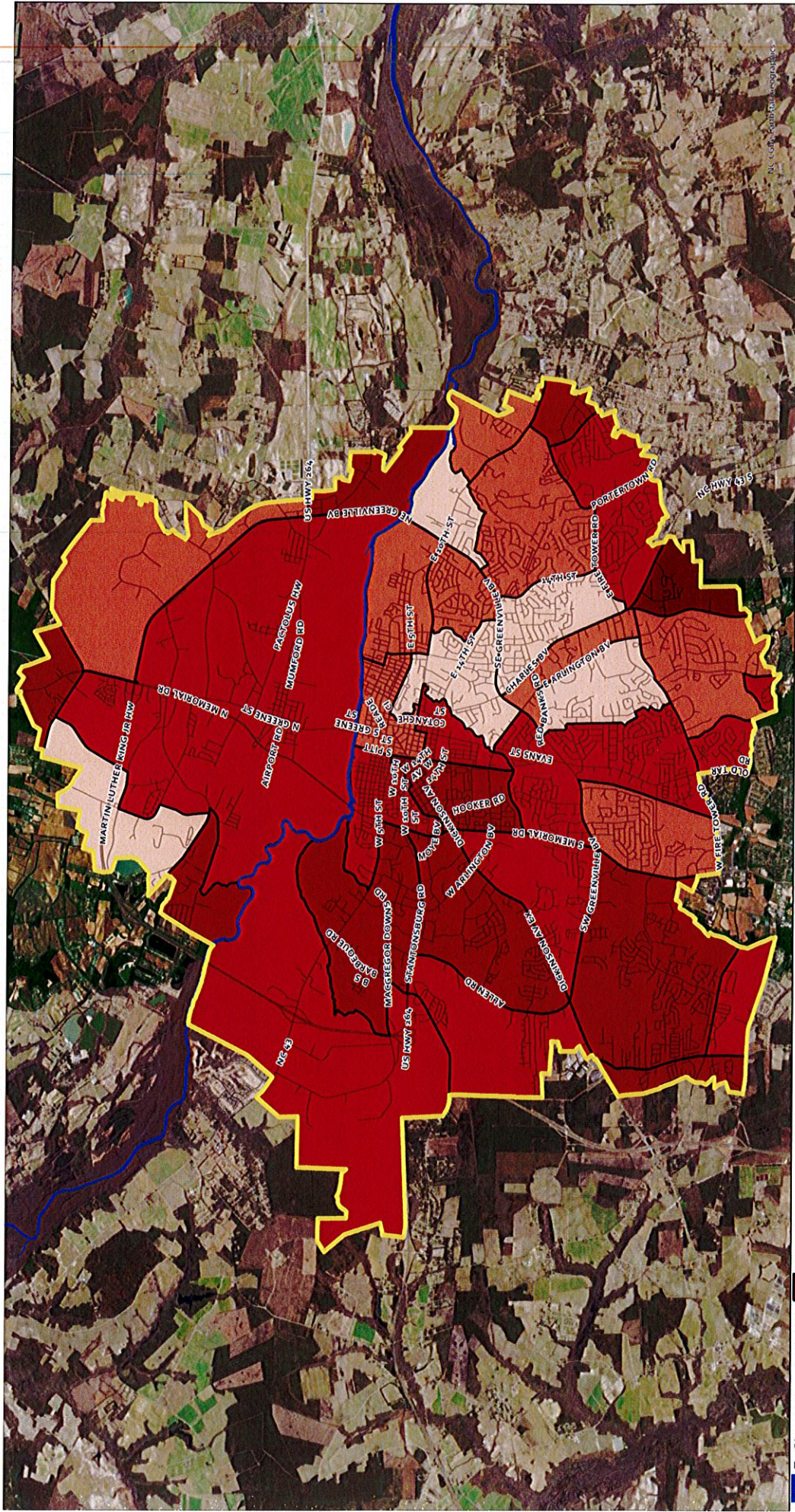




City of Greenville

Male Population



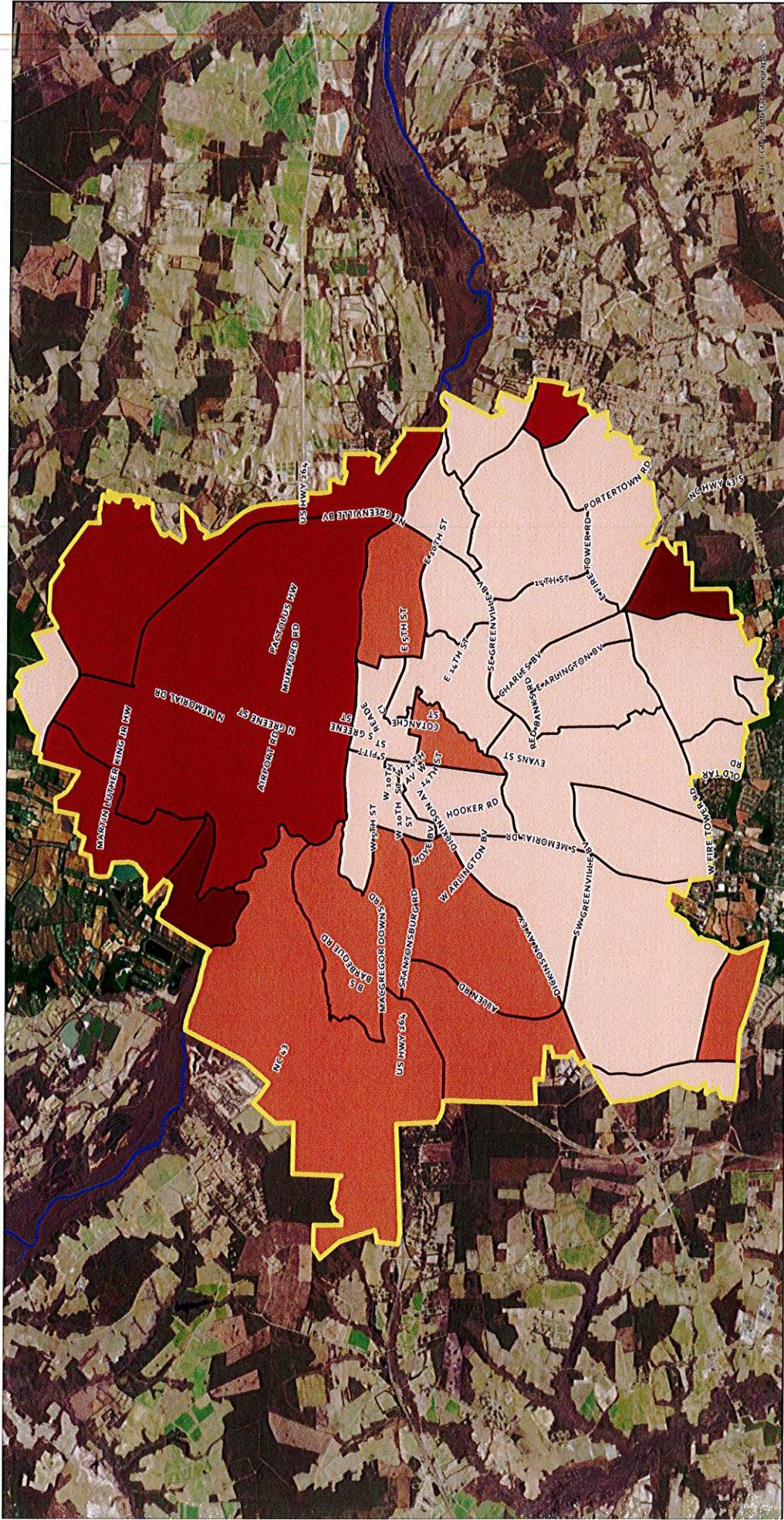


City of Greenville

Noninstitutionalized Population with a Disability

	Tar River		445 - 672
	ETJ		673 - 934
			935 - 1,358
			139 - 288
			289 - 444

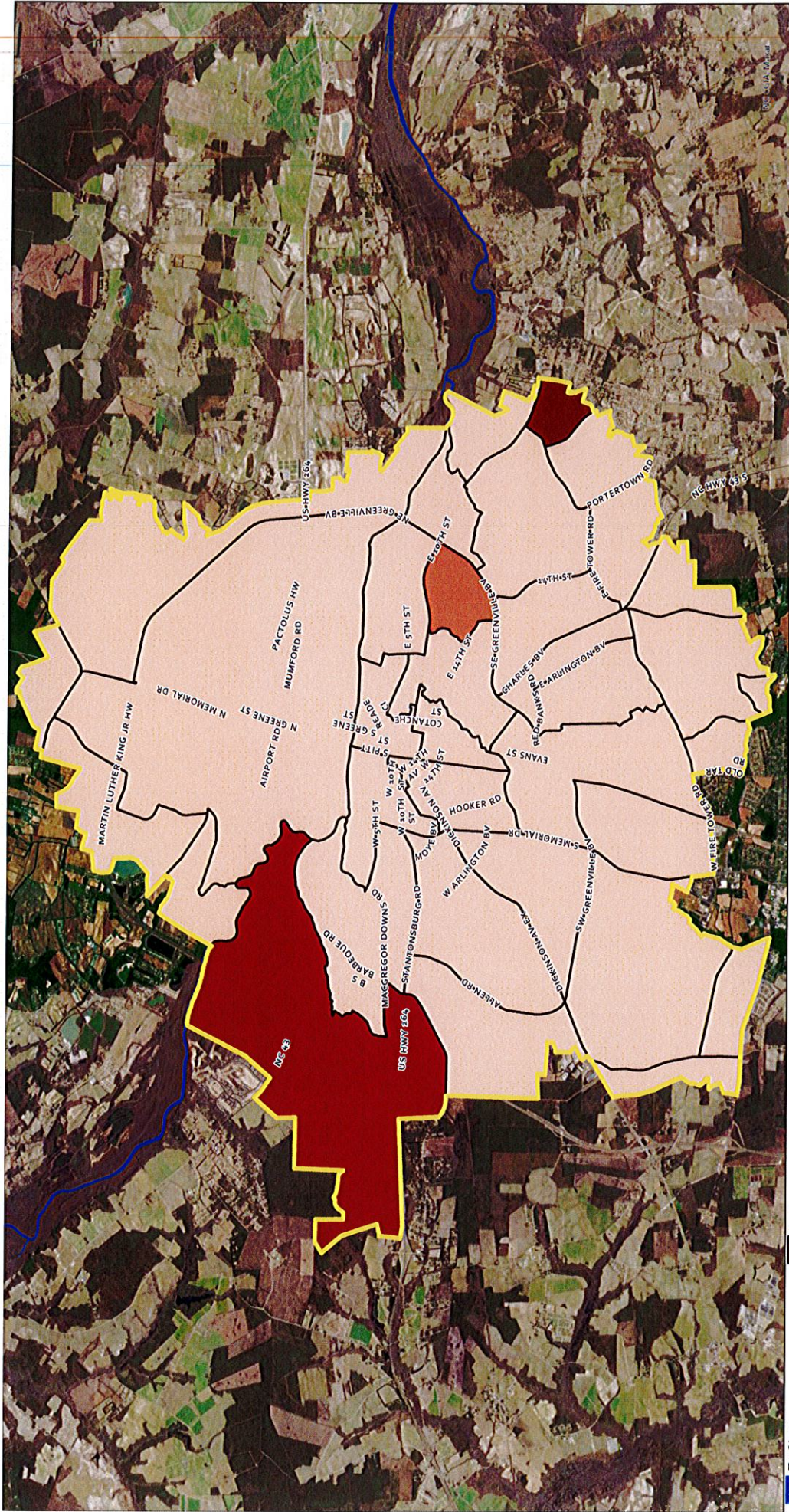




City of Greenville

Language spoken at home

- Tar River
- ETJ
- Spanish Speaking Homes
- 0 - 109



City of Greenville

Language spoken at home

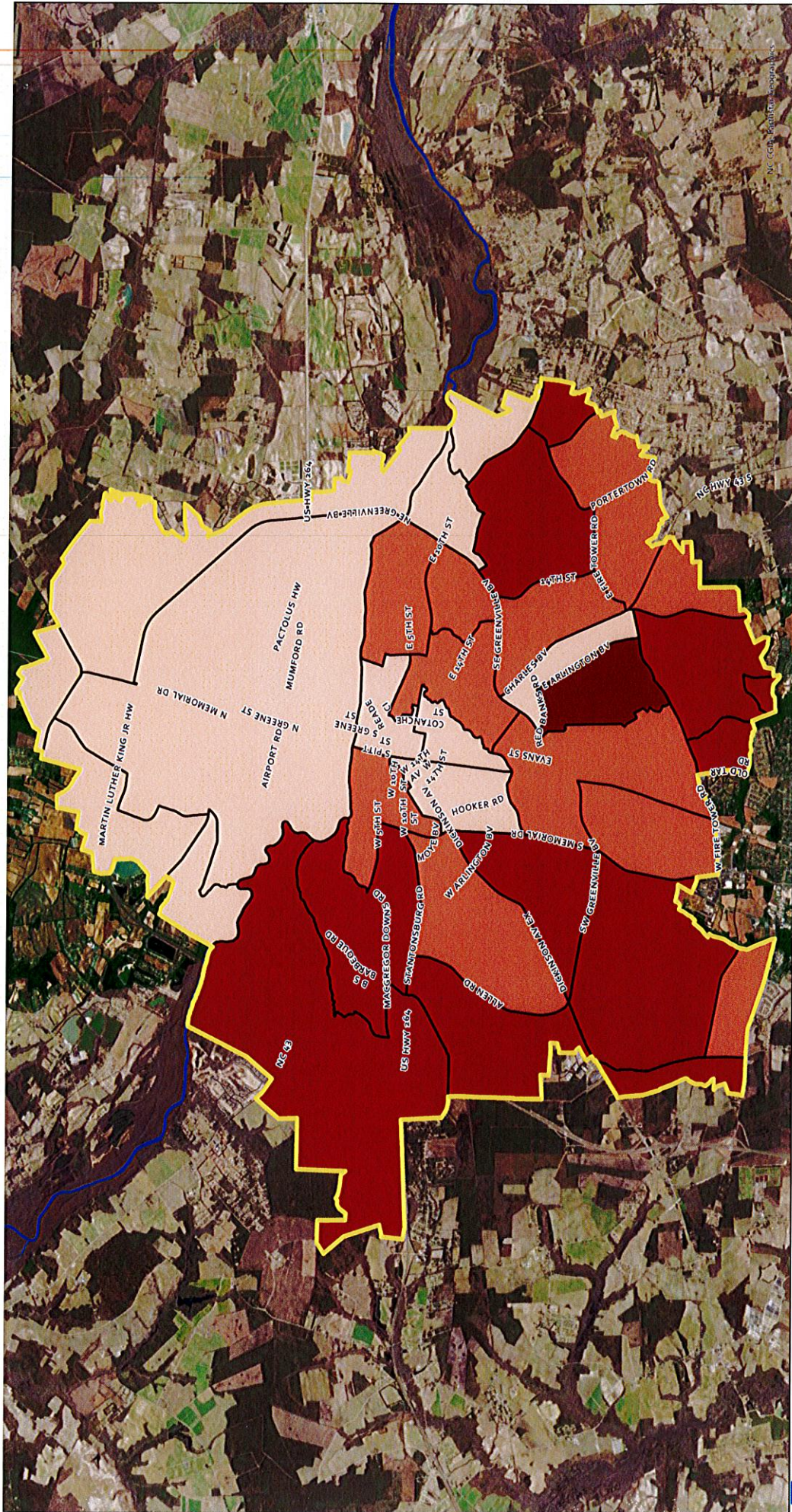
Tar River

 ETJ

 Indo-European Speaking Homes

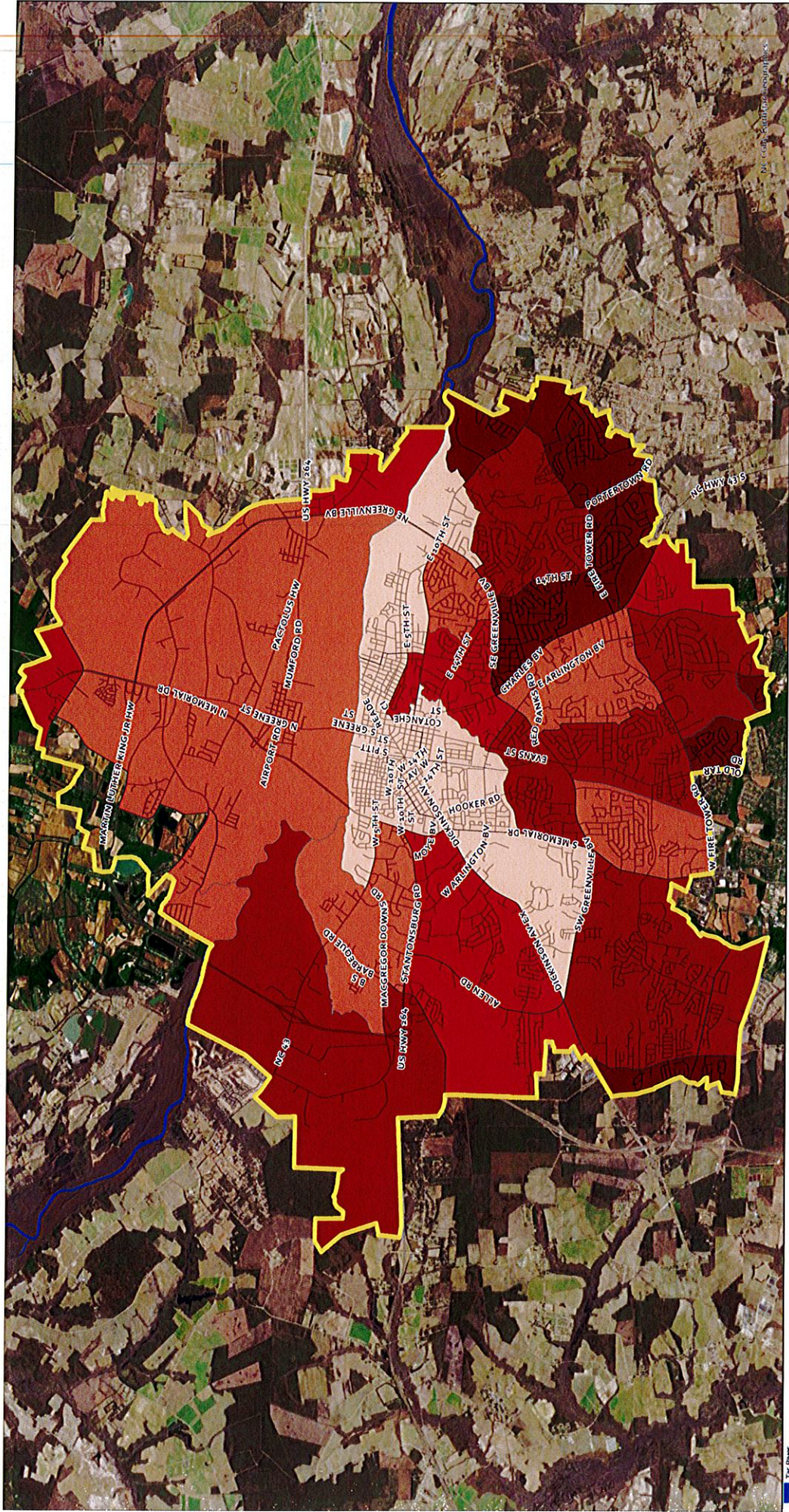
 0





City of Greenville

Language spoken at home



City of Greenville

Median Household Income

The Range
 (ETI)
 Median household income in the past 12 months (in 2021 inflation)

\$26,025.00 - \$34,488.00
\$34,488.01 - \$43,873.00
\$43,873.01 - \$53,750.00
\$53,750.01 - \$73,484.00
\$73,484.01 - \$95,566.00

APPENDIX H: DEMOGRAPHIC DATA REQUEST FORM

The following form will be used to collect required data on Key Community Contacts and nonelected committee members.

The City of Greenville, NC is required by Title VI of the Civil Rights Act of 1964 and related authorities to record demographic information on members of its boards and committees. Please provide the following information:

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

Completed forms will remain on file as part of the public record. For more information regarding Title VI or this request, please contact the Title VI Coordinator, Jessica Carter at 252-329-4418 or by email at jcarter@greenvillenc.gov.

Please sign below acknowledging that you have completed this form.

Thank you for your participation!

Name (print): _____

Signature: _____