

# Onslow United Transit System, Inc.



Date Adopted  
October 16, 2018  
Updated  
Adopted January 18, 2022


## Title VI Program Plan



## TITLE VI PLAN REVIEW AND ADOPTION

On behalf of the Board of Directors for Onslow United Transit System, Inc. (OUTS) I hereby acknowledge receipt of the Title VI Nondiscrimination Plan. We, the Board, 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 OUTS 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

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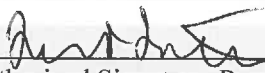
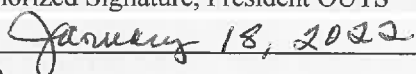
**TITLE VI NONDISCRIMINATION AGREEMENT**  
**BETWEEN**  
**THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION**  
**AND**  
**ONslow UNITED TRANSIT SYSTEM, INC. (OUTS)**

In accordance with DOT Order 1050.2A, OUTS 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 OUTS.

Further, OUTS hereby agrees to:

1. Designate a Title VI Coordinator that has a responsible position within the organization and easy access to the President Onslow United Transit System, Inc.
2. Issue a policy statement, signed by the President 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 President.
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, President OUTS

Date
Fred Fontana
Printed Name
Official Title

## 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).

OUTS is a recipient of Federal Transit Administration (FTA) funds from the North Carolina Department of Transportation (NCDOT). OUTS 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 OUTS, 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

### 2.1 PROGRAM(S) AND SERVICES ADMINISTERED

OUTS provides public transportation options to its customers within the geographical area/of Onslow County, North Carolina. OUTS does not have fixed routes or deviated fixed route. OUTS provides transportation services to all areas of Onslow County and travel through all demographic areas of our County. OUTS is designated as Onslow County Community Transportation Provider by the North Carolina Department of Transportation.

OUTS operates subscription, demand response, general public transportation, and Americans with Disabilities Act (ADA) Complementary Paratransit Service throughout all of Onslow County. Transportation outside the county is also available. The schedule can be found on our website [www.onslowunitedtransit.org](http://www.onslowunitedtransit.org) or by contacting our office at telephone number. OUTS also contracts with the following local agencies:

- DSS-Medicaid Transportation
- DSS-Employment Transportation
- DSS-Adult Services
- Services for the Blind
- Onslow County Senior Service
- Coastal Enterprises (Vocational Workshop)
- Onslow County Health Department
- Jacksonville Transit (Fixed Route system in Jacksonville, NC) ADA Complementary Paratransit Service

To receive assistance from the above agencies, you must contact them for additional information to be considered for their programs. Contracting agencies are billed monthly for the fully allocated cost for trips.

As stated, OUTS also provide general public transportation to serve the population that does not qualify for any services from the above-mentioned human service agencies. Purposes for these trips are:

- Medical Transportation - EDTAP -Elderly and Disabled Transportation Assistance Program (age 60 and above or have a disability) \$2.00 each time a passenger gets on the vehicle (Attendant's ride for free). An application is required and if the passenger is under 60 and has a disability certification from a Physician, accredited Health Care Professional or Rehabilitation Professional is required. (State Funding)
- Employment Transportation -- \$4.00 for each time the passenger gets on the van (\$1.00 for children under 12). An application is required. (State Funding)
- Rural General Public Transportation (RGP)- this is for transportation outside of the urbanized area of Onslow County. For trips going from the urbanized area to rural area or trips coming from the rural area to the urbanized area. These trips can be for any purpose for shopping, medical, recreation, and any other purposed that OUTS can provide that follows state and federal guidelines. The cost of a RGP trips each time a person gets on the vehicle is \$5.00 each time a passenger gets on the van. No application is required for this service. Attendants will ride for free and children under the age of 12 rides for \$1.00 each time they get on the van. (State Funding)
- Urban to Urban - The cost each time a passenger gets on the van is \$5.00. (Local funding only). These trips are provided depending upon OUTS' revenue.
- 5310 funds - Reimbursement from the State but 5310 are federal funds. 5310 provides transportation to people 65 and over or with disabilities. The fare for these trips is \$2.00 each way. An application is needed for this funding source (same as EDTAP criteria for certification).
- Traveler's Aid Grant – This is a state grant to assist someone who needs to be relocated to a support system due to Substance Abuse, Domestic Violence, and/or Homelessness. This is a 50% local match. This grant does not cost the person receiving the transit services. OUTS has historically requested \$5000 with \$2500 State reimbursement and \$2500 local match.

**To schedule an appointment:** Call 910-346-2998 or TTD 1-800-735-2962 or 1-800-735-8262 (voice) between the hours of 8:00 am and 5:00 pm Monday through Friday. Passengers must call the number above no later than 10:30 am the business day before the needed transportation or up to 14 days prior.

- Information needed to schedule an appointment
  - Your name, address, and phone number
  - Name and address of destination
  - Requested drop off time
  - Requested pick up time to return home
  - Name of anyone traveling with you
  - Date(s) of needed transportation

**Who can ride?** Service is provided to passengers needing transportation to medical appointments, work, daycare, shopping, social and recreation activities, etc. OUTS also contracts with several agencies in Onslow County and provides transportation for their clients.

**Curb to Curb or Door to door as needed.** OUTS Service is curb to curb; door to door if there is a need for additional assistance. This additional assistance must be noted in the passenger's profile to ensure sufficient time is scheduled for their trip.

- OUTS office hours are Monday- Friday 8:00 am to 5:00 pm -- Saturdays and Holidays Dialysis Only Transportation
- Subscription, demand response, and general public. Monday- Friday from 6:00 a.m. until 9:00 p.m.
- ADA Complementary Paratransit service. (Follows Jacksonville Transit Schedule) Monday- Friday 6:00 a.m. until 7:55 pm \$3.00 each time a passenger gets on the van. Attendant rides for free; however, a guest rides for \$3.00 each time they get on the van. The guest must be at the same location as the passenger. Saturday, Sunday, and Holidays 10:00 am until 7:55 pm (Fare is the same as Monday- Friday).
- Out of County Service. Please call the office during regular business hours for more information.
- Passengers traveling out of county will be sharing a ride with others and may be away from home all day. You will need to pack any food and medication needed. Fares are \$10 and \$15 each way determining where the passenger is going.

**OUTS' FLEET:** OUTS' fleet consists of a total of 20 vehicles with 18 of those vehicles being lift equipped, 1 non-lift vehicle, and one minivan. All vehicles are equipped with two-way radios and cameras. OUTS staff consist of the following:

- Director of Transportation
- Assistant Director of Transportation
- 1 Administrative Assistant – Financial
- 1 Administrative Assistant
- 1 Full-Time Dispatcher that covers OUTS from 6:00 a.m. to 3:00 p.m. Monday- Friday and 1 part-time dispatcher from 3:00 p.m. until the last night driver returns to OUTS
- 1 Scheduler
- 1 Full -Time Lead Driver – including assisting with dispatching
- 10 Full-Time Drivers
- 6 Part-Time Drivers



Type of Service	Days of week	Times	Fare (if applicable)
Demand Response	Monday – Friday	5:30 am – 6:00 pm	+
Subscription Trips	Monday – Friday	5:30 am – 6:00 pm	+
Dialysis Trips	Saturday & Holidays	5:30 am – 6:00 pm	+
*ADA Complementary Paratransit Trips	Monday -Saturday, Sunday as needed	6:00 am – 7:55 pm Sat. 10:00 am – 7:55 pm Sun.	\$3.00 each way \$3:00 each way

\*ADA Complementary Paratransit Service is offered through the City of Jacksonville's Fixed-Route. OUTS has the contract to provide this service for the City of Jacksonville.

+There are different fares for different programs. When the passenger schedules a trip staff will advise the passenger the fare cost. Please refer to Section 2.1 above.

## 2.2 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	NCDOT	FTA	Details (i.e., purpose, frequency, and duration of receipt)
<b>5310</b> (Transportation for Elderly Persons and Persons with Disabilities)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Transit service for passengers 65 and over or with a disability (yearly) FTA to NC DOT to OUTS
<b>5311</b> (Formula Grants for Other than Urbanized Areas)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5311 Grant. OUTS uses this grant for Admin Purposes. (yearly) FTA to NC DOT to OUTS
<b>5316</b> (Job Access and Reverse Commute)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5316 – NC DOT had unspent funds and OUTS was allowed to apply for assistance. When available
<b>5339</b> (Bus and Bus Facilities Formula)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OUTS applies for capital (vehicles) through a Combined Capital Grant from NC DOT. NC DOT decides if it will be 5311 funds or 5339 funds. OUTS has received both of these funds for vehicles.

## 2.3 DECISION-MAKING PROCESS

OUTS has a Board of Directors, and all decisions are brought to the Board for their approval by voting. If necessary, an email vote can be made; however, at the next formal Board meeting a vote will be taken for recording purposes to be placed in the OUTS' Board minutes. Prior to the Board receiving any decision-making issues, i.e., Grants, Reports, and any other items that need to be vetted prior to the board meeting.

The Executive Board reviews the items and presents to the Board for approval. The Executive Committee meets monthly prior to the Board Meeting. OUTS Board Meeting normally meets monthly; however, transit systems are required to meet at least quarterly.

OUTS is a stand-alone private nonprofit and is not required to have a Transportation Advisory Board (TAB). OUTS' governing Board and its members acts in the place of a TAB.

Board or Committee Name	Appointed	Elected	#of Members
Transit Advisory Board	<input checked="" type="checkbox"/> 8	<input checked="" type="checkbox"/> 13	21
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

## 2.4 TITLE VI COORDINATOR

The individual below has been designated as the Title VI Coordinator for Onslow United Transit System, Inc. and is empowered with enough authority and responsibility to implement the Title VI Nondiscrimination Program:

Name: Carol Hurst Long  
 Official Title: Executive Director of OUTS  
 Address: PO Box 1548, Jacksonville  
 Phone: (910) 346-2998  
 Email: [clong@onslowunitedtransit.org](mailto:clong@onslowunitedtransit.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

## 2.5 CHANGE OF TITLE VI COORDINATOR AND/OR HEAD OF DECISION-MAKING BODY'S TITLE OR "CAO"

If Title VI Coordinator or Executive Director 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 Title of CAO.

## 2.6 ORGANIZATIONAL CHART

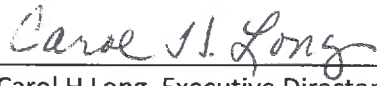

An organizational chart showing the Title VI Coordinator's place within the organization is in **Appendix B**

## 2.7 SUBRECIPIENTS

Organization Name does not have pass through funds to any other organizations and, therefore, does not have any subrecipients

### 3.0 TITLE VI NONDISCRIMINATION POLICY STATEMENT

It is the policy of Onslow United Transit System, Inc. 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.

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

#### Implementation

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

#### 4.0 NOTICE OF NONDISCRIMINATION

- Onslow United Transit System 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 OUTS.
- For more information on OUTS' civil rights program, and the procedures to file a complaint, contact 910-346-2998 or (TTY 800-735-2962), (TTY 800-735-8262 voice); email: [clong@onslowunitedtransit.org](mailto:clong@onslowunitedtransit.org) or visit our administrative office at 1300 N. Marine Blvd., Jacksonville, NC 28546. For more information, visit [www.onslowunitedtransit.org](http://www.onslowunitedtransit.org)
- If information is needed in another language, contact 910-346-2998.
- A complainant may file a complaint directly with the North Carolina Department of Transportation by filing with the Office of Civil Rights, External Civil Rights Section, 1511 Mail Service Center, Raleigh, NC 27699-1511, Attention: Title VI Nondiscrimination Program; phone: 919-508-1808 or 800-522-0453, or TDD/TTY: 800-735-2962.
- A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590.

##### Implementation

- The notice will be posted in its entirety on our website and in any documents and reports we distribute.
- The notice will be posted in our offices and inside/on our vehicles.
- Ads in newspapers and other publications shall include the following: "Organization operates without regard to **race, color, national origin, sex, creed (religion), age or disability**. For more information on OUTS' Title VI program or how to file a discrimination complaint, please contact 910-346-2998 or (TTY 800-735-2962), (TTY 800-735-8262 voice); [clong@onslowunitedtransit.org](mailto:clong@onslowunitedtransit.org)
- The statement will be posted or provided in languages other than English, when appropriate.

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

We are committed to nondiscriminatory administration of our programs and services, organization wide. Onslow United Transit System, Inc. 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 Onslow United Transit System, Inc. 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:

Carol H. Long, Title VI Coordinator  
Onslow United Transit System, Inc.  
PO Box 1548  
Jacksonville, NC 28540  
Email: [clong@onslowunitedtransit.org](mailto:clong@onslowunitedtransit.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 Onslow United Transit System, 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 OUTS' 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

#### Implementation

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



## 6.0 CONTRACT ADMINISTRATION

Onslow United Transit System, Inc. 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 OUTS 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:

**(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);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination

on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;

- The Federal Aviation Administration's Nondiscrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures Nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of Limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq);
- Federal transit laws, specifically 49 U.S.C. § 5332 (prohibiting discrimination based on race, color, religion, national origin, sex (including gender identity), disability, age, employment, or business opportunity).

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

**Contractor's Initials**

**Date**

**Implementation**

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



## 6.2 NONDISCRIMINATION NOTICE TO PROSPECTIVE BIDDERS

The Onslow United Transit System, Inc. 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.

### Implementation

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

## 7.0 EXTERNAL DISCRIMINATION COMPLAINT PROCEDURES

These discrimination complaint procedures outline the process used by OUTS 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 OUTS 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.
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:

- **Onslow United Transit System**, PO Box 1548, Jacksonville, NC 28541, 910-346-2998, (TTY 800-735-2962 or 800-735-8262 voice) email [clong@onslowunitedtransit.org](mailto:clong@onslowunitedtransit.org)
  - **North Carolina Department of Transportation**, Office of Civil Rights, External Civil Rights Section, 1511 Mail Service Center, Raleigh, NC 27699-1511; 919-508-1830 or toll free 800-522-0453
  - **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
			<b>FTA</b>
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, paraplegic, epileptic, diabetic, arthritic	Section 504 of the Rehabilitation Act of 1973; Americans with Disabilities Act of 1990
Creed	Religion	Muslim, Christian, Hindu, Atheist	49 U.S.C. 5332(b)

### Complaint Processing

1. When a complaint is received, 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.

# 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 Onslow United Transit System, Inc. 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, please explain the circumstances below. Explain what action you took which you believe was the cause for the alleged retaliation.

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

**Name**

**Address**

**Telephone**

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

DISCRIMINATION COMPLAINT FORM

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

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

Have you discussed the complaint with any Onslow United Transit System, Inc. 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:**  
Onslow United Transit System, Inc.  
PO Box 1548, 1300 N. Marine Blvd.,  
Jacksonville, NC 28540  
[clong@onslowunitedtransit.org](mailto:clong@onslowunitedtransit.org)  
910-346-2998

FOR OFFICE USE ONLY

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

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

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

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

**Log Year(s):**

[illegible]

**No Complaints or Lawsuits** ☐

I certify that to the best of my knowledge, the above-described complaints or lawsuits alleging discrimination, or **no complaints or lawsuits** alleging discrimination, have been filed with or against **Onslow United Transit System, Inc.** since the previous Title VI Program submission to NCDOT.

**Signature of Title VI Coordinator or Other Authorized Official**

Date \_\_\_\_\_

**Print Name and Title of Authorized Official**



## **INVESTIGATIVE GUIDANCE**

- A. Scope of Investigation** – An investigation should be confined to the issues and facts relevant to the allegations in the complaint unless evidence shows the need to extend the issues.
- B. Developing an Investigative Plan** – It is recommended that the investigator prepares an Investigative Plan (IP) to define the issues and lay out the blueprint to complete the investigation. The IP should follow the outline below:
1. Complainant(s) Name and Address (Attorney name and address if applicable)
  2. Respondent(s) Name and Address (Attorney for the Respondent(s) name and address)
  3. Applicable Law(s)
  4. Basis/(es)
  5. Allegation(s)/Issue(s)
  6. Background
  7. Name of Persons to be interviewed
    - a. Questions for the complainant(s)
    - b. Questions for the respondent(s)
    - c. Questions for witness(es)
  8. Evidence to be obtained during the investigation
    - a. Issue – 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.

## TEMPLATE/SAMPLE Investigative Report

- I. COMPLAINANT(S) NAME** (or attorney for the complainant(s) – name and address if applicable)  
Name, Address, Phone: 999-999-9999
  - II. RESPONDENT(S)** (or attorney for the respondent(s) – name and address if applicable)  
Name, Address, Phone: 999-999-9999
  - III. APPLICABLE LAW/REGULATION**  
[For example, Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d); 49 CFR §21.11; 49 CFR §26.53]
  - IV. COMPLAINT BASIS(ES)**  
[For example, Race, Color, National Origin, Creed (Religion), Sex, Age, Disability]
  - V. ISSUES/ALLEGATIONS**  
[Describe in logical sequence, each allegation including the prohibited basis for the alleged discriminatory conduct, (e.g., race, color, creed, sex, national origin, age, or disability) and the specific statutory or regulatory provision the allegation would violate, if proven to be true.]  
  
Issue #1 – Complainant alleges that transit system failed to inform minority communities of rate increases.  
Issue #2 – Complainant alleges that transit system has not sufficiently publicized or held public meetings to share information regarding fare increases and route changes that impacts low-income and minority citizens.
  - VI. BACKGROUND**  
[Provide detailed information regarding the complaint, including a historical overview of the case, including any activities or actions taken prior to accepting the complaint for investigation.]
  - VII. INVESTIGATIVE PROCEDURE**  
[Describe in detail, methods used to conduct the investigation, such as document requests, interviews and site visits. Include witnesses' names and addresses, documents received and/or reviewed, emails sent and received.]
  - VIII. ISSUES / FINDINGS OF FACT**  
[Provide a detailed description of the investigator's analysis of each allegation, based on clear and factual findings. Include specific evidence used to support your findings.]
  - IX. CONCLUSION**  
[State whether discrimination did or did not occur. Conclusions must be evidence-based and defensible. Test conclusions by considering all possible rebuttal arguments from the respondent and complainant. Both respondent and the complainant should be given an opportunity to confirm or rebut the assertions of the other party and your findings, but all the evidence you've presented should speak for itself.]
  - X. RECOMMENDED ACTIONS**  
[Outline what should be done to remedy the findings or, if necessary, provide justice for the complainant.]
- APPENDIX**  
[Include in the Appendix any supplemental materials that support your findings and conclusion.]

## 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.

### 8.1 and 8.2. Race and Ethnicity Age and Sex:

Race and Ethnicity Age and Sex	Number	Percent
Total Population	179,471	100
White	135,303	75.4%
Black or African American	29,556	16.5%
American Indian or Alaska Native	1,237	.7%
Asian	3,998	2%
Native Hawaiian and Other Pacific Islander	436	.2%
Some other Race	3,104	1.7%
Two or More Races	6,170	3.4%
HISPANIC OR LATINO (of any race)	18,134	10.1%
Mexican	8,533	4.8%
Puerto Rican	3,732	2.1%
Cuban	797	.4%
Other Hispanic or Latino	5,072	2.8%
Male	95,820	53.4%
Female	83,651	46.6%
Under 5 years	17,581	9.8%
5 to 19 years	36,050	20%
20 to 59 years	107,402	59.8%
60 to 64 years	4,717	2.6%
65 to 74 years	8,299	4.6%
75 to 84 years	4,165	2.3%
85 years and over	1,257	.7%

### 8.3 Disability Characteristics:

Subject	Total		With a Disability		Percent with a Disability	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-
Total civilian noninstitutionalized population	160,301	+/-2,886	25,907	+/-3,016	16.2%	+/-1.8%
Population under 5 years	17,098	+/-278	0	+/-210	0.0%	+/-1.1%
Population 5 to 17 years	31,260	+/-293	2,915	+/-1,266	9.4%	+/-4.1%
Population 18 to 64 years	94,119	+/-2,853	14,808	+/-3,601	31%	+/-7.6%
Population 65 years and over	17,824	+/-1,181	8148	+/-1,910	95%	+/-20.4%
SEX						
Male	74,010	+2,871	12,045	+1,950	16.3%	+/-2.6%
Female	86,291	+/-1,394	13,862	+/-2,295	16.1%	+/-2.7%
RACE AND HISPANIC OR LATINO ORIGIN						
White	118,040	+/-3,566	19,017	+/-2,429	16.1%	+/-2.0%
Black or African American	23,241	+/-2,464	3,570	+/-856	15.4%	+/-3.7%
American Indian and Alaska Native	N	N	N	N	N	N
Asian	2,911	+/-923	751	+/-454	28.8%	+/-14.8%
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	12,019	+/-2,634	17,058	+/-2,401	15.8%	+/-2.2%
Hispanic or Latino	16,733	+/-1,199	2,981	+/-1,562	17.8%	+/-9.7%

#### 8.4 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	177,272	+/-1,687	27,575	+/-5,445	15.6%	+/- 3.1 %
AGE						
Under 18	47,967	+/-418	10,489	+/-3,300	21.9%	+/-6.9%
18 to 64	111,481	+/-1,765	15,604	+/- 2989	14.7%	+/-2.7%
65 years and over	17,824	+/-609	1,482	+/-680	+8.3%	+/-3.8%
SEX						
Male	89,529	+/-2,039	12,310	+/-2,691	13.7%	+/-3.0%
Female	87,743	+/-1,247	15,265	+/-3,363	17.4%	+/-3.9%
RACE AND HISPANIC OR LATINO ORIGIN						
White	131,725	+/- 2,768	19,105	+/-4,870	14.5%	+/-3.7%
Black or African American	24,577	+2,443	6,461	+/-3,265	26.3%	+/- 13.1%
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	19,927	+/-1,237	2,443	1,563	12.3%	+/-7.8%
RACE AND HISPANIC OR LATINO ORIGIN						
All individuals below:						
50 percent of poverty level	11,492	3,580	(X)	(X)	(X)	(X)
125 percent of poverty level	35,161	6,108	(X)	(X)	(X)	(X)
150 percent of poverty level	41,930	6,661	(X)	(X)	(X)	(X)
185 percent of poverty level	55,685	6,925	(X)	(X)	(X)	(X)
200 percent of poverty level	62,768	7,044	(X)	(X)	(X)	(X)

### 8.5 Household Income:

Subject	Households	
	Estimate	Margin of Error +/-
Total	60,764	+/-2,106
Less than \$10,000	8.6%	+/-1.8
\$10,000 to \$14,999	3.7%	+/-1.3
\$15,000 to \$24,999	12.3%	+/-2.7
\$25,000 to \$34,999	13.2%	+/-2.8%
\$35,000 to \$49,999	18.0%	+/-3.4%
\$50,000 to \$74,999	22.6%	+/-3.5%
\$75,000 to \$99,999	9.0%	+/-2.4%
\$100,000 to \$149,999	8.5%	+/-1.6%
\$150,000 to \$199,999	2.8%	+/-1.4
\$200,000 or more	1.2%	+/-0.6
Median income (dollars)	44,763	+/-4,089
Mean income (dollars)	54,335	+/-2,633

## 8.6 Limited English Proficiency Population:

	Onslow County, North Carolina	
	Estimate	Margin of Error
<b>Total:</b>	165,561	+/-11
Speak only English	150,462	+/-1,151
Speak or Spanish Creole:	10,124	+/-931
Speak English "very well"	8,066	+/-840
Speak English less than" very well	2,058	+/-497

## 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 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 Onslow United Transit System, Inc. 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.

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

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



## 10.4 MEETINGS AND OUTREACH

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

### Public Relations and Outreach

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

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

### Public Meetings

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

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

### Small Group Meetings

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

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

## Community Surveying

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

Factor 1 requires you to report LEP Census data for your service area. Complete the table below utilizing data from Census table B16001, which divides data simply as "very well" or "less than very well," that you collected in Section 8.6, Service Area Demographics. Replace the yellow text in the table with every language group that has at least 1,000 people who speak English less than very well, or those with less than 1,000 LEP persons that reaches 1,000 people when the margin of error (MOE) is added to the estimate. If no language groups reach 1,000 with or without the MOE then only put the top three non-English languages in the table and explain in the narrative section below that none met the threshold. Add additional rows to the table, if necessary. Factors 2 – 4 must be completed even if no language groups meet the safe harbor threshold, but with qualifiers for *in case* an LEP person or group is encountered or affected.] Graphs were not available due 2020 Census update

LANGUAGE SPOKEN AT HOME	Estimate	Margin of Error	Percent of Population	Margin of Error
Total (population 5 years and over):		+/-	100%	(X)
Speak only English		+/-	%	+/- %
Spanish or Spanish Creole:		+/-	%	+/- %

Speak English "very well"		+/-	%	+/- %
Speak English less than "very well"		+/-	%	+/- %
Spanish or Spanish Creole:		+/-	%	+/- %
Speak English "very well"		+/-	%	+/- %
Speak English less than "very well"		+/-	%	+/- %
Spanish or Spanish Creole:		+/-	%	+/- %
Speak English "very well"		+/-	%	+/- %
Speak English less than "very well"		+/-	%	+/- %

OUTS meets the criteria of the Safe Harbor Requirement for Spanish speaking population, meaning that OUTS must publish The Public Hearing Notice for Grants submission is published in Spanish. The demographic makeup of Onslow County for this population is normally in the rural are of Onslow County in the southwest section of Onslow County and in and around the Richlands, NC township.

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

OUTS accesses the frequency at which the staff has or could potentially interact with LEP individuals. This includes documenting phone inquiries and talking with the Department of Social Services, Health Department and the Board of Education. OUTS did not receive any requests for an interpreter or translation services, of any kind, by phone or any other in the last three years. OUTS' staff members actively engage with LEP individuals on a weekly basis; if there is a communication issues between staff and the caller, OUTS contacts TransPerfect during the call so that interpretations can be completed and appointments and/or questions can be answered. At the present time, OUTS has on staff that speaks Spanish and has been able to assist our Spanish speaking passengers and the public.

To verify that OUTS is meeting the needs of all LEP residents, an annual survey is conducted and disseminated to current and potential riders. This is accomplished by question card/annual services survey printed in English and Spanish. OUTS will distribute surveys to Spanish-speaking groups (i.e., churches, print publications that serve Spanish-speaking individuals asking them if they use OUTS, and if they don't, then why not. The questions will include:

1. What means of transportation do you often use?
  - a. OUTS
  - b. Taxi
  - c. Personal Vehicle
  - d. Other \_\_\_\_\_
2. How often do you use these services?
  - a. Daily
  - b. Weekly
  - c. Saturday for dialysis only
  - d. Other \_\_\_\_\_

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

Onslow County is a growing region in Eastern North Carolina, due to the expansion of the Military population. The growth of the LEP population is also expanding due to military extended families re-locating to the area and also other type of populations for one reason or another. Therefore, it important to continue to reach out to all people with limited English proficiencies. OUTS critical service to the LEP community is scheduling transit services from the general public. If the LEP population is associated with a Human Service Agency or the Department of Social Services, the agency will set up the trip. However, if the Human Service Agency, the Department of Social Services and/or Health Department cannot assist with their transit needs, those agencies will refer them to OUTS.

Mobility for all Onslow County residents is the driving force behind OUTS. Mobility allows access to medical services, employment, education opportunities, recreational activities, grocery shopping and so on; thereby improving the quality of life for Onslow County residents.

Other forms of transportation are available in Onslow County. Taxi services local to the are available but they are lacking in ADA accessible vehicles. Most often these services are also cost prohibitive to those seeking affordable transportation. Jacksonville Transit provides fixed-route service in the City Limits, but that service is only available to those who live in the specific service area.

The following questions are included in the annual services survey of riders mentioned in Factor 2:

3. Is OUTS transportation services important to you?
  - a. Yes
  - b. No
4. If so, which service is the most important to you?
  - a. Medical
  - b. Employment
  - c. Education
  - d. Social
  - e. Access to Services
  - f. Other \_\_\_\_\_

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

The fare costs for transit services for General Public Transportation ranges from \$2.00 per one way trip to \$5 per one way trip. This depends on the eligibility requirements for the funding sources that OUTS has available to the general public.

OUTS has identified local resources that could be used to provide the LEP community assistance with other needs. OUTS' staff has a free language service that is used to provide translations and interpreting, and we share that information to other non-profits. Even though OUTS does not have a separate LEP outreach, OUTS utilizes several low-cost methods to reach the LEP community. Infant of Prague Catholic Church provides support for the Spanish-speaking population of Onslow County and the church has reached out to OUTS to provide transit services for this population. Google translator is another free resource OUTS uses to translate and interpret writing and verbal information. Google translator is available on OUTS website.

## **LANGUAGE ASSISTANCE PLAN**

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

### **Language Assistance Measures**

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

- Translating public notices posted in the local paper 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.
- Staff utilizes a language line translation services.
- 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**

Spanish: When a Spanish interpreter is needed, in person or on the telephone, OUTS will first utilize staff to provide Spanish interpretation. If staff cannot provide adequate interpretation, staff shall use TransPerfect. The phone number for TransPerfect is located at all OUTS phones.

### **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 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 iSpeak flashcard and let them choose the language. Do not assume you know their preferred language. Drivers are permitted to seek volunteer assistance from other passengers before contacting a referral resource. Document the encounter and report it to the Title VI Coordinator.
- 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 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.

Onslow United Transit System, Inc. 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:

<b>Race/Ethnicity:</b> <input type="checkbox"/> White <input type="checkbox"/> Black/African American <input type="checkbox"/> Asian <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Native Hawaiian/Pacific Islander <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other (please specify): _____	<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): _____
<b>Gender:</b> <input type="checkbox"/> Male <input type="checkbox"/> Female	<b>Age:</b> <input type="checkbox"/> Less than 18 <input type="checkbox"/> 45-64 <input type="checkbox"/> 18-29 <input type="checkbox"/> 65 and older <input type="checkbox"/> 30-44
<b>Disability:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>I choose not to provide any of the information requested above:</b> <input type="checkbox"/>	

Completed forms will remain on file as part of the public record. For more information regarding Title VI or this request, please contact the Onslow United Transit System, Inc. at 910-346-2998 or by email at [clong@onslowunitedtransit.org](mailto:clong@onslowunitedtransit.org)

Please sign below acknowledging that you have completed this form.

Thank you for your participation!

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

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

**Implementation**

- Forms will be completed prior to NCDOT Title VI reviews and remain on file for three years.
- All new and existing members of appointed decision-making boards or committees will be ***required*** to complete this form for reporting purposes.
- If a member, for whatever reason, selects "*I choose not to provide any of the information requested above,*" this will be accepted as a ***completed*** form.
- If a member chooses not to provide any of the information on the form, the Title VI Coordinator will be permitted to indicate that member's race and gender, based on the Coordinator's best guess.
- Data from these forms will be used to complete the Demographic Request Table.
- Once a new member submits this form, the Demographic Request Table for the associated committee will be updated.



## 10.7 KEY COMMUNITY CONTACTS

Contact Name	Community Name	Interest or Affiliation	Also a Committee Member? (Y/N)
Brian Fike	Trillium		No
CJ Crooks	Onslow Community Outreach	Executive Director	No
Sheri Slater	Onslow County Government	Assistant County Manager	Yes
Laurette Leagon	Jacksonville Chamber of Commerce	President	Yes
Anthony Prinz	Jacksonville City Government	Transportation Services Director	Yes
Kari Sanders	Dept. of Social Services	Director	Yes

Contact information for key community contacts is not public information and is maintained outside of this document. Any staff member who wishes to contact 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 OUTS 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
1 <sup>st</sup> Tuesday in August – National Night Out	5 pm to 9:00 pm	Event for the public to receive information on services in Onslow County	Young Adults, families, Person with Disabilities, All populations	Schedules for transit, Service Policies, and any information in reference to their transit Needs
When scheduled - AARP Senior Expo	9:00 am to 2:00 pm	To provide information to attendees	Senior Citizens – but others attend	Schedules for transit, Service Policies, and any information in reference to their transit Needs
1 <sup>st</sup> Wednesday of the month - Onslow Commission for Person with Disabilities	12:00 Noon at the Jacksonville City Hall	Meeting to provide any and all information in reference to disability services available	Disabled Population from Birth to Death	Programs are provided. This group offers services to the Disabled population. The committee is a resource for needed services.
3 <sup>rd</sup> Thursday of the Month	3:00 pm to 5:00 pm	Board meeting. The Outreach is the Non-profit in Onslow County that provides service	Anyone with needs	The Executive Director of OUTS is on the Board as a resource

		including the homeless shelter, Soup Kitchen, Medical Free Clinic, Free Dental Clinic and also Christmas Cheer		
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## 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, OUTS 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).

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

The Board of Directors is made up a people that represents all populations withing Onslow County – the Composition of the Board is Appendix D

### 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 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

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.)

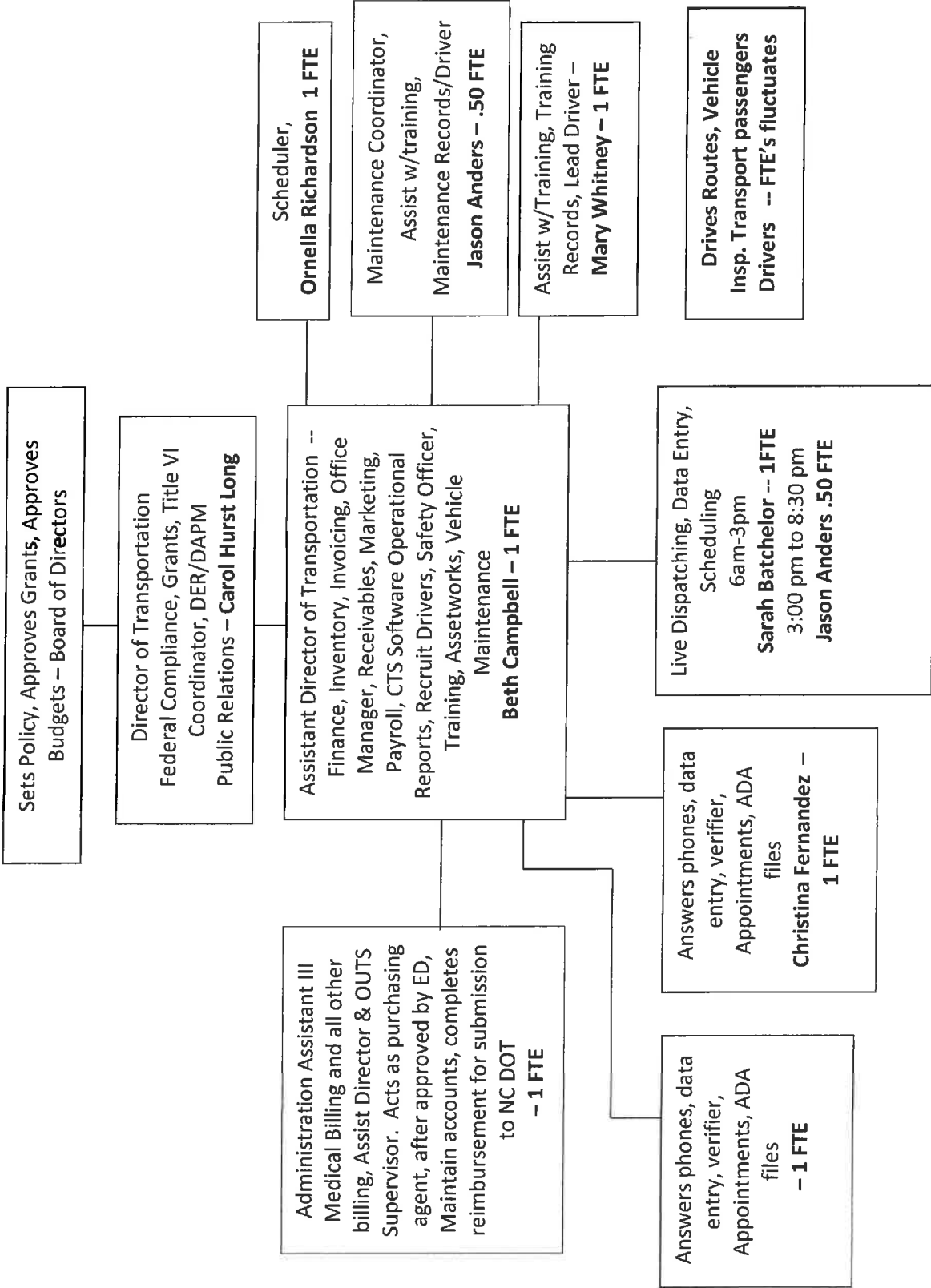
## Appendix A

### 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).

# **ONSLOW UNITED TRANSIT SYSTEM, INC.** **FUNCTIONAL CHART**



**Appendix C**  
**NCDOT's Compliance Review Checklist for Transit**

**I. Program Administration (General Requirements)**

**Requirement:** FTA C 4702.1B – Title VI Requirements and Guidelines for FTA Recipients, Chapter III – General Requirements and Guidelines.

**Note:** Every NCDOT subrecipient receiving any of the FTA Formula Grants listed above must complete this section.

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



