

SUBRECIPIENT TITLE VI PROGRAM PLAN

# Western Carolina Community Action



Date Adopted  
01/28/2021

## Title VI Program Plan



WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

**TITLE VI PLAN REVIEW AND ADOPTION**

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

\_\_\_\_\_  
Signature of Authorizing Official

\_\_\_\_\_  
DATE

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

TITLE VI PLAN REVIEW AND ADOPTION

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

  
\_\_\_\_\_  
Signature of Authorizing Official

1/28/2021  
\_\_\_\_\_  
DATE

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

Table of Contents

**Title VI Nondiscrimination Agreement .....6**

**1.0 Introduction .....7**

**2.0 Description of Programs and Services .....7**

    2.1 Program(s) and Services Administered .....7

    2.2 Funding Sources/Tables .....7

    2.3 Decision-Making Process .....8

    2.4 Title VI Coordinator .....9

    2.5 Change of Title VI Coordinator and/or Head of Decision-making Body .....9

    2.6 Organizational Chart .....9

    2.7 Subrecipients .....9

**3.0 Title VI Nondiscrimination Policy Statement .....10**

**4.0 Notice of Nondiscrimination .....11**

**5.0 Procedures to Ensure Nondiscriminatory Administration of Programs and Services .....12**

**6.0 Contract Administration .....13**

    6.1 Contract Language .....13

    6.2 Nondiscrimination Notice to Prospective Bidders .....14

**7.0 External Discrimination Complaint Procedures .....15**

    Discrimination Complaint Form .....17

    Discrimination Complaints Log .....19

    Investigative Guidance .....20

    SAMPLE Investigative Report Template .....21

**8.0 Service Area Population Characteristics .....22**

    8.1 Race and Ethnicity .....22

    8.2 Age and Sex .....22

    8.3 Disability .....23

    8.4 Poverty .....24

    8.5 Household Income .....24

    8.6 Limited English Proficiency Populations .....25

    8.7 Population Locations .....25

**9.0 Title VI Equity Analyses (and Environmental Justice Assessments) .....25**

**10.0 Public Involvement .....26**

    10.1 Introduction .....26

    10.2 Public Notification .....26

    10.3 Dissemination of Information .....26

    10.4 Meetings and Outreach .....27

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

10.5 Limited English Proficiency .....28

10.6 Demographic Requests.....31

10.7 Key Community Contacts .....32

10.8 Summary of Outreach Efforts Since the Last Title VI Program Submission .....32

**11.0 Staff Training .....32**

**12.0 Nonelected Boards and Committees – By Race and Gender .....33**

**13.0 Record keeping and Reports.....33**

**14.0 Transit Providers .....34**

    14.1 Service Standards.....34

    14.2 Service Policies.....34

**Appendices .....36**

    Appendix A – Applicable Nondiscrimination Authorities

**TITLE VI NONDISCRIMINATION AGREEMENT  
BETWEEN  
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION  
AND  
WESTERN CAROLINA COMMUNITY ACTION**

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

Further, WCCA hereby agrees to:

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

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

Authorized Signature
Date
David White, CEO

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

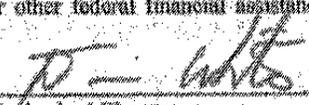
**TITLE VI NONDISCRIMINATION AGREEMENT  
BETWEEN  
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION  
AND  
WESTERN CAROLINA COMMUNITY ACTION**

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

Further, WCCA hereby agrees to:

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

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

  
\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

David White, CEO

# WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

## 1.0 INTRODUCTION

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

WCCA is a recipient of Federal Transit Administration (FTA) funds from the North Carolina Department of Transportation (NCDOT). WCCA establishes this Title VI Nondiscrimination Plan for the purpose of complying with Title VI of the Civil Rights Act of 1964, as required by FTA Circular 4702.1B, and related requirements outlined within the FTA Certifications & Assurances, “Nondiscrimination Assurance.” This document details the nondiscrimination program, policies, and practices administered by WCCA, and will be updated periodically to incorporate changes and additional responsibilities as they are made. This Plan will be submitted to NCDOT or FTA, upon request.

## 2.0 DESCRIPTION OF PROGRAMS AND SERVICES

### **General Community Programming**

#### **Congregate Meal Sites** - Transylvania County.

WCCA operates two meal sites in Transylvania County, located at the Silvermont mansion and Quebec Community Center. This program provides a mid-day meal and supportive services five days a week. Transylvania County provides transportation to both meal sites. These meal sites offer a well-balanced meal, recreation, social activities, and educational programs for persons sixty years old and older. Funding is provided through the Home and Community Care Block Grant, community donations and Tiger Town Thrift Shop.

#### **Mobile Meals** - Transylvania County.

This program serves a mid-day meal five days a week to homebound elderly in the upper end of Transylvania County. The meals are prepared by Transylvania Regional Hospital and transported to the Quebec Congregate Meal Site for delivery to eligible participants. Volunteers are used for the house-to-house delivery. The meals meet one third of the RDA for senior citizens. Funding is provided by the Home and Community Care Block Grant, local donations, and the Tiger Town Thrift Shop.

## WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

### *Gardens Program* –Transylvania County

Low-income families/individuals are provided **vouchers to purchase** seeds, plants and fertilizer **from local merchants** for a homegrown garden that enables them to stretch their food dollars. Canning and freezing food produced through this program becomes a year round source of nourishment. Funding is provided by donations.

### *Nutritional Supplement Program* - Transylvania County

Liquid nutritional supplement products are available free or at reduced cost for low-income persons with documented medical risks. A needs statement from a health care professional is required. Lake Toxaway Charities, Home and Community Care Block Grant, and other local donations provide funding.

### *Tiger Town Thrift Shop* – Transylvania County.

The Tiger Town Thrift Shop opened in October 2001. The store was the realization of efforts to find a way to bring in unrestricted funds to the agency. Tiger Town is located in a 4,000 square foot building at the corner of Chestnut Street and Highway #178. The store carries clothing for children and adults, household items, furniture antiques, and jewelry. At the present time, it is staffed by sixteen volunteers and a paid position of 20-25 hours per week.

As we began, an important concern was to approach the community as a partner, not a competing business. To accomplish that, we asked the business classes of Rosman High School to name our store. A contest was held, and the name “Tiger Town Thrift Shop” was selected as the best entry. We felt that this name incorporated the spirit of the community as well as stating the nature of our business.

Profits from the thrift shop are used to fund our senior services programs in Transylvania County. Hopefully, as the store grows, the profits can be used to help assist other WCCA programs.

**Head Start/Early Head Start/NC Pre-K Programs**

**Overview**

WCCA Head Start, Early Head Start, and Early Head Start –Child Care Partnership fund over 500 children and pregnant women. NC Pre-K funds programs for over 200 four-year-old children. At least 90% of the children served must be from families whose financial incomes are within the current poverty index. At least 10% of the enrollees must have disabilities.

**Head Start/Early Head Start Centers**

Head Start operates over twenty classrooms in Transylvania and Henderson Counties for children between the ages of three and five years old. Additionally, there are over twenty Early Head Start classrooms in Polk, Transylvania and Henderson counties for children between the ages of birth and three years. WCCA operates Head Start and Early Head Start classrooms at eleven locations in Henderson County, one in Polk County and three in Transylvania County.

Wrap-Around services, which lengthen the classroom day and months of the year if needed, to provide childcare for parents of children who are working or in job related training operate at eleven centers. Parents pay for Wrap-Around fees on a sliding scale basis. There is, however, no charge for participation in Head Start.

Early Head Start-Child Care Partnership classrooms exist in six participating childcare centers and family childcare homes in Henderson, Polk, Rutherford, and Transylvania Counties.

**Home-Based Program**

A teacher who works with the child and the parent, as well as other family members visits children in their homes on a weekly basis. Head Start home base operates from September through May. Early Head Start home base operates year-round. Home-based children are also given opportunities to visit centers for socialization experiences. The eligibility criteria, including age and family income, are the same as for center enrollees. We currently serve 84 home-based children in Polk, Transylvania and Henderson Counties.

Children enrolled in the home-based program are from families who live in remote areas of the three counties, therefore making it difficult to be transported daily to a center. Some families just prefer to have their children stay at home.

**Additional Information**

Early Head Start/Head Start children in both center and home base programs receive comprehensive services of education, family service, parent involvement, nutrition, health, mental health and disabilities. Parents are involved in all facets of the program. The 80% federal funds allocated to operate Early Head Start/Head Start programs must be matched by 20% non-federal resources. The non-federal match is typically provided by collaboration with NC Pre-K, in-kind donations, services of volunteers, donations from individuals, church and civic groups, etc.

The WCCA Board of Directors and the Head Start Policy Council share decision-making about various aspects of the Early Head Start/Head Start program to include approval of: 1) procedures for program planning and the annual funding applications, 2) short-term and long-term program goals, and 3) procedures for resolution of community concerns.

**Funding Sources**

- U.S. Department of Health and Human Services for Head Start/ Early Head Start
- State of North Carolina for NC Pre-K and subsidy vouchers
- County funding for use of buildings in school systems and Etowah Children's Center
- Local donations from individuals, civic and faith based organizations and community partners. Parents, community members and others provide volunteer hours.

**Section 8 Housing Choice Voucher Program**

The Section 8 Housing Choice Voucher Program is a rent subsidy program funded by the Department of Housing and Urban Development (HUD). The program enables very low-income families to obtain standard housing. To be eligible, an applicant individual or family must be very low-income (below 50% of area median). Families/individuals are expected to contribute 30% of adjusted monthly income toward rent and utility expenses; the balance, up to established ceilings, is subsidized. Each unit is inspected to ensure that the unit meets minimum housing quality standards before a lease and Housing Assistance Payment contract are signed. The assisted families are reviewed annually to determine whether their incomes still permit them to qualify for assistance under the program and to adjust the family's portion of the rent.

Units are also re-inspected annually to ensure compliance with Housing Quality Standards. We are currently funded to assist approximately 646 families and 5 homeless veterans in Henderson and Transylvania Counties. A listing of affordable rental units in the community is also made available to the general public through the department.

**Family Self-Sufficiency (FSS) Program** – Henderson and Transylvania Counties.

The Family Self-Sufficiency Program (FSS) enables families and individuals in the Housing Choice Voucher programs to progress with case management through a personalized goal plan from dependency to independence from government assistance. These families escrow money, which can ultimately be used as a down payment for homeownership, education, job training, or starting a business.

**Funding Source**

- U. S. Department of Housing and Urban Development

**WCCA Transportation Services**  
**Apple Country Transportation**

**Overview**

WCCA/Apple Country Transportation is the lead agency for Rural General Public and Human Services transportation in Henderson County. WCCA's fleet of 25 vehicles provides over 150,000 passenger trips at over 40,000 miles traveled per year. Apple Country Transportation currently provides consolidated transportation services for Human Service agencies in Henderson County, as well as, an Elderly and Disabled Transportation Assistance Program (EDTAP); medical and grocery shopping services are also available for eligible elderly and disabled citizens.

Area agencies that we provide consolidated transportation service for include:

1. Henderson County Vocational Services
2. Henderson County Department of Social Services
3. Henderson County Department of Health
4. Pardee Hospital
5. Park Ridge Hospital
6. YMCA
7. FISH
8. Council on Aging (Sammy Williams Center congregate nutrition site)
9. WCCA Head Start
10. Henderson County Vocational Rehabilitation
11. Community Employment Options
12. Adult Day Care
13. Blue Ridge Community College
14. Hope Academy

Apple Country Transportation provides transportation to medical appointments for older adults who are wheelchair bound, as well as, medical transportation for same or next day ambulatory medical transportation.

### **FISH of Henderson County, Inc. Medical Transportation**

FISH is an international volunteer organization, which provides medical transportation to Henderson County residents free of charge; donations are kindly accepted. Apple Country, in coordination with FISH, provides limited transportation to wheelchair users for medical appointments. FISH reimburses Apple Country Transportation for individuals requiring Same Day or Next Day Medical Transportation services. Apple Country also provides phone services for FISH by taking calls for all appointment request and relays daily request to the FISH network of schedulers and drivers.

### **Public Transportation** - Henderson County.

Three public bus routes with over thirty-three designated stops within Henderson County and Hendersonville provide transportation for over 2,000 participants per week. The charge for this service is \$0.75 one-way. Discounts are available for eligible Medicare riders and children under 12 ride free.

### **Henderson County Vocational Services (HCVS)**

Each Monday through Friday Apple Country Transportation is responsible for transporting participants to and from HCVS. For many, this service is their only means of transportation to their place of employment and the return trip home. We provide this service running three vans daily from 6:45-8:30 A.M. and 3:00-4:30 P.M.

### **Henderson County Public Schools**

We provide transportation to and from Flat Rock Children's Center Monday through Friday. On average, Apple Country Transportation transports four to six children per day. This is funded through Head Start.

### **Home and Care Community Block Grant (Title III)**

Apple Country Transportation transports older adults (60+) each day to the bank, post office shopping, pharmacy, congregate nutrition site, adult day care, as well as recreational destinations. We have four routes daily Monday through Friday.

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

**ROAP (Rural Operating Assistance Program)**

The three parts of this service are:

- EDTAP (Elderly & Disabled Transportation Assistance) for people sixty and older or who are disabled
- RGP (Rural General Public) – Anyone is eligible.
- EMP (Employment Transportation) – Rides are provided to work, for those seeking employment, to job fairs or any transportation that is job-related.

**Green River/Tuxedo/Zirconia**

We are providing transportation services to this area through a TTAP grant. We provide medical transportation, shopping trips and rides to the Sammy Williams Senior Center for congregate meals.

**Funding Sources**

- Passenger Fares/Private Pay
- Home and Community Care Block Grant
- Department of Social Services
- Henderson County
- Department of Health and Human Services
- North Carolina Department of Transportation
- FISH of Henderson County
- Henderson County Vocational Solutions
- YMCA
- Henderson County Vocational Rehabilitation
- Council on Aging

**PROGRAM(S) AND SERVICES ADMINISTERED**

WCCA provides public transportation options to its customers within the town/city limits of Hendersonville County, North Carolina. WCCA/Apple Country observes all national holidays and operates 3 fixed routes; routes 1, 2, 3 M-F 6:30am-6:30pm. Surrounding areas served by the three routes include but are not limited to low-income residential, commercial, business district, consisting of predominantly Caucasian, African American, and Hispanic citizens.

Type of Service	Days of week	Times	Fare (if applicable)
Public Transit	Monday Through Friday	6:30am-6:30pm	\$.75 and \$.35 for 65 and older
Paratransit	Monday through Friday	6:30am-6:30pm	\$1.50
Title III Shopping and Meal site	Monday through Friday	9:00am-2:00pm	NA
Elderly and Disabled	Monday through Friday	8:00am-5:00pm	NA
Medical Transportation	Monday through Friday	8:00am-5:00pm	NA
Work First	Monday through Friday	8:00am-5:00pm	NA

## WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

### 2.1 FUNDING SOURCES / TABLES

For federally assisted programs, "federal assistance" shall include:

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

Each FTA Formula Grant received by our system during the past year, and whether the funds were received through NCDOT or directly from FTA, is checked below.

Grant Title	NCDO T	FTA	Details (i.e., purpose, frequency, and duration of receipt)
<b>5310</b> (Transportation for Elderly Persons and Persons with Disabilities)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	These funds help support our operational costs to provide services in Green River, Zirconia, Tuxedo and other unserved areas in the Eastern & Western parts of Henderson County. This grant is submitted annually and his on a physical year basis, July 1, through June 30.
<b>5311</b> (Formula Grants for Other than Urbanized Areas)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	The funding amount allows our agency to administer all programs that we currently oversee. This include ROAP, Title III both General & Medical Transportation, Henderson County Same Day/Next Day and Sheltered Workshop.

### 2.2 DECISION-MAKING PROCESS

The WCCA Board of Directors meets every month of the year except December. In October of 2020 a new Board subcommittee for transportation department issues was created. The committee consists of one transit customer that is a WCCA Board member, another WCCA Board member from the county health department, and an outside committee member representing the interest of elderly and medical transportation users. This committee reviews grant applications and contracts that need full Board approval. They make recommendations to the full WCCA Board on which contracts and grants to pursue.

The WCCA Board of Directors also has a standing subcommittee for personnel matters. This committee reviews human resource policies and procedures and makes recommendations to the full WCCA Board on which Human Resources Policies and Procedures to adopt. WCCA's Human Resources Policies and Procedures are reviewed by the personnel subcommittee at least once every two years.

Board or Committee Name	Appointed	Elected	# of Members
Transit Advisory Board	<b>X</b>	<input type="checkbox"/>	15
Transportation Subcommittee	<b>X</b>		3
The Full WCCA Board	<input checked="" type="checkbox"/>	<input type="checkbox"/>	18

## WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

### 2.3 TITLE VI COORDINATOR

The individual below has been designated as the Title VI Coordinator for WCCA, and is empowered with enough authority and responsibility to implement the Title VI Nondiscrimination Program:

Bobby Kimmons  
Human Resource Director  
220 King Creek Blvd Hendersonville, NC 28792  
828-693-1711  
bkimmons@wcca.org

Key responsibilities of the Coordinator include:

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

### 2.4 CHANGE OF TITLE VI COORDINATOR

If Title VI Coordinator Bobby Kimmons or CEO David White changes, this document and all other documents that name the Coordinator, will immediately be updated, and an updated policy statement (and nondiscrimination agreement, if standalone) will be signed by the new CEO.

### 2.5 ORGANIZATIONAL CHART

WCCA currently employs 21 staff which consist of the following job categories:

- David White: CEO
- Jeff Roper: Transportation Program Manager
- Elizabeth Whitten: CFO
- Felicia Sanchez: TPM Assistant
- Bonnie Wilson: Program Specialist
- Bobby Kimmons: HR Director
- Drivers (15)

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

### 2.6 SUBRECIPIENTS

WCCA does not have pass through funds to any other organizations and, therefore, does not have any subrecipients.

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

3.0 TITLE VI NONDISCRIMINATION POLICY STATEMENT

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

Signature

David White, CEO

Date

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

3.0 TITLE VI NONDISCRIMINATION POLICY STATEMENT

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

Signature

David White, CEO

Date

Title VI and Related Authorities

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

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

## WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

42 U.S.C. 6101; Title IX of the Education Amendments of 1972, 20 U.S.C. 1681; Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. 4601; Section 508 of the Rehabilitation Act of 1973, 29 U.S.C. 794d

### 4.0 NOTICE OF NONDISCRIMINATION

- WCCA operates its programs and services without regard to **race, color, national origin, sex, creed (religion), age, and disability** in accordance with Title VI of the Civil Rights Act and related statutes. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice may file a complaint with WCCA.
- For more information on the WCCA's civil rights program, and the procedures to file a complaint, contact WCCA 828-693-1711; email [bkimmons@wcca.org](mailto:bkimmons@wcca.org); or visit our administrative office at 220 King Creek Blvd, Hendersonville, NC 28792. For more information, visit [www.wcca.net](http://www.wcca.net).
- If information is needed in another language, contact 828-693-1711.
- A complainant may file a complaint directly with the North Carolina Department of Transportation by filing with the Office of Civil Rights, External Civil Rights Section, 1511 Mail Service Center, Raleigh, NC 27699-1511, Attention: Title VI Nondiscrimination Program; phone: 919-508-1808 or 800-522-0453, or TDD/TTY: 800-735-2962.
- A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590.

**5.0 PROCEDURES TO ENSURE NONDISCRIMINATORY ADMINISTRATION OF PROGRAMS AND SERVICES**

We are committed to nondiscriminatory administration of our programs and services, organization wide. WCCA will remind employees of Title VI nondiscrimination obligations through staff training and use of the **Annual Education and Acknowledgment Form** below. The Title VI Coordinator will periodically assess program operations to ensure this policy is being followed.

**Annual Education and Acknowledgement Form**

**Title VI Nondiscrimination Policy**

*(Title VI and related nondiscrimination authorities)*

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

All employees and representatives of WCCA are expected to consider, respect, and observe this policy in their daily work and duties. If any person approaches you with a civil rights-related question or complaint, please direct him or her to Bobby Kimmons Title VI Coordinator at 828-693-1711 bkimmons@wcca.org.

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

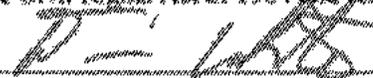
***Acknowledgement of Receipt of Title VI Program***

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

\_\_\_\_\_  
Signature Date

***Acknowledgement of Receipt of Title VI Program***

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

  
\_\_\_\_\_  
Signature Date  


WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

**6.0 CONTRACT ADMINISTRATION**

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

**6.1 CONTRACT LANGUAGE**

I. 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:

## WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

**(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 Non-discrimination 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.

II. 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);

## WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

- 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).

### 6.2 NONDISCRIMINATION NOTICE TO PROSPECTIVE BIDDERS

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

### 7.0 EXTERNAL DISCRIMINATION COMPLAINT PROCEDURES

These discrimination complaint procedures outline the process used by WCCA 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 WCCA 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, sex, age, national origin, creed (religion) 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.

## WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

- 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:
- **Western Carolina Community Action, P.O. Box 685 Hendersonville, NC 28792**
  - **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. 5<sup>th</sup> Floor – TCR, 1200 New Jersey Avenue, SE, Washington, DC 20590
  - **US Department of Justice**, Special Litigation Section, Civil Rights Division, 950 Pennsylvania Avenue, NW, Washington, DC 20530, 202-514-6255 or toll free 877-218-5228
- 4. Format for Complaints** – Complaints shall be in **writing** and **signed** by the complainant(s) or a representative and include the complainant’s name, address, and telephone number. Complaints received by fax or e-mail will be acknowledged and processed. Allegations received by telephone or in person will be reduced to writing, may be recorded and will be provided to the complainant for confirmation or revision before processing. Complaints will be accepted in other languages, including Braille.
- 5. Discrimination Complaint Form** – The Discrimination Complaint Form is consistent with the FTA Certifications & Assurances, “Nondiscrimination Assurance.”
- 6. Complaint Basis** – Allegations must be based on issues involving race, color, national origin, sex, age, creed (religion) or disability. The term “basis” refers to the complainant’s membership in a protected group category.

Protected Categories	Definition	Examples	Applicable Statutes and Regulations
			FTA
Race	An individual belonging to one of the accepted racial groups; or the perception, based usually on physical characteristics that a person is a member of a racial group	Black/African American, Hispanic/Latino, Asian, American Indian/Alaska Native, Native Hawaiian/Pacific Islander, White	Title VI of the Civil Rights Act of 1964; 49 CFR Part 21; 49 U.S.C. 5332(b); FTA Circular 4702.1B
Color	Color of skin, including shade of skin within a racial group	Black, White, brown, yellow, etc.	
National Origin	Place of birth. Citizenship is not a factor. Discrimination based on language or a person’s accent is also covered.	Mexican, Cuban, Japanese, Vietnamese, Chinese	
Sex	Gender	Women and Men	49 U.S.C. 5332(b); 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;

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

			Americans with Disabilities Act of 1990
Creed	Religion	Muslim, Christian, Hindu, Atheist	49 U.S.C. 5332(b)

**Complaint Processing**

1. When a complaint is received, an Acknowledgment Letter and a Complainant Consent/Release Form will be mailed to the complainant within ten (10) business days by registered mail.
2. We will consult with the NCDOT Title VI Program to determine the acceptability and jurisdiction of all complaints received. (Note: If NCDOT will investigate, the Title VI Program will be responsible for the remainder of this process. We will record the transfer of responsibility in our complaints log).
3. Additional information will be requested if the complaint is incomplete. The complainant will be provided 15 business days to submit any requested information and the signed Consent Release form. Failure to do so may be considered good cause for a determination of no investigative merit.
4. Upon receipt of the requested information and determination of jurisdiction, we will notify the complainant and respondent of whether the complaint has enough merit to warrant investigation.
5. If the complaint is investigated, the notification shall state the grounds of our jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator.
6. If the complaint does not warrant investigation, the notification to the complainant shall specifically state the reason for the decision.

**Complaint Log**

1. When a complaint is received, the complaint will be entered into the Discrimination Complaints Log with other pertinent information and assigned a **Case Number**. (Note: All complaints must be logged).
2. The complaints log will be submitted to the NCDOT’s Civil Rights office during Title VI compliance reviews. (Note: NCDOT may also be request the complaints log during pre-grant approval processes).
3. The **Log Year(s)** since the last submittal will be entered (e.g., 2015-2018, 2017-2018, FFY 2018, or 2018) and the complaints log will be signed before submitting the log to NCDOT.
4. When reporting **no complaints**, check the **No Complaints or Lawsuits** box and sign the log.

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

Western Carolina Community Action

DISCRIMINATION COMPLAINT FORM

**Any person who believes that he/she has been subjected to discrimination based upon race, color, creed, sex, age, national origin, or disability may file a written complaint with Western Carolina Community Action, within 180 days after the discrimination occurred.**

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

Mailing Address:	City	State	ZIP
------------------	------	-------	-----

Home Telephone:	Work Telephone:	E-mail Address
-----------------	-----------------	----------------

Identify the Category of Discrimination:

RACE                       COLOR                       NATIONAL ORIGIN                       SEX  
 CREED (RELIGION)    DISABILITY                       LIMITED ENGLISH PROFICIENCY    AGE

*\*NOTE: Title VI bases are race, color, national origin. All other bases are found in the "Nondiscrimination Assurance" of the FTA Certifications & Assurances.*

Identify the Race of the Complainant

Black                       White                       Hispanic                       Asian American  
 American Indian    Alaskan Native                       Pacific Islander                       Other \_\_\_\_\_

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

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

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

The law prohibits intimidation or **retaliation** against anyone because he/she has either taken action, or participated in action, to secure rights protected by these laws. If you feel that you have been retaliated against, separate from the discrimination alleged above, and please explain the circumstances below. Explain what action you took which you believe was the cause for the alleged retaliation.

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

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).

Name

Address

Telephone

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

DISCRIMINATION COMPLAINT FORM

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

- NC Department of Transportation \_\_\_\_\_
- Federal Transit Administration \_\_\_\_\_
- US Department of Transportation \_\_\_\_\_
- US Department of Justice \_\_\_\_\_
- Federal or State Court \_\_\_\_\_
- Other \_\_\_\_\_

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

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

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

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

\_\_\_\_\_  
COMPLAINANT'S SIGNATURE

\_\_\_\_\_  
DATE

**MAIL COMPLAINT FORM TO:**  
Western Carolina Community Action  
P.O. Box 685  
Hendersonville, NC 28792  
bkimmons@wcca.org  
828-693-1711

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

FOR OFFICE USE ONLY

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

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

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

Referred to: NCDOT FTA Date Referred: \_\_\_\_\_

## WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

### INVESTIGATIVE GUIDANCE

- A. Scope of Investigation** – An investigation should be confined to the issues and facts relevant to the allegations in the complaint, unless evidence shows the need to extend the issues.
- B. Developing an Investigative Plan** – It is recommended that the investigator prepares an Investigative Plan (IP) to define the issues and lay out the blueprint to complete the investigation. The IP should follow the outline below:
1. Complainant(s) Name and Address (Attorney name and address if applicable)
  2. Respondent(s) Name and Address (Attorney for the Respondent(s) name and address)
  3. Applicable Law(s)
  4. Basis/(es)
  5. Allegation(s)/Issue(s)
  6. Background
  7. Name of Persons to be interviewed
    - a. Questions for the complainant(s)
    - b. Questions for the respondent(s)
    - c. Questions for witness(es)
  8. Evidence to be obtained during the investigation
    - a. Issue – e.g., Complainant alleges his predominantly African American community was excluded from a meeting concerning a future project which could affect the community.
      - i. Documents needed: e.g., mailing list which shows all physical addresses, P.O. Box numbers, property owner names, and dates when the meeting notification was mailed; other methods used by the RPO to advertise the meeting.
- C. Request for Information** – The investigator should gather data and information pertinent to the issues raised in the complaint.
- D. Interviews** – Interviews should be conducted with the complainant, respondent, and appropriate witnesses during the investigative process. Interviews are conducted to gain a better understanding of the situation outlined in the complaint of discrimination. The main objective during the interview is to obtain information that will either support or refute the allegations.
- E. Developing an Investigative Report** – The investigator should prepare an investigative report setting forth all relevant facts obtained during the investigation. The report should include a finding for each issue. A sample investigative report is provided below.

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

Investigative Report

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

APPENDIX

8.0 SERVICE AREA POPULATION CHARACTERISTICS

To ensure that Title VI reporting requirements are met, 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.

Race and Ethnicity Age and Sex:

Race and Ethnicity Age and Sex	Number	Percent
Total Population	117,417	100
White	107,103	91.2
Black or African American	4,223	3.6
American Indian or Alaska Native	253	0.2
Asian	1,098	0.9
Native Hawaiian and Other Pacific Islander	0	0
Some other Race	2,622	2.2
Two or More Races	2,118	1.8
HISPANIC OR LATINO (of any race)	12,137	10.3

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

Mexican	n	n
Puerto Rican	n	n
Cuban	n	n
Other Hispanic or Latino	n	n

**Disability Characteristics:**

1. <https://data.census.gov/cedsci/table?q=Disability&tid=ACSST1Y2018.S1810&hidePreview=true>

Subject	Total		With a Disability		Percent with a Disability	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-
Total civilian noninstitutionalized population	115601	451	17469	2009	15.1	1.8
Population under 5 years	4831	780	0	210	0	3.7
Population 5 to 17 years	17216	797	1495	913	8.7	5.5
Population 18 to 64 years	64096	1801	8776	1767	17.4	5
Population 65 years and over	29458	922	8999	1696	632	11.5
SEX						
Male	<b>55818</b>	<b>1552</b>	<b>9050</b>	1502	16.2	2.6
Female	<b>59783</b>	<b>1541</b>	<b>8419</b>	1492	14.1	2.6
RACE AND HISPANIC OR LATINO ORIGIN						
White	<b>105793</b>	<b>1688</b>	<b>16265</b>	1898	15.4	1.8
Black or African American	<b>3959</b>	<b>1108</b>	<b>604</b>	440	15.3	9.8
American Indian and Alaska Native	<b>N</b>	<b>n</b>	<b>N</b>	n	<b>N</b>	<b>n</b>
Asian	<b>n</b>	<b>N</b>	<b>n</b>	<b>N</b>	<b>n</b>	<b>N</b>
Native American and Other Pacific Islander	<b>N</b>	<b>n</b>	<b>n</b>	n	<b>n</b>	<b>N</b>
Some other Race	<b>N</b>	<b>n</b>	<b>n</b>	n	<b>n</b>	<b>N</b>
Two or more races	<b>n</b>	<b>n</b>	<b>n</b>	n	<b>n</b>	<b>n</b>
Hispanic or Latino	<b>12071</b>	<b>90</b>	<b>1227</b>	624	10.2	5.2

**Poverty:**

Subject	Total		Below poverty level		Percent below poverty level	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-
Population for whom poverty status is determined	114,872	1,214	9,458	2,380	8.2%	2.1
AGE						

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

Under 18	21,303	1,263	1,557	1,010	7.3%	4.7
18 to 64	64,111	530	5,965	1,744	9.3%	2.7
65 years and over	29,458	442	1,936	756	6.6%	2.6
SEX						
Male	55,089	1,789	4,292	1,400	7.8%	2.5
Female	59,783	1,541	5,166	1,299	8.6%	2.2
RACE AND HISPANIC OR LATINO ORIGIN						
White	105,808	1,708	8,181	2,071	7.7%	1.9
Black or African American	N	N	N	N	N	N
American Indian and Alaska Native	N	N	N	N	N	N
Asian	N	N	N	N	N	N
Native American and Other Pacific Islander	N	N	N	N	N	N
Some other Race	N	N	N	N	N	N
Two or more races	N	N	N	N	N	N
Hispanic or Latino	N	N	N	N	N	N
RACE AND HISPANIC OR LATINO ORIGIN						
All individuals below:						
50 percent of poverty level	3,712	1,485	(X)	(X)	(X)	(X)
125 percent of poverty level	15,000	2,920	(X)	(X)	(X)	(X)
150 percent of poverty level	19,782	3,125	(X)	(X)	(X)	(X)
185 percent of poverty level	26,938	3,887	(X)	(X)	(X)	(X)
200 percent of poverty level	29,642	3,832	(X)	(X)	(X)	(X)

Household Income:

Total	47,447	1,688
Less than \$10,000	9.40%	2.3
\$10,000 to \$14,999	5.70%	1.7
\$15,000 to \$24,999	13.20%	2.7
\$25,000 to \$34,999	11.70%	2.5
\$35,000 to \$49,999	16.30%	2.6
\$50,000 to \$74,999	20.70%	3
\$75,000 to \$99,999	9.20%	1.7
\$100,000 to \$149,999	9.00%	1.9
\$150,000 to \$199,999	2.90%	1.1

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

\$200,000 or more	1.80%	0.9
Median income (dollars)	44,036	2,561
Mean income (dollars)	56,037	3,724

**Limited English Proficiency Population:**

Subject	Total		Percent		Percent of specified language speakers							
					Speak English only or speak English "very well"		Percent speak English only or speak English "very well"		Speak English less than well		Percent speak English less than well	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-
CITIZENS 18 YEARS AND OVER												
All citizens 18 years old and over	90,146	1,429	(X)	(X)	88,792	1,471	98.5%	0.8	1,354	739	1.5%	0.8
Speak only English	85,486	1,257	94.8%	1.3	(X)	(X)	(X)	(X)	(X)	(X)	(X)	(X)
Speak a language other than English	4,660	1,225	5.2%	1.3	3,306	1,153	70.9%	14.5	1,354	739	29.1%	14.5
Spanish	3,244	1,172	3.6%	1.3	2,291	1,063	70.6%	19.3	953	699	29.4%	19.3
Other languages	1,416	529	1.6%	0.6	1,015	558	71.7%	21.0	401	270	28.3%	21

**8.1 POPULATION LOCATIONS**

Federal-aid recipients are required to identify the characteristics and locations of populations they serve, particularly by race/ethnicity, poverty, and limited English proficiency. We will document this narratively or through maps that overlay boundaries and demographic features on specific communities, and provide this information to NCDOT, upon request.

**9.0 TITLE VI EQUITY ANALYSES (AND ENVIRONMENTAL JUSTICE ASSESSMENTS)**

**Title VI Equity Analyses.** In accordance with FTA Circular 4702.1B, a Title VI equity analysis will be conducted whenever we construct a facility, such as a vehicle storage facility, maintenance facility, or operation

## WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

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

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

## 10.0 PUBLIC INVOLVEMENT

### 10.1 INTRODUCTION

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

General public involvement practices will 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 the Hispanic Liaison, 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. Below is a list of Spanish language outlets that WCCA uses to engage the public:

Hola Carolina Magazine

Biltmore En Espanol Church

True Ridge (Nonprofit organization that advocates for the Latin X community)

Immaculate Conception Church

### 10.2 PUBLIC NOTIFICATION

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

### 10.3 DISSEMINATION OF INFORMATION

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

## WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

meeting announcements and handouts; and displaying our Notice of Nondiscrimination at all our public meetings.

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

### 10.4 MEETINGS AND OUTREACH

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

#### Public Relations and Outreach

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

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

#### Public Meetings

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

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

#### Small Group Meetings

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

- If it is determined that a targeted group has not been afforded adequate opportunities to participate, the group will be contacted to inquire about possible participation methods, including a group meeting with them individually.

## WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

- Unless unusual circumstances or safety concerns exist, hold the meeting at a location of the target group’s choosing.
- Share facilitation duties or relinquish them to members of the target group.
- Small group discussion formats may be integrated into larger group public meetings and workshops. When this occurs, the smaller groups will be as diverse as the participants in the room.

### Community Surveying

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

### 10.5 LIMITED ENGLISH PROFICIENCY

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

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

#### **Four Factor Analysis**

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

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

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

LANGUAGE SPOKEN AT HOME	Estimate	Margin of Error	Percent of Population	Margin of Error
<b>Total</b> (population 5 years and over):		+/-	<b>100%</b>	<b>(X)</b>
Speak only English	89057	+/- 756	%98.5	+/- 756
Spanish or Spanish Creole:	8173	+/-608	%3.6	+/- 608
Speak English "very well"	2815	+/- 483	% 2.4	+/- 483
Speak English less than "very well"	5385	+/- 467	% 4.59	+/- 467
German:	415	+/- 150	% .35	+/- % 150
Speak English "very well"	351	+/- 144	% .3	+/- % 145

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

Speak English less than "very well"	64	+/- 155	% .05	+/- % 49
Russian:	316	+/- 279	% .27	+/- % 279
Speak English "very well"	129	+/- 144	% .11	+/- % 144
Speak English less than "very well"	187	+/- 155	% .16	+/- % 155

One LEP group in Henderson County did reach the 5% or 1,000 threshold; Spanish or Creole. And, this LEP group did so significantly. This group (Spanish or Creole) can be found in all of WCCA’s service area particularly the East and South areas of the county. This means WCCA needs and will provide a means of communication to individuals whose English is not their primary language and who have a limited ability to read, write, speak, or understand English. WCCA has conducted a Four Factor Analysis of the following areas:

1. Demographics 2) Frequency 3) Importance and 4) Resources and Cost.

WCCA’s Title VI Notice

TITLE VI NONDISCRIMINATION AGREEMENT BETWEEN THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION AND WESTERN CAROLINA COMMUNITY ACTION.

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

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

Overall, the WCCA transit department has daily encounters with LEP riders. These encounters happen in all of our transportation programs (Transit, Paratransit, Shopping, Meal site, Contract Work, Urban/Rural transportation) and dispatch. Not all programs experience daily contact. Some programs are weekly while others are monthly and some rarely. Most of this data may be collected on our scheduling software, HBSS. The public transit and our demand response rural transportation experience the highest frequency or LEP encounters followed by dispatch. All of these encounters are opportunities for contact. Including WCCA public meetings, forums, special events, and surveys.

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

## WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

WCCA's services that most often come into contact with LEP persons would be: 1) Public Transit – approximate contact 4 to 8 persons daily 2) Demand Response rural transportation – approximately 4 to 6 a month 3) Office Dispatch – 1 to 3 people weekly. Additionally, WCCA will continue to hold public meetings, special events and use resources at WCCA. WCCA employs numerous LEP persons in some of their programs and these employees can be a valuable resource ascertaining the importance of program activity.

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

Because of the high LEP population in Henderson County, most institutions have some form of translations for LEP persons. WCCA employs several bi-lingual staff and are available to translate for any clients and outreach materials. All WCCA agency information is printed in English and Spanish. As of 10/08/2020, WCCA currently has 23 bilingual staff that are used for translation when needed. WCCA publishes the bus schedule in English and Spanish and all signage in the buses are in English and Spanish. The local radio station also displays a schedule in Spanish on a local billboard. The cost is minimal as all programs are accessible to the LEP groups. Apple Country Transportation is a department of WCCA and there are agency resources available due to the collaboration of funding sources. This plan will be monitored by the Transportation and Human Resources departments.

### **LANGUAGE ASSISTANCE PLAN**

#### **Language Assistance Measures: Spanish**

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

- Translating public notices posted in the local paper and at stations, stops, and in vehicles into **any languages that meet the safe harbor threshold in Factor 1.**
- Vital documents—such as brochures with service times and routes—are translated into Spanish across the entire service area, and available in our 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.
- Spanish line translation services at our call center.
- Where possible, utilizing or hiring staff who speak a language other than English and can provide competent language assistance.
  - Note: We will not ask community-based organizations (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.
- Establishing a process to obtain feedback on our language assistance measures.

*Specific Measures by Language Group –*

## WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

### Spanish: WCCA's LANGUAGE ASSISTANCE PLAN

- WCCA WILL translate public notices posted in the local paper and at stations, stops, and in vehicles into Spanish. WCCA will ensure vital documents—such as brochures with service times and routes—are translated into Spanish across the entire service area, and available in our facilities, media outlets and other agencies or business around our service area. WCCA will make a concerted effort to inform LEP persons of available language assistance via staff, broadcast media, relationship-building with organizations, and our website and Facebook page. WCCA will post vital bulletin board information and disseminating community surveys in Spanish. WCCA will provide translation and interpretive services when needed or request using available staff or translator machines at meetings or any other situation where translation services may be needed. WCCA take public involvement to LEP groups directly through small group meetings. To aid in serving LEP groups that come into contact with our services, WCCA will utilize the 23 bilingual staff members currently employed with our agency. WCCA will establish a process to obtain feedback on our language assistance measures using surveys, informal conversations, and small group meetings.
- Vietnamese: NA
- Russian: NA

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

### Project-Specific LEP Outreach

A project-specific four factor analysis will be conducted for any project or outreach event limited to a specific geographical area (i.e., the project study area or outreach area, respectively). Language assistance will be

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

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.

**10.6 DEMOGRAPHIC REQUEST**

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

WCCA 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><b>Race/Ethnicity:</b>  <input checked="" type="checkbox"/> White  <input checked="" type="checkbox"/> Black/African American  <input type="checkbox"/> Asian  <input type="checkbox"/> American Indian/Alaskan Native  <input type="checkbox"/> Native Hawaiian/Pacific Islander  <input type="checkbox"/> Hispanic/Latino  <input type="checkbox"/> Other (please specify):                  _____</p>	<p><b>National Origin:</b> (if born outside the U.S.)  <input type="checkbox"/> Mexican  <input type="checkbox"/> Central American:                  _____  <input type="checkbox"/> South American:                  _____  <input type="checkbox"/> Puerto Rican  <input type="checkbox"/> Chinese  <input type="checkbox"/> Vietnamese  <input type="checkbox"/> Korean  <input type="checkbox"/> Other (please specify):                  _____</p>
<p><b>Gender:</b> <input checked="" type="checkbox"/> Male      <input checked="" type="checkbox"/> Female</p>	<p><b>Age:</b>  <input type="checkbox"/> Less than 18      <input checked="" type="checkbox"/> 45-64  <input type="checkbox"/> 18-29              <input checked="" type="checkbox"/> 65 and older  <input checked="" type="checkbox"/> 30-44</p>
<p><b>Disability:</b> <input checked="" type="checkbox"/> Yes    <input type="checkbox"/> No</p>	
<p><b>I choose not to provide any of the information requested above:</b> <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 Western Carolina Community Action at [828-693-1711] or by email at [bkimmons@wcca.net].

Please sign below acknowledging that you have completed this form.

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

Thank you for your participation!

**Name (print):** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**10.7 KEY COMMUNITY CONTACTS**

Contact Name	Community Name	Interest or Affiliation	Also a Committee Member? (Y/N)
Jana Peterson	Hendersonville	County Planner III	Yes
Tim Jones	Hendersonville	Rescue Mission	Yes
Steve Scoggins	Hendersonville	Pastor	No

Contact information for key community contacts is not public information and is maintained outside of this document. Any staff member who wishes to contact any individual listed above must request that information from the Title VI Coordinator.

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

The following format is used to document WCCS outreach efforts in reports to NCDOT. All meetings and disseminations of information capture information for the table below:

Meeting Date	Meeting Time	Meeting Purpose	Target Audience	Information Disseminated
5/19/19		Strive Events sponsored by FBR MPO	General Public	Brochures, schedules
6/20/19	11am to 5pm	Prime Time Living & Retirement Expo	General Public	Brochures, schedules
10/5/2019		Harvest Festival Fall Fair	General Public	Brochures, schedules

**11.0 STAFF TRAINING**

All employees will receive basic Title VI training at least once every three years. New hires will receive this training within 15 days of their start date. Basic training will cover all sections of this Plan and our overall Title VI obligations. Staff may receive specialized training on how Title VI applies to their specific work areas. Those who routinely encounter the public, such as office personnel, call center staff, and vehicle drivers, will receive annual refresher training. Trainings will be provided or organized by the Title VI Coordinator and will often coincide with updates to our nondiscrimination policies and procedures. Records of staff trainings, such as agendas, sign-in sheets, copies of calendars, and certificates, will remain on file for at least three years (and in personnel files).

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

**12.0 NON-ELECTED BOARDS AND COMMITTEES – BY RACE AND GENDER**

The table below depicts race and gender compositions for each of our nonelected (appointed) decision-making bodies. Member names and full demographics for each committee are available, upon request.

Body	Male %	Female %	Caucasian %	African American %	Asian American %	Native American %	Other %	Hispanic %
<b>Service Area Population</b>	<b>48</b>	<b>52</b>	<b>92.5</b>	<b>3.4</b>	<b>1.3</b>	<b>.7</b>	<b>2.1</b>	<b>10.3</b>
Transit Advisory Board	2.86	71.4	85.7	14.2				

Strategies for Representative Committees

Diversification goals will be provided to our nonelected boards and committees to help ensure that their membership mirrors our service area demographics, as adequately as possible. We will provide periodic updates on our outreach efforts at meetings. When there is an opening on a board or committee, we will ensure the following:

- Current members will be made aware of diversity goals and polled for nominees.
- Officials from local minority groups will be made aware of the diversity goals and polled for nominees.
- Key Contacts from LEP groups will be contacted and polled for nominees.
- A recruitment notice for a Board Member opening will be posted on our website.
- An advertisement of recruitment notice for a Board Member will be placed with the local newspaper and other publications popular with minorities and other protected groups.

**13.0 RECORD-KEEPING AND REPORTS**

As a subrecipient of FTA funds through NCDOT, we are required to submit a Title VI Program update to NCDOT every three years, on a schedule determined by NCDOT. Records will be kept to document compliance with the requirements of the Title VI Program. Unless otherwise specified, Title VI-related records shall be retained indefinitely. These records will be made available for inspection by authorized officials of the NCDOT and/or FTA. Reports on Title VI-related activities and progress to address findings identified during Title VI compliance reviews may also be provided, upon request. It will occasionally be necessary to update this Title VI Plan or any of its components (e.g., complaints, Public Involvement, and LEP). Updates will be submitted to NCDOT for review and approval and adopted by our Board when required.

In addition to items documented throughout this Plan, records and reports due at the time of compliance reviews or investigations may include:

Compliance Reviews

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

## WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

### Complaint Investigations

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



## WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

### Appendix A

#### Applicable Nondiscrimination Authorities

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

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 *et seq.*).
- Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e *et seq.*, Pub. L. 88-352), (prohibits employment discrimination on the basis of race, color, creed (religion), sex, or national origin);
- 49 CFR Part 26, regulation to ensure nondiscrimination in the award and administration of DOT-assisted contracts in the Department's highway, transit, and airport financial assistance programs;
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Airport and Airway Improvement Act of 1982, (49 USC § 4 71, Section 4 7123), as amended, (prohibits discrimination based on race, creed (religion), color, national origin, or sex);
- 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);
- 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).



