

HIGH COUNTRY RURAL PLANNING ORGANIZATION TITLE VI PROGRAM PLAN

ADOPTION DATE

May 15, 2019

RTAC CHAIR

Charles E. Vines

TABLE OF CONTENTS

Title VI Nondiscrimination Policy Statement and Notice.....	3
Standard USDOT Title VI Assurances	4
Organization & Staffing	4
Environmental Justice (EJ).....	5
Data Collection/Analysis/Reporting	6
Limited English Proficiency (LEP)	6
Dissemination of Information	10
External Discrimination Complaints	16
Review of Organizational Directives.....	17
Title VI Training.....	18
Compliance and Enforcement Procedures	18
Appendix A – Title VI Nondiscrimination Assurances.....	20
Appendix B – TAC and TCC Membership.....	29
Appendix C – Organizational Chart.....	32
Appendix D – Demographic Tables.....	33
Appendix E – Demographic Maps.....	63
Appendix F – Investigation Guidance.....	70
Appendix G – Compliance Review Checklist.....	75

TITLE VI NONDISCRIMINATION POLICY STATEMENT AND NOTICE



High Country Rural Planning Organization (RPO)

Municipalities and Counties of
Alleghany, Ashe, Avery, Mitchell, Watauga, Wilkes, and Yancey

*"Serving North Carolina's High Country with Continuing, Cooperative, and
Comprehensive Transportation Planning"*



TITLE VI NONDISCRIMINATION POLICY STATEMENT

It is the policy of the High Country Rural Planning Organization (HCRPO), as a federal-aid recipient, to ensure that no person shall, on the ground of **race, color, national origin, sex, 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.

A handwritten signature in black ink that reads "David Graham".

David Graham, Transportation Planner

A handwritten date in black ink that reads "9/27/17".

Date

Title VI and Related Authorities

Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d) provides that, "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." The 1987 Civil Rights Restoration Act (P.L. 100-259) clarified and restored the original intent of Title VI by expanding the definition of "programs and activities" to include all programs and activities of federal-aid recipients (such as, Organization Name), 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; etc.

Implementation (Dissemination)

- This Policy Statement contains contact information for the Title Coordinator, and it will also serve as our notice to public.
- This statement will be signed by the CAO/CEO Title of the Organization Name, and re-signed whenever a new person assumes that position.
- The signed statement will be posted on office bulletin boards, near the receptionist's desk, in meeting rooms, and disseminated within brochures and other written materials.
- The statement will be incorporated into Title VI training and acknowledgement activities.
- The statement will be posted or disseminated in languages other than English, when appropriate.
- Low-income will be applicable to our programs, policies and activities under Environmental Justice when determining if there will be disproportionately high and adverse effects.

STANDARD USDOT TITLE VI ASSURANCES

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

ORGANIZATION & STAFFING

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

The High Country RPO was established in 2002. Our planning area includes the following counties: Alleghany, Ashe, Avery, Mitchell, Watauga, Wilkes, Yancey. Our Transportation Advisory Committee (TAC) has 16 members, and meets quarterly on the 3rd Wednesday of February, May, August, and December. Our Technical Coordinating Committee (TCC) has 50 members, and meets quarterly on the 3rd Wednesday of February, May, August, and November. Please refer to **Appendix B** for lists of current TAC and TCC members with race, gender, and affiliation included.

Title VI Coordinator

Key responsibilities of the Coordinator include:

- Maintaining knowledge of Title VI and related requirements.
- Attending civil rights training when offered by NCDOT, FHWA or other federal agencies.
- Administering the Title VI Nondiscrimination Program and coordinating implementation of this Plan.
- Making sure internal staff and officials are familiar and complying with their Title VI obligations.
- Disseminating Title VI information internally and to the public, including in languages other than English.
- Presenting Title VI-related information to decision-making bodies for input and approval.
- Ensuring Title VI-related posters are prominently and publicly displayed.
- Developing a process to collect data related to race, national origin, sex, age, and disability to ensure minority, low-income, and other underserved groups are included and not discriminated against.
- Ensuring that non-elected boards and committees reflect the service area and minorities are represented.

- Promptly processing (receiving, logging, investigating and/or forwarding) discrimination complaints.
- Providing information to NCDOT and cooperating during compliance reviews and investigations.
- Promptly resolving deficiencies to ensure compliance with Title VI nondiscrimination requirements.

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

Staffing

We currently employ a staff of 2, which consists of the following job categories:

- Planning Director
- RPO Coordinator

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

ENVIRONMENTAL JUSTICE (EJ)

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

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

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

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

- (1) Identifying and evaluating environmental, public health, and interrelated social and economic effects of our programs, policies and activities;
- (2) Proposing measures to avoid, minimize and/or mitigate disproportionately high and adverse environmental and public health effects, and interrelated social and economic effects, and providing offsetting benefits and opportunities to enhance communities, neighborhoods, and individuals affected by our programs, policies and activities, where permitted by law;
- (3) Considering alternatives to proposed programs, policies, and activities, where such alternatives would result in avoiding and/or minimizing disproportionately high and adverse human health or environmental impacts to minority and/or low-income populations; and

- (4) Eliciting public involvement opportunities and considering the results thereof, including soliciting input from affected minority and low-income populations in considering alternatives.
- (5) Adding an EJ section to plans and studies, such as Long-Range Plans, Public Involvement Plans, and Corridor Studies.

EJ analyses will be conducted to determine if our programs, policies, or activities will result in disproportionately high and adverse human health and environmental effects on minority populations and low-income populations. EJ applies to our policies, such as where public meetings will be held, and our projects, such as when we plan to construct or expand a facility. Thus, we will look at various alternatives and seek input from potentially affected communities before making a final decision. Demographic data will be collected to document public involvement in the decision-making process. EJ analyses will remain on file indefinitely, and copies will be provided to NCDOT, upon request, during compliance reviews or complaint investigations. (See **Appendix D – Tables for Race/Ethnicity and Poverty**)

DATA COLLECTION/ANALYSIS/REPORTING

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

Population Locations

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

LIMITED ENGLISH PROFICIENCY (LEP)

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 the High Country RPO (HCRPO) 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: Number or proportion of LEP persons served or encountered in the eligible service population (served or encountered included those persons who would be served by the recipient if the person received education and outreach and the recipient provided sufficient language services).

High Country Rural Planning Organization

Estimated number of LEP persons by County and Regionwide

	Alleghany	Ashe	Avery	Mitchell	Watauga	Wilkes	Yancey	Regional Totals
Population	10,431	25,795	16,998	14,631	50,358	65,423	16,852	200,488
5% of Population	522	1,290	850	732	2,518	3,271	843	10,024
Margin of Error +/-	87	22	52	12	104	86	70	433
<u>"English spoken less than very well" by Language</u>								
Spanish	252	536	286	229	538	1,715	401	3,957
Margin of Error +/-	107	147	81	87	141	238	122	923
German	-	-	-	5	-	16	-	21
Margin of Error	-	-	-	8	-	20	-	28
French	-	16	-	17	3	-	-	36
Margin of Error	-	26	-	26	3	-	-	55
Chinese	-	3	-	-	13	-	-	16
Margin of Error	-	5	-	-	28	-	-	33
Japanese	-	-	2	-	-	27	2	31
Margin of Error+/-	-	-	6	-	-	43	4	53

High Country Council of Governments service area includes the counties of Alleghany, Ashe, Avery, Mitchell, Watauga, Wilkes, and Yancey, North Carolina. HCCOG utilized the 2011-2015 American Community Survey 5-Year Estimates, Table B16001 "Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over". Based on this data, one of the seven counties in the HCCOG service area meet the 5% or 1,000 persons threshold for languages identified. Margins of error were also reviewed, but did not put any of the other counties over the threshold.

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

The HCRPO is involved in transportation planning for all modes of transportation. Therefore, residents are likely to be impacted by the primary functions of the HCRPO. The HCRPO will solicit feedback from LEP persons in the future through public outreach and surveys to better determine the frequency in which HCRPO comes in contact with LEP persons.

Factor #3: *The nature and importance of the HCRPO program, activity, or service provided by the HCRPO.*

The HCRPO provides transportation planning assistance services to area local governments. The core functions of the HCRPO include prioritizing transportation projects for all modes of transportation for inclusion in the State Transportation Improvement Program (STIP), developing long range transportation plans, providing transportation related information to local governments and other interested parties, and providing a forum for public participation in the transportation planning process. Therefore, the nature of the program, activities, and services are of significant importance to HCRPO area residents. The HCRPO will solicit feedback from LEP persons in the future through public outreach and surveys.

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

There is currently no funding available for interpretation services; however, the HCRPO will research monetary resources. The HCRPO may utilize other non-financial resources of interpreters in the following manner:

- 1. Local Department of Social Services staff*
- 2. Local NC Works Centers (High Country Council of Government Workforce Department can provide assistance)*
- 3. Telephone interpretation services (cost of approximately \$5.00 per minute)*
- 4. Adult friend or family member (as temporary/last resort solution)*

LANGUAGE ASSISTANCE PLAN

As a result of the above four factor analysis, a Language Assistance Plan (LAP) is required. This section outlines organizational practices to monitor, evaluate, and update LEP procedures, and the types of assistance provided to ensure fair treatment and meaningful access to LEP persons. Specifically, Wilkes County due to the 5% or 1,000 persons threshold for languages identified. LEP persons in Wilkes County will be subject to the following Language Assistance Measures.

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, at offices, and meetings into the languages of all foreign language groups that met the threshold in Factor 1.
- 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.

- Utilizing or hiring staff who speak a language other than English and can provide competent language assistance. Note: We will not ask community-based organizations to provide, or serve as, interpreters at our meetings. Relying upon CBOs in that capacity could raise ethics concerns. If a CBO decides (on its own) to translate any materials for its constituents, or bring interpreters it trusts to our meetings, we cannot object. That is their right.
- Using language identification flashcards to determine appropriate services.
- Establishing a process to obtain feedback on our language assistance measures.

Specific Measures by Language Group (Spanish)

The most effective ways to involve the Wilkes County LEP Spanish language group that met the safe harbor thresholds in Factor #1 of the Four Factor Analysis beyond the general list directly above is as follows:

- Translating public notices posted in the local paper, at offices, and meetings into the languages of all foreign language groups that met the threshold in Factor 1.
- Making a concerted effort to inform LEP persons of available language assistance via staff, broadcast media, relationship-building with organizations, and our website.
- Using language identification flashcards to determine appropriate services.

Written Translation and Oral Interpretation

Vital documents will be translated for each eligible LEP language group in our planning 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, 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 by considering the circumstances on the ground and coordinating with key LEP community contacts.

Staff Support for Language Assistance

- RPO staff (including receptionists and call centers) 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 consultants contracted to provide LEP services. This list will be updated as needed to remain current.
- All main offices will have available language assistance flashcards and materials translated into the languages that meet the safe harbor threshold. When encountering an LEP person, RPO staff should present the individual with a flashcard and let them choose the language. Do not assume their preferred language. Assistance may be sought from bilingual RPO staff fluent in the identified language before contacting a referral resource. Document the encounter and report it to the Title VI Coordinator.
- Training: All employees will be instructed on RPO procedures for providing timely and reasonable assistance to LEP persons. New employee orientation will explain these procedures to new hires. Staff routinely encountering LEP persons by telephone or in person will receive annual refresher training. All other employees will be reminded of LEP through annual Title VI program acknowledgements and basic Title VI training.

Project-Specific LEP Outreach

A project-specific four factor analysis will be during planning for any project or outreach event limited to a specific geographical area delineated for that activity (i.e., 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 interactions with LEP persons will be continuous, therefore, assistance techniques may be refined at any time. This LAP will be periodically reviewed to determine if our language assistance measures and staff training are effective. Resource availability and feedback from RPO 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, including requests in languages other than English. To the best of our ability, we will not eliminate a successful LEP service. Significant LEP program revisions will be reviewed and adopted by our board, or designated official, and dated accordingly. LEP data and procedures will be reviewed and updated at least once every three years.

DISSEMINATION OF TITLE VI INFORMATION

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

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

“The High Country RPO operates without regard to **race, color, national origin, limited English proficiency, sex, age or disability**. For more information on our Title VI program, or how to file a discrimination complaint, please contact David Graham, Transportation Planner at (828) 265-5434 Ext. 135 or by email at dgraham@regiond.org.”
- Translating information into languages other than English that meet the LEP safe harbor threshold;
- Incorporating Title VI language into our contracts and agreements (See Appendix C for Title VI Contract Language); and
- Ensuring any contractors and sub-recipients we have also disseminate Title VI information.

Please refer to our Public Participation Plan (PPP) for additional outreach methods we employ to comply Title VI. Our PPP can be found here: <http://www.regiond.org/TRANSPORT.html>

HIGH COUNTRY RURAL PLANNING ORGANIZATION (RPO)

PUBLIC PARTICIPATION PLAN

Approved by High Country RPO Rural Transportation Advisory Committee, May 15, 2019


Chairman, High Country RPO - RTAC


Secretary, High Country RPO - RTAC

**High Country RPO
468 New Market Blvd.
Boone, NC 28607
828-265-5434**

I. Purpose

The purpose of the High Country Rural Transportation Planning Organization (RPO) Public Involvement Plan (Plan) is to provide guidance and policy in engaging the public in the transportation planning process. The Plan has the following objectives:

- Create a well-informed public that contributes to transportation decision-making in a meaningful way
- Engage the public early and continuously in the transportation planning process
- Assist the High Country RPO in developing specific transportation projects that reflect the interest and needs of the community
- Gain the support and trust of the public
- Satisfy the requirements of N.C.G.S. § 136-212 regarding duties of a RPO
- Satisfy requirements of Title VI of the Civil Rights Act of 1964

The Plan is not intended to preempt any public involvement activities conducted by the North Carolina Department of Transportation (NCDOT) or any local governments within the High Country RPO region.

II. Forms of Public Involvement

A. Public Outreach

Public Outreach is the process of informing the public about the transportation planning process, specific transportation projects, and activities of the High Country RPO. Typical public outreach strategies include, but will not be limited to, the following:

Press Releases

High Country RPO will periodically issue press releases detailing significant actions of the RPO. These actions may include:

- Adoption of annual Planning Work Program
- Endorsement of Long-Range Transportation Plans
- Adoption of Priority Needs List

Posting of Draft and Final Planning Documents

Copies of draft and final versions of certain planning documents will be posted on the High Country Council of Governments' website, and be distributed to High Country RPO member governments for posting on individual county and town websites.

Title VI Documents and Information

Title VI documents and associated information for the High Country RPO will be provided on the COG website for public access. **Hard copies of Title VI documents will also be made available at the COG upon request.**

Notification of Meetings

Notification of High Country RPO meetings will be sent to news media in the region. Meeting agendas will be posted on the High Country Council of Governments' website, and meeting notification will include link to agendas.

The High Country Council of Governments will maintain a database of media outlets in the region that will receive meeting notification.

Other Public Outreach

As deemed necessary or advisable by the RPO, the following public out reach methods may be used for specific activities/projects:

- Presentations to civic organizations
- Public informational meetings/workshops

Title VI Outreach

Press releases, posting of draft and final planning documents and notification of meetings as noted above will include the following statement(s):

*"This information is available in Spanish or any other language upon request **as well as to persons with disabilities**. Please contact the High Country RPO Transportation Planner at (828) 265-5434 or at 468 New Market Blvd. Boone, NC 28607 for accommodations for this request."*

"Esta información está disponible en español o en cualquier otro idioma bajo petición. Por favor, póngase en contacto con High Country RPO Transportación Planner al (828) 265-5434 o en 468 New Market Blvd. Boone, NC 28607 de alojamiento para esta solicitud."

B. Public Input

Public Input is the process of gathering the views, opinions, and ideas of interested individuals and groups in the transportation planning process. Opportunities for public input provided by the High Country RPO include, but are not limited to, the following:

Public Comment at High Country RPO Meetings

High Country RPO meetings are open to the public and provide opportunity for public comment.

Public Hearings

Public hearings will be held by the High Country RPO's Rural Transportation Advisory Committee (RTAC) prior to taking formal action on specific planning documents. These actions will include:

- Adoption of annual Planning Work Program
- Amendment to Planning Work Program
- Endorsement of Long-Range Transportation Plans
- Adoption of Priority Needs List

Surveys

Surveys will be developed to gauge citizen opinion on specific transportation planning issues and/or projects. Survey content, method of distribution, and geographic target area will be dependent on the specific transportation planning issue or project. Surveys will include the following statement(s):

“This information is available in Spanish or any other language upon request as well as to persons with disabilities. Please contact High Country RPO Transportation Planner at (828) 265-5434 or at 468 New Market Blvd. Boone, NC 28607 for accommodations for this request.”

“Esta información está disponible en español o en cualquier otro idioma bajo petición. Por favor, póngase en contacto con High Country RPO Transportación Planner al (828) 265-5434 o en 468 New Market Blvd. Boone, NC 28607 de alojamiento para esta solicitud.”

III. Schedule of Public Involvement

A. Regular Public Involvement Opportunities

- Planning Documents - All documents, resolutions, meeting minutes, etc. adopted by the High Country RPO are kept at the High-Country Council of Governments (LPA) offices at 468 New Market Blvd., Boone, NC. These documents will be made available for public review upon request.
- Meetings - Regular meetings of the High Country RPO's Rural Transportation Coordinating Committee (RTCC) and Rural Transportation Advisory Committee (RTAC) are open to the public and will include opportunity for public comment. Notification of the meetings will be sent to news media in the region.
- Public Hearings - Notification of all public hearings held by the High Country RPO will be sent to news media in the region.
- Press Releases - All press releases issued by High Country RPO will be sent to news media in the region.

B. Public Involvement for Specific Activities

Public involvement strategies will vary depending on the particular issue or project for which public comment is desired. Typical actions for specific activities of the High Country RPO may include, but are not limited to:

- 1. Long-Range Transportation Plans**
 - Workshops
 - Regular Meetings of RTCC and RTAC
 - Public Hearing
 - Posting of Draft and Final Document
- 2. Prioritization of Projects for Recommendation to State's TIP**
 - Regular Meetings of RTCC and RTAC
 - Public Hearing
 - Posting of Draft and Final Document
- 3. Specific Projects/Issues**
 - Press Releases
 - Workshops
 - Regular Meetings of RTCC and RTAC
 - Surveys

IV. Response to Public Input

Public involvement may be documented in a variety of ways. Any comments received during a meeting of the High Country RPO's RTCC or RTAC will be included in the meeting minutes and can be provided in other languages upon request to accommodate Title VI protected groups/persons. Also, any comments received during a public hearing held by the High Country RPO's RTAC will be included in the meeting minutes. Comments received during workshops, will be summarized, and kept on file. Results of surveys will be compiled and kept on file.

Public comments may be included as appendices in formal documents or plans for which they were made.

The RTCC or RTAC may direct High Country RPO staff to respond directly to public comments via letter.

EXTERNAL DISCRIMINATION COMPLAINT PROCEDURES

These discrimination complaint procedures outline the process used by the High Country RPO (HCRPO) 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 the HCRPO programs, services, and activities. Complaints will be investigated by the appropriate authority. Upon completion of an investigation, the complainant will be informed of all avenues of appeal. Every effort will be made to obtain early resolution of complaints at the lowest level possible by informal means.

FILING OF COMPLAINTS

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

Complaints may be submitted to the following entities:

- **High Country RPO**, 468 New Market Blvd. Boone, NC 28607 or by phone at (828) 265-5434
 - **North Carolina Department of Transportation**, Office of Civil Rights, External Civil Rights Section, 1511 Mail Service Center, Raleigh, NC 27699-1511; 919-508-1830 or toll free 800-522-0453
 - **Federal Highway Administration**, North Carolina Division Office, 310 New Bern Avenue, Suite 410, Raleigh, NC 27601, 919-747-7010
 - **US Department of Transportation**, Departmental Office of Civil Rights, External Civil Rights Programs Division, 1200 New Jersey Avenue, SE, Washington, DC 20590; 202-366-4070
 - **US Department of Justice**, Special Litigation Section, Civil Rights Division, 950 Pennsylvania Avenue, NW, Washington, DC 20530, 202-514-6255 or toll free 877-218-5228
4. **Format for Complaints** – Complaints shall be in **writing** and **signed** by the complainant(s) or a representative and include the complainant's name, address, and telephone number. Complaints received by fax or e-mail will be acknowledged and processed. Allegations received by telephone or in person will be reduced to writing, may be recorded and will be provided to the complainant for confirmation or revision before processing. Complaints will be accepted in other languages, including Braille.
 5. **Complaint Basis** – Allegations must be based on issues involving race, color, national origin, sex, age, or disability. The term "basis" refers to the complainant's membership in a protected group category.

Protected Categories	Definition	Examples	Applicable Statutes and Regulations
Race	An individual belonging to one of the accepted racial groups; or the perception, based usually on physical characteristics that a person is a member of a racial group	Black/African American, Hispanic/Latino, Asian, American Indian/Alaska Native, Native Hawaiian/Pacific Islander, White	Title VI of the Civil Rights Act of 1964; 49 CFR Part 21; 23 CFR 200. (Executive Order 13166)
Color	Color of skin, including shade of skin within a racial group	Black, White, brown, yellow, etc.	
National Origin (LEP)	Place of birth. Citizenship is not a factor. Discrimination based on language or a person's accent is also covered.	Mexican, Cuban, Japanese, Vietnamese, Chinese	
Sex	Gender	Women and Men	1973 Federal-Aid Highway Act; Title IX of the Education Amendments of 1972.
Age	Persons of any age	21 year old person	Age Discrimination Act of 1975
Disability	Physical or mental impairment, permanent or temporary, or perceived.	Blind, alcoholic, para-amputee, epileptic, diabetic, arthritic	Section 504 of the Rehabilitation Act of 1973; Americans with Disabilities Act of 1990

Complaint Processing

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

Complaint Log

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

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

REVIEW OF ORGANIZATIONAL DIRECTIVES

It is the responsibility of every official who develops policies, procedures, manuals, guidelines, and other directives to ensure they have been reviewed for Title VI compliance. All staff members will assist in carrying

out this requirement by making sure drafts of these documents are submitted to the Title VI Coordinator to ensure Title VI requirements are included.

TITLE VI TRAINING

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

COMPLIANCE AND ENFORCEMENT PROCEDURES

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

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

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

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

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

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

Appendix A: Title VI Nondiscrimination Assurances



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

United States Department of Transportation

JAMES H. TROGDON, III
SECRETARY

STANDARD TITLE VI/ NONDISCRIMINATION ASSURANCES

DOT Order No.
1050.2A

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

Statutory/Regulatory Authorities

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

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

General Assurances

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

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

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

Specific Assurances

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

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23(b) and 21.23(e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard

to a "facility") operated or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

2. The Recipient will insert the following notification in all solicitations for bids, Requests for Proposals for work, or material subject to the Acts and the Regulations made in connection with all Federal-Aid Highway Program and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The High Country Rural Planning Organization, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
 - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.

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

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

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

High Country Rural Planning Organization

By: 
Phil Trew, Planning Director

DATE: 2/27/2019

Attachments:

Appendices A, B, C, D, E

APPENDIX A

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

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

APPENDIX B: CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

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

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

(HABENDUM CLAUSE)

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

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

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

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

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

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

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

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

The following clauses will be included in deeds, licenses, permits, or similar instrument s/ agreements entered into by the High Country Rural Planning Organization pursuant to the provisions of Assurance 7(b):

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

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

APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following nondiscrimination statutes and authorities; including but not limited to:

Pertinent Nondiscrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Nondiscrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures Nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of Limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq.).

Appendix B
TAC and TCC Members and Responsibilities

RTAC Members

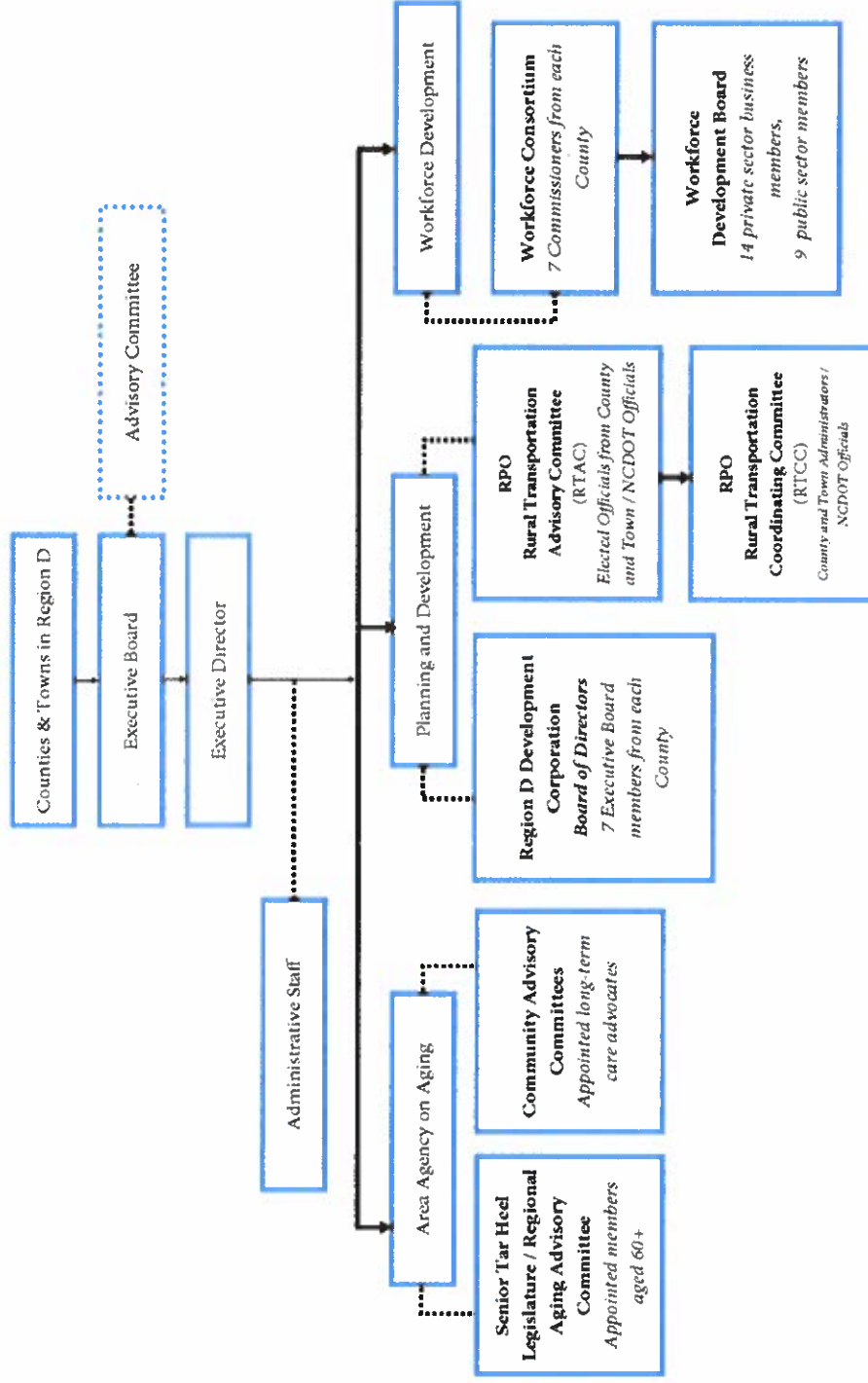
<u>Name</u>	<u>Position</u>
John Brady	Member
Woody Young	Member
Sue Sweeting	Member
Larry Prince	Member
Brenda Lyerly	Member
Cullie Tarleton	Member
Chuck Vines	Chair
Todd McNeill	Member
Vern Grindstaff	Member
John Reeves	Member
Bunnie McIntosh	Member
Johnny Riddle	Vice Chair
Brian Minton	Member
Robert Johnson	Member
Billy Clarke	Member
Rennie Brantz	Member

RTCC Members

<u>Name</u>	<u>Position</u>
Phil Trew	Member
Mike Pettyjohn	Member
Stephen Sparks	Member
Pam Cook	Member
Mike James	Member
Adam Stumb	Member
Phillip Barrier	Member
Kathy Young	Member
Joe Furman	Member
John Yates	Member
Lynn Austin	Member
Bryan Edwards	Member
Cathy Howell	Member
Marcy Little	Member
Rick Owen	Member
Rachel Deal	Member
Connie Guinn	Member
Keith Hoilman	Member
Susan Phillips	Member
Chuck Vines	Member
Richard Canipe	Member
Tim Holloman	Member
Kevin Rothrock	Chair

John Ward	Member
Debbie Powers	Member
Larry South	Member
Talesa Carter	Member
Ken Noland	Member
Jeanne Martin	Member
Jimmy Hamrick	Member
Dawn Leonard	Member
Chrystene Murphy	Member
Tiffany Boyer	Member
<hr/>	
Kitty Honeycut	Member
Sue Thompson	Member
Kate Gavenus	Member
Melynda Martin Pepple	Member
Sheila Blalock	Member
Neil Winbarger	Member
Candice Cook	Member
Charles Hardin	Member
David Jackson	Vice Chair
Craig Hughes	Member
Linda Cheek	Member
Robin Kipp	Member
Lynn Austin	Member
Ginger Johnson	Member
Brantley Price	Member

Appendix C Organizational Chart



Appendix D
Demographic Tables

ALLEGHANY COUNTY

8.1 RACE AND ETHNICITY

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

Race and Ethnicity	Number	Percent
Total Population	11155	100
White	10288	92.2
Black or African American	140	1.3
American Indian or Alaska Native	27	0.2
Asian	54	0.5
Native Hawaiian and Other Pacific Islander	3	0.0
Some other Race	515	4.6
Two or More Races	128	1.1
HISPANIC OR LATINO (of any race)	1004	9.0
Mexican	814	7.3
Puerto Rican	32	0.3
Cuban	88	0.8
Other Hispanic or Latino	70	0.6

8.2 AGE & SEX

The following table was completed using data from Census Table QT-P1, Age Groups and Sex: 2010:

Age	Number			Percent		
	Both sexes	Male	Female	Both sexes	Male	Female
Total Population	11155	5532	5623	100%	100%	100%
Under 5 years	581	293	288	5.2	5.3	5.1
Under 18 years	2235	1130	1105	20.0	20.4	19.7
18 to 64 years	6616	3384	3232	59.3	61.2	57.5
65 years and over	2304	1018	1286	20.7	18.4	22.9
Median Age	45.9	44.3	47.5			

8.3 DISABILITY

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

Subject	Total		With a Disability		Percent with a Disability	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-
Total civilian noninstitutionalized population	10738	99	2186	228	20.4	2.1
Population under 5 years	475	82	0	19	0.0	6.6
Population 5 to 17 years	1512	82	95	69	6.3	4.6
Population 18 to 64 years	1644	97	181	89	11.0	5.5
Population 65 years and over	2500	84	244	88	9.8	3.6
SEX						
Male	5318	112	1097	165	20.6	3.0
Female	5420	92	1089	145	20.1	2.7
RACE AND HISPANIC OR LATINO ORIGIN						
White	9824	222	2117	222	21.5	2.3
Black or African American	244	84	31	39	12.7	19.6
American Indian and Alaska Native	170	202	6	13	3.5	12.5
Asian	17	32	0	19	0.0	71.9
Native American and Other Pacific Islander	0	19	0	19	-	-
Some other Race	403	232	0	19	0.0	7.7
Two or more races	80	50	32	26	40.0	23.8
Hispanic or Latino	1010	9	51	36	5.0	3.6

8.4 POVERTY

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

Subject	Total		Below poverty level		Percent below poverty level	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-
Population for whom poverty status is determined	10738	99	2089			
AGE						
Under 18	1987	3	634			
18 to 64	6251	38	1179			
65 years and over	2500	84	276			
SEX						
Male	5318	112	874			
Female	5420	92	1215			
RACE AND HISPANIC OR LATINO ORIGIN						
White	9824	222	1715			
Black or African American	244	84	32			
American Indian and Alaska Native	170	202	6			
Asian	17	32	0			
Native American and Other Pacific Islander	0	19	0			
Some other Race	403	232	306			
Two or more races	80	50	30			
Hispanic or Latino	1010	9	442			
RACE AND HISPANIC OR LATINO ORIGIN						
All individuals below:						
50 percent of poverty level	616	248	-	-	-	-
125 percent of poverty level	2871	408	-	-	-	-
150 percent of poverty level	3601	434	-	-	-	-
185 percent of poverty level	4645	417	-	-	-	-
200 percent of poverty level	5138	415	-	-	-	-

8.5 HOUSEHOLD INCOME

The following table was completed using data from Census Table S1901, Income in the Past 12 Months (In 2013 Inflation-Adjusted Dollars):

Subject	Households	
	Estimate	Margin of Error +/-
Total	4798	226
Less than \$10,000	9.9	2.4
\$10,000 to \$14,999	7.2	2.0
\$15,000 to \$24,999	17.5	3.2
\$25,000 to \$34,999	10.9	2.5
\$35,000 to \$49,999	18.4	3.3
\$50,000 to \$74,999	16.3	3.3
\$75,000 to \$99,999	10.9	2.6
\$100,000 to \$149,999	6.4	2.4
\$150,000 to \$199,999	1.1	0.7
\$200,000 or more	1.4	0.7
Median income (dollars)	38532	2161
Mean income (dollars)	47715	2933

8.6 LIMITED ENGLISH PROFICIENCY POPULATIONS

See attached "Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over" American Fact Finder PDF for additional data.

1. LANGUAGE SPOKEN AT HOME	Estimate	Margin of Error +/-	Percent of Population	Margin of Error
Total (population 5 years and over):	10431	87	100%	(X)
Speak only English	9620	161	-	-
Spanish or Spanish Creole:	751	168	-	-
Speak English "very well"	499	184	-	-
Speak English less than "very well"	252	107	-	-
French	18	21	-	-
Speak English "very well"	18	21	-	-
Speak English less than "very well"	0	19	-	-
French Creole:	0	19	-	-
Speak English "very well"	0	19	-	-
Speak English less than "very well"	0	19	-	-

8.7 POPULATION LOCATIONS

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

ASHE COUNTY

8.8 RACE AND ETHNICITY

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

Race and Ethnicity	Number	Percent
Total Population	27281	100
White	26050	95.5
Black or African American	161	0.6
American Indian or Alaska Native	65	0.2
Asian	105	0.4
Native Hawaiian and Other Pacific Islander	8	0.0
Some other Race	613	2.2
Two or More Races	279	1.0
HISPANIC OR LATINO (of any race)	1311	4.8
Mexican	1034	3.8
Puerto Rican	36	0.1
Cuban	64	0.2
Other Hispanic or Latino	177	0.6

8.9 AGE & SEX

The following table was completed using data from Census Table QT-P1, Age Groups and Sex: 2010:

Age	Number			Percent		
	Both sexes	Male	Female	Both sexes	Male	Female
Total Population	27281	13489	13792	100%	100%	100%
Under 5 years	1452	714	738	5.3	5.3	5.4
Under 18 years	5301	2701	2600	19.4	20.0	18.9
18 to 64 years	16479	8381	8098	60.4	62.1	58.7
65 years and over	5501	2407	3094	20.2	17.8	22.4
Median Age	45.5	43.6	47.1			

8.10 DISABILITY

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

Subject	Total		With a Disability		Percent with a Disability	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-
Total civilian noninstitutionalized population	26750	96	4069	356	15.2	1.3
Population under 5 years	1284	15	2	3	0.2	0.2
Population 5 to 17 years	3701	26	193	85	5.2	2.3
Population 18 to 64 years	15766	50	738	229	4.7	1.5
Population 65 years and over	5999	98	839	161	14.0	2.7
SEX						
Male	13188	92	2060	274	15.6	2.1
Female	13562	130	2009	239	14.8	1.7
RACE AND HISPANIC OR LATINO ORIGIN						
White	25168	277	3970	341	15.8	1.3
Black or African American	137	41	53	46	38.7	28.7
American Indian and Alaska Native	92	21	34	38	37.0	38.3
Asian	85	38	0	22	0.0	30.7
Native American and Other Pacific Islander	15	19	0	22	0.0	76.6
Some other Race	831	268	0	22	0.0	3.8
Two or more races	422	128	12	16	2.8	3.7
Hispanic or Latino	1373	17	23	25	1.7	1.8

8.11 POVERTY

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

Subject	Total		Below poverty level		Percent below poverty level	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-
Population for whom poverty status is determined	26548	176	5290	745	19.9	2.8
AGE						
Under 18	4777	156	1328	295	27.8	6.3
18 to 64	15772	49	3305	482	21.0	3.1
65 years and over	5999	98	657	139	11.0	2.3
SEX						
Male	13062	124	2611	397	20.0	3.0
Female	13486	145	2679	456	19.9	3.4
RACE AND HISPANIC OR LATINO ORIGIN						
White	24983	320	4716	697	18.9	2.8
Black or African American	143	39	90	52	62.9	26.7
American Indian and Alaska Native	92	21	21	37	22.8	39.1
Asian	85	38	18	38	21.2	41.5
Native American and Other Pacific Islander	15	19	6	10	40.0	57.5
Some other Race	808	260	380	267	47.0	25.7
Two or more races	422	128	59	31	14.0	7.7
Hispanic or Latino	1350	37	613	240	45.4	17.8
RACE AND HISPANIC OR LATINO ORIGIN						
All individuals below:						
50 percent of poverty level	1790	410	-	-	-	-
125 percent of poverty level	6675	796	-	-	-	-
150 percent of poverty level	7760	718	-	-	-	-
185 percent of poverty level	10058	751	-	-	-	-
200 percent of poverty level	11007	810	-	-	-	-

8.12 HOUSEHOLD INCOME

The following table was completed using data from Census Table S1901, Income in the Past 12 Months (In 2013 Inflation-Adjusted Dollars):

Subject	Households	
	Estimate	Margin of Error +/-
Total	11905	415
Less than \$10,000	10.2	1.8
\$10,000 to \$14,999	8.8	1.9
\$15,000 to \$24,999	13.7	2.1
\$25,000 to \$34,999	13.9	2.1
\$35,000 to \$49,999	16.6	2.5
\$50,000 to \$74,999	17.2	2.6
\$75,000 to \$99,999	10.9	1.9
\$100,000 to \$149,999	6.0	1.5
\$150,000 to \$199,999	1.6	0.6
\$200,000 or more	1.2	0.7
Median income (dollars)	37360	2033
Mean income (dollars)	50702	4409

8.13 LIMITED ENGLISH PROFICIENCY POPULATIONS

See attached "Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over" American Fact Finder PDF for additional data.

2. LANGUAGE SPOKEN AT HOME	Estimate	Margin of Error +/-	Percent of Population	Margin of Error
Total (population 5 years and over):	25795	22	-	-
Speak only English	24515	150	-	-
Spanish or Spanish Creole:	1141	128	-	-
Speak English "very well"	605	168	-	-
Speak English less than "very well"	536	147	-	-
French:	29	32	-	-
Speak English "very well"	13	20	-	-
Speak English less than "very well"	16	26	-	-
French Creole:	0	22	-	-
Speak English "very well"	0	22	-	-
Speak English less than "very well"	0	22	-	-

8.14 POPULATION LOCATIONS

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

AVERY COUNTY

8.15 RACE AND ETHNICITY

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

Race and Ethnicity	Number	Percent
Total Population	17797	100
White	16364	91.9
Black or African American	709	4.0
American Indian or Alaska Native	75	0.4
Asian	56	0.3
Native Hawaiian and Other Pacific Islander	8	0.0
Some other Race	435	2.4
Two or More Races	150	0.8
HISPANIC OR LATINO (of any race)	797	4.5
Mexican	651	3.7
Puerto Rican	22	0.1
Cuban	23	0.1
Other Hispanic or Latino	101	0.6

8.16 AGE & SEX

The following table was completed using data from Census Table QT-P1, Age Groups and Sex: 2010:

Age	Number			Percent		
	Both sexes	Male	Female	Both sexes	Male	Female
Total Population	17797	9690	8107	100	100	100
Under 5 years	773	401	372	4.3	4.1	4.6
Under 18 years	3059	1537	1522	17.2	15.9	18.8
18 to 64 years	11641	6771	4870	65.4	69.9	60.1
65 years and over	3097	1382	1715	17.4	14.3	21.2
Median Age	42.3	40.7	45.1			

8.17 DISABILITY

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

Subject	Total		With a Disability		Percent with a Disability	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-
Total civilian noninstitutionalized population	15633	486	3388	286	21.7	1.9
Population under 5 years	665	67	17	20	2.6	3.0
Population 5 to 17 years	2030	72	118	111	5.8	5.5
Population 18 to 64 years	9411	455	470	118	5.0	1.3
Population 65 years and over	3527	62	576	133	16.3	3.7
SEX						
Male	7760	475	1582	193	20.4	2.5
Female	7873	103	1806	185	22.9	2.4
RACE AND HISPANIC OR LATINO ORIGIN						
White	14931	490	3329	303	22.3	2.1
Black or African American	99	50	18	26	18.2	26.1
American Indian and Alaska Native	26	38	3	7	11.5	29.2
Asian	65	73	16	32	24.6	39.9
Native American and Other Pacific Islander	0	19	0	19	-	-
Some other Race	342	206	8	13	2.3	3.4
Two or more races	170	120	14	25	8.2	15.2
Hispanic or Latino	860	22	24	23	2.8	2.7

8.18 POVERTY

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

Subject	Total		Below poverty level		Percent below poverty level	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-
Population for whom poverty status is determined	15030	875	2509	490	16.7	3.1
AGE						
Under 18	2685	69	527	165	19.6	6.2
18 to 64	8818	816	1536	391	17.4	4.0
65 years and over	3527	62	446	100	12.6	2.9
SEX						
Male	7606	508	1366	315	18.0	4.0
Female	7424	544	1143	243	15.4	2.8
RACE AND HISPANIC OR LATINO ORIGIN						
White	14426	744	2310	470	16.0	3.0
Black or African American	65	48	39	41	60.0	44.3
American Indian and Alaska Native	26	38	3	7	11.5	29.2
Asian	53	72	0	19	0.0	40.7
Native American and Other Pacific Islander	0	19	0	19	-	-
Some other Race	337	208	153	162	45.4	40.1
Two or more races	123	121	4	8	3.3	5.8
Hispanic or Latino	806	98	328	144	40.7	18.5
RACE AND HISPANIC OR LATINO ORIGIN						
All individuals below:						
50 percent of poverty level	683	271	-	-	-	-
125 percent of poverty level	3702	554	-	-	-	-
150 percent of poverty level	5024	585	-	-	-	-
185 percent of poverty level	6606	704	-	-	-	-
200 percent of poverty level	7203	732	-	-	-	-

8.19 HOUSEHOLD INCOME

The following table was completed using data from Census Table S1901, Income in the Past 12 Months (In 2013 Inflation-Adjusted Dollars):

Subject	Households	
	Estimate	Margin of Error +/-
Total	6756	527
Less than \$10,000	8.4	2.3
\$10,000 to \$14,999	10.2	2.3
\$15,000 to \$24,999	18.2	2.6
\$25,000 to \$34,999	12.1	2.3
\$35,000 to \$49,999	14.5	2.1
\$50,000 to \$74,999	15.3	2.6
\$75,000 to \$99,999	9.7	2.0
\$100,000 to \$149,999	5.4	1.6
\$150,000 to \$199,999	2.1	0.8
\$200,000 or more	4.1	1.2
Median income (dollars)	35891	2622
Mean income (dollars)	56130	4942

8.20 LIMITED ENGLISH PROFICIENCY POPULATIONS

See attached "Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over" American Fact Finder PDF for additional data.

3. LANGUAGE SPOKEN AT HOME	Estimate	Margin of Error +/-	Percent of Population	Margin of Error
Total (population 5 years and over):	16998	52	-	-
Speak only English	15965	123	-	-
Spanish or Spanish Creole:	844	104	-	-
Speak English "very well"	558	132	-	-
Speak English less than "very well"	286	81	-	-
French:	52	61	-	-
Speak English "very well"	52	61	-	-
Speak English less than "very well"	0	19	-	-
French Creole:	0	19	-	-
Speak English "very well"	0	19	-	-
Speak English less than "very well"	0	19	-	-

8.21 POPULATION LOCATIONS

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

MITCHELL COUNTY

8.22 RACE AND ETHNICITY

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

Race and Ethnicity	Number	Percent
Total Population	15579	100
White	14844	95.3
Black or African American	58	0.4
American Indian or Alaska Native	65	0.4
Asian	50	0.3
Native Hawaiian and Other Pacific Islander	1	0.0
Some other Race	397	2.5
Two or More Races	164	1.1
HISPANIC OR LATINO (of any race)	631	4.1
Mexican	538	3.5
Puerto Rican	10	0.1
Cuban	26	0.2
Other Hispanic or Latino	57	0.4

8.23 AGE & SEX

The following table was completed using data from Census Table QT-P1, Age Groups and Sex: 2010:

Age	Number			Percent		
	Both sexes	Male	Female	Both sexes	Male	Female
Total Population	15579	7600	7979	100	100	100
Under 5 years	769	386	383	4.9	5.1	4.8
Under 18 years	3035	1568	1467	19.5	20.6	18.4
18 to 64 years	9284	4601	4683	59.6	60.5	58.7
65 years and over	3260	1431	1829	20.9	18.8	22.9
Median Age	45.7	43.8	47.3			

8.24 DISABILITY

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

Subject	Total		With a Disability		Percent with a Disability	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-
Total civilian noninstitutionalized population	15134	92	3306	338	21.8	2.2
Population under 5 years	700	49	0	19	0.0	4.5
Population 5 to 17 years	2122	57	176	89	8.3	4.3
Population 18 to 64 years	8896	39	333	108	3.7	1.2
Population 65 years and over	3416	86	760	138	22.2	4.0
SEX						
Male	7417	74	1554	181	21.0	2.4
Female	7717	92	1752	247	22.7	3.2
RACE AND HISPANIC OR LATINO ORIGIN						
White	14688	183	3274	338	22.3	2.3
Black or African American	62	43	14	18	22.6	31.8
American Indian and Alaska Native	92	55	9	15	9.8	16.2
Asian	37	29	0	19	0.0	48.8
Native American and Other Pacific Islander	20	31	0	19	0.0	66.3
Some other Race	130	154	0	19	0.0	21.9
Two or more races	125	46	9	14	7.2	10.5
Hispanic or Latino	719	2	43	39	6.0	5.4

8.25 POVERTY

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

Subject	Total		Below poverty level		Percent below poverty level	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-
Population for whom poverty status is determined	14898	117	2688	387	18.0	2.6
AGE						
Under 18	2739	67	734	161	26.8	5.9
18 to 64	8743	43	1562	268	17.9	3.1
65 years and over	3416	86	392	137	11.5	4.0
SEX						
Male	7312	105	1148	217	15.7	3.0
Female	7586	109	1540	226	20.3	3.0
RACE AND HISPANIC OR LATINO ORIGIN						
White	14479	203	2450	378	16.9	2.6
Black or African American	25	20	25	20	100.0	59.3
American Indian and Alaska Native	92	55	51	55	55.4	43.5
Asian	37	29	8	18	21.6	37.8
Native American and Other Pacific Islander	20	31	0	19	0.0	66.3
Some other Race	130	154	123	155	94.6	17.8
Two or more races	115	48	31	20	27.0	20.5
Hispanic or Latino	706	27	203	158	28.8	22.5
RACE AND HISPANIC OR LATINO ORIGIN						
All individuals below:						
50 percent of poverty level	913	233	-	-	-	-
125 percent of poverty level	3737	468	-	-	-	-
150 percent of poverty level	4404	492	-	-	-	-
185 percent of poverty level	5357	489	-	-	-	-
200 percent of poverty level	5991	554	-	-	-	-

8.26 HOUSEHOLD INCOME

The following table was completed using data from Census Table S1901, Income in the Past 12 Months (In 2013 Inflation-Adjusted Dollars):

Subject	Households	
	Estimate	Margin of Error +/-
Total	6422	263
Less than \$10,000	11.0	2.3
\$10,000 to \$14,999	9.7	2.2
\$15,000 to \$24,999	13.7	2.2
\$25,000 to \$34,999	10.3	2.1
\$35,000 to \$49,999	15.9	2.8
\$50,000 to \$74,999	19.9	2.6
\$75,000 to \$99,999	10.5	2.3
\$100,000 to \$149,999	6.6	1.7
\$150,000 to \$199,999	1.6	1.1
\$200,000 or more	0.9	0.7
Median income (dollars)	39658	3373
Mean income (dollars)	50742	5043

8.27 LIMITED ENGLISH PROFICIENCY POPULATIONS

See attached "Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over" American Fact Finder PDF for additional data.

4. LANGUAGE SPOKEN AT HOME	Estimate	Margin of Error +/-	Percent of Population	Margin of Error
Total (population 5 years and over):	14707	63	-	-
Speak only English	13970	109	-	-
Spanish or Spanish Creole:	628	114	-	-
Speak English "very well"	356	140	-	-
Speak English less than "very well"	272	75	-	-
French:	62	46	-	-
Speak English "very well"	45	40	-	-
Speak English less than "very well"	17	23	-	-
French Creole:	0	19	-	-
Speak English "very well"	0	19	-	-
Speak English less than "very well"	0	19	-	-

8.28 POPULATION LOCATIONS

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

WATAUGA COUNTY

8.29 RACE AND ETHNICITY

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

Race and Ethnicity	Number	Percent
Total Population	51079	100
White	48272	94.5
Black or African American	877	1.7
American Indian or Alaska Native	129	0.3
Asian	475	0.9
Native Hawaiian and Other Pacific Islander	13	0.0
Some other Race	597	1.2
Two or More Races	716	1.4
HISPANIC OR LATINO (of any race)	1713	3.4
Mexican	1076	2.1
Puerto Rican	155	0.3
Cuban	122	0.2
Other Hispanic or Latino	360	0.7

8.30 AGE & SEX

The following table was completed using data from Census Table QT-P1, Age Groups and Sex: 2010:

Age	Number			Percent		
	Both sexes	Male	Female	Both sexes	Male	Female
Total Population	51079	25636	25443	100	100	100
Under 5 years	1947	1007	940	3.8	3.9	3.7
Under 18 years	7074	3701	3373	13.8	14.4	13.3
18 to 64 years	37676	19086	18590	73.8	74.4	73.1
65 years and over	6329	2849	3480	12.4	11.1	13.7
Median Age	28.4	27.1	30.2			

8.31 DISABILITY

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

Subject	Total		With a Disability		Percent with a Disability	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-
Total civilian noninstitutionalized population	52442	98	5591	470	10.7	0.9
Population under 5 years	1830	81	10	15	0.5	0.8
Population 5 to 17 years	5102	105	254	119	5.0	2.4
Population 18 to 64 years	38248	158	3042	294	13.7	1.8
Population 65 years and over	7262	54	2285	164	43.4	4.8
SEX						
Male	26154	137	2900	315	11.1	1.2
Female	26288	123	2691	327	10.2	1.2
RACE AND HISPANIC OR LATINO ORIGIN						
White	49348	241	5339	453	10.8	0.9
Black or African American	598	101	69	37	11.5	5.8
American Indian and Alaska Native	166	58	41	36	24.7	19.0
Asian	436	77	55	54	12.6	11.9
Native American and Other Pacific Islander	21	20	0	28	0.0	64.7
Some other Race	632	187	4	6	0.6	1.0
Two or more races	1241	231	83	56	6.7	4.9
Hispanic or Latino	1787	14	61	42	3.4	2.3

8.32 POVERTY

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

Subject	Total		Below poverty level		Percent below poverty level	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-
Population for whom poverty status is determined	47235	372	14797	852	31.3	1.7
AGE						
Under 18	6742	127	1634	267	24.2	4.0
18 to 64	33231	340	12579	722	37.9	2.0
65 years and over	7262	77	584	113	8.0	1.5
SEX						
Male	23848	241	7663	518	32.1	2.1
Female	23387	329	7134	554	30.5	2.2
RACE AND HISPANIC OR LATINO ORIGIN						
White	44804	456	13473	797	30.1	1.7
Black or African American	363	117	143	88	39.4	21.2
American Indian and Alaska Native	160	57	91	55	56.9	26.5
Asian	332	106	160	108	48.2	27.7
Native American and Other Pacific Islander	21	20	5	7	23.8	34.1
Some other Race	581	185	400	167	68.8	19.4
Two or more races	974	234	525	205	53.9	15.0
Hispanic or Latino	1551	78	836	191	53.9	12.0
RACE AND HISPANIC OR LATINO ORIGIN						
All individuals below:						
50 percent of poverty level	9259	786	-	-	-	-
125 percent of poverty level	16584	865	-	-	-	-
150 percent of poverty level	18946	891	-	-	-	-
185 percent of poverty level	21590	933	-	-	-	-
200 percent of poverty level	22581	909	-	-	-	-

8.33 HOUSEHOLD INCOME

The following table was completed using data from Census Table S1901, Income in the Past 12 Months (In 2013 Inflation-Adjusted Dollars):

Subject	Households	
	Estimate	Margin of Error +/-
Total	20320	498
Less than \$10,000	17.0	1.7
\$10,000 to \$14,999	8.3	1.4
\$15,000 to \$24,999	10.7	1.5
\$25,000 to \$34,999	10.0	1.5
\$35,000 to \$49,999	13.4	1.4
\$50,000 to \$74,999	15.0	1.4
\$75,000 to \$99,999	11.3	1.3
\$100,000 to \$149,999	8.2	1.2
\$150,000 to \$199,999	2.9	0.8
\$200,000 or more	3.2	0.6
Median income (dollars)	39443	2033
Mean income (dollars)	57570	2531

8.34 LIMITED ENGLISH PROFICIENCY POPULATIONS

See attached "Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over" American Fact Finder PDF for additional data.

5. LANGUAGE SPOKEN AT HOME	Estimate	Margin of Error +/-	Percent of Population	Margin of Error
Total (population 5 years and over):	50358	104	-	-
Speak only English	48005	273	-	-
Spanish or Spanish Creole:	1502	211	-	-
Speak English "very well"	964	179	-	-
Speak English less than "very well"	538	141	-	-
French:	100	58	-	-
Speak English "very well"	97	57	-	-
Speak English less than "very well"	3	3	-	-
French Creole:	0	28	-	-
Speak English "very well"	0	28	-	-
Speak English less than "very well"	0	28	-	-

8.35 POPULATION LOCATIONS

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

WILKES COUNTY

8.36 RACE AND ETHNICITY

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

Race and Ethnicity	Number	Percent
Total Population	69340	100
White	62824	90.6
Black or African American	2830	4.1
American Indian or Alaska Native	133	0.2
Asian	296	0.4
Native Hawaiian and Other Pacific Islander	20	0.0
Some other Race	2312	3.3
Two or More Races	925	1.3
HISPANIC OR LATINO (of any race)	3772	5.4
Mexican	2498	3.6
Puerto Rican	136	0.2
Cuban	86	0.1
Other Hispanic or Latino	1052	1.5

8.37 AGE & SEX

The following table was completed using data from Census Table QT-P1, Age Groups and Sex: 2010:

Age	Number			Percent		
	Both sexes	Male	Female	Both sexes	Male	Female
Total Population	69340	34264	35076	100	100	100
Under 5 years	3990	2023	1967	5.8	5.9	5.6
Under 18 years	15536	7993	7543	22.4	23.3	21.5
18 to 64 years	42026	21144	20882	60.6	61.7	59.5
65 years and over	11778	5127	6651	17.0	15.0	19.0
Median Age	42.4	41.0	43.9			

8.38 DISABILITY

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

Subject	Total		With a Disability		Percent with a Disability	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-
Total civilian noninstitutionalized population	67851	382	10577	1664	15.6	2.4
Population under 5 years	3145	323	0	203	0.0	5.3
Population 5 to 17 years	11149	336	775	569	7.0	5.1
Population 18 to 64 years	40160	637	4538	1055	16.3	3.7
Population 65 years and over	13397	479	2445	700	41.9	10.5
SEX						
Male	33331	834	5507	1078	16.5	3.2
Female	34520	831	5070	1088	14.7	3.2
RACE AND HISPANIC OR LATINO ORIGIN						
White	61297	1348	9232	1539	15.1	2.5
Black or African American	-	-	-	-	-	-
American Indian and Alaska Native	-	-	-	-	-	-
Asian	-	-	-	-	-	-
Native American and Other Pacific Islander	-	-	-	-	-	-
Some other Race	-	-	-	-	-	-
Two or more races	-	-	-	-	-	-
Hispanic or Latino	-	-	-	-	-	-

8.39 POVERTY

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

Subject	Total		Below poverty level		Percent below poverty level	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-
Population for whom poverty status is determined	67795	398	10424	2792	15.4	4.1
AGE						
Under 18	14238	130	3560	1447	25.0	10.1
18 to 64	40160	553	6064	1739	15.1	4.3
65 years and over	13397	566	800	370	6.0	2.8
SEX						
Male	33331	834	4403	1431	13.2	4.3
Female	34464	815	6021	1861	17.5	5.3
RACE AND HISPANIC OR LATINO ORIGIN						
White	61241	1367	8244	2473	13.5	4.0
Black or African American	-	-	-	-	-	-
American Indian and Alaska Native	-	-	-	-	-	-
Asian	-	-	-	-	-	-
Native American and Other Pacific Islander	-	-	-	-	-	-
Some other Race	-	-	-	-	-	-
Two or more races	-	-	-	-	-	-
Hispanic or Latino	-	-	-	-	-	-
RACE AND HISPANIC OR LATINO ORIGIN						
All individuals below:						
50 percent of poverty level	3371	1516	-	-	-	-
125 percent of poverty level	14630	2999	-	-	-	-
150 percent of poverty level	17732	3144	-	-	-	-
185 percent of poverty level	23823	3292	-	-	-	-
200 percent of poverty level	25357	3390	-	-	-	-

8.40 HOUSEHOLD INCOME

The following table was completed using data from Census Table S1901, Income in the Past 12 Months (In 2013 Inflation-Adjusted Dollars):

Subject	Households	
	Estimate	Margin of Error +/-
Total	27583	438
Less than \$10,000	10.0	1.5
\$10,000 to \$14,999	10.2	1.2
\$15,000 to \$24,999	17.1	1.7
\$25,000 to \$34,999	12.9	1.4
\$35,000 to \$49,999	13.9	1.4
\$50,000 to \$74,999	16.5	1.5
\$75,000 to \$99,999	9.8	1.3
\$100,000 to \$149,999	6.6	1.2
\$150,000 to \$199,999	1.7	0.5
\$200,000 or more	1.4	0.5
Median income (dollars)	34846	1778
Mean income (dollars)	48863	2285

8.41 LIMITED ENGLISH PROFICIENCY POPULATIONS

See attached "Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over" American Fact Finder PDF for additional data.

6. LANGUAGE SPOKEN AT HOME	Estimate	Margin of Error +/-	Percent of Population	Margin of Error
Total (population 5 years and over):	65423	86	-	-
Speak only English	61711	420	-	-
Spanish or Spanish Creole:	3071	199	-	-
Speak English "very well"	1356	240	-	-
Speak English less than "very well"	1715	238	-	-
French:	58	86	-	-
Speak English "very well"	58	86	-	-
Speak English less than "very well"	0	28	-	-
French Creole:	0	28	-	-
Speak English "very well"	0	28	-	-
Speak English less than "very well"	0	28	-	-

8.42 POPULATION LOCATIONS

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

YANCEY COUNTY

8.43 RACE AND ETHNICITY

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

Race and Ethnicity	Number	Percent
Total Population	17818	100
White	16967	95.2
Black or African American	145	0.8
American Indian or Alaska Native	79	0.4
Asian	34	0.2
Native Hawaiian and Other Pacific Islander	5	0.0
Some other Race	420	2.4
Two or More Races	168	0.9
HISPANIC OR LATINO (of any race)	814	4.6
Mexican	706	4.0
Puerto Rican	24	0.1
Cuban	29	0.2
Other Hispanic or Latino	55	0.3

8.44 AGE & SEX

The following table was completed using data from Census Table QT-P1, Age Groups and Sex: 2010:

Age	Number			Percent		
	Both sexes	Male	Female	Both sexes	Male	Female
Total Population	17818	8744	9074	100	100	100
Under 5 years	853	448	405	4.8	5.1	4.5
Under 18 years	3562	1851	1711	20.0	21.2	18.9
18 to 64 years	10584	5269	5315	59.4	60.3	58.6
65 years and over	3672	1624	2048	20.6	18.6	22.6
Median Age	45.5	43.9	47.2			

8.45 DISABILITY

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

Subject	Total		With a Disability		Percent with a Disability	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-
Total civilian noninstitutionalized population	17418	67	3546	329	20.4	1.9
Population under 5 years	826	64	8	9	1.0	1.0
Population 5 to 17 years	2554	74	137	69	5.4	2.7
Population 18 to 64 years	10029	90	1726	218	21.4	3.1
Population 65 years and over	4009	64	1675	126	54.8	6.5
SEX						
Male	8539	78	1772	194	20.8	2.3
Female	8879	70	1774	204	20.0	2.3
RACE AND HISPANIC OR LATINO ORIGIN						
White	16824	183	3414	329	20.3	2.0
Black or African American	192	32	79	28	41.1	12.5
American Indian and Alaska Native	76	30	16	15	21.1	22.1
Asian	36	21	8	9	22.2	15.7
Native American and Other Pacific Islander	5	8	0	19	0.0	100.0
Some other Race	148	159	0	19	0.0	19.6
Two or more races	137	73	29	24	21.2	15.5
Hispanic or Latino	854	6	66	48	7.7	5.7

8.46 POVERTY

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

Subject	Total		Below poverty level		Percent below poverty level	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-
Population for whom poverty status is determined	17413	83	3713	587	21.3	3.4
AGE						
Under 18	3336	65	984	271	29.5	8.2
18 to 64	10068	73	2115	330	21.0	3.3
65 years and over	4009	69	614	172	15.3	4.2
SEX						
Male	8566	79	1692	294	19.8	3.4
Female	8847	86	2021	345	22.8	3.9
RACE AND HISPANIC OR LATINO ORIGIN						
White	16819	184	3496	561	20.8	3.3
Black or African American	192	32	16	29	8.3	15.2
American Indian and Alaska Native	76	30	11	12	14.5	19.2
Asian	36	21	0	19	0.0	49.4
Native American and Other Pacific Islander	5	8	0	19	0.0	100.0
Some other Race	148	159	148	159	100.0	19.6
Two or more races	137	73	42	29	30.7	17.1
Hispanic or Latino	854	6	529	220	61.9	25.9
RACE AND HISPANIC OR LATINO ORIGIN						
All individuals below:						
50 percent of poverty level	1549	455	-	-	-	-
125 percent of poverty level	4734	610	-	-	-	-
150 percent of poverty level	5867	592	-	-	-	-
185 percent of poverty level	7557	590	-	-	-	-
200 percent of poverty level	8139	621	-	-	-	-

8.47 HOUSEHOLD INCOME

The following table was completed using data from Census Table S1901, Income in the Past 12 Months (In 2013 Inflation-Adjusted Dollars):

Subject	Households	
	Estimate	Margin of Error +/-
Total	7479	279
Less than \$10,000	11.7	2.3
\$10,000 to \$14,999	7.1	1.8
\$15,000 to \$24,999	15.7	2.0
\$25,000 to \$34,999	13.6	2.6
\$35,000 to \$49,999	14.3	2.3
\$50,000 to \$74,999	16.4	2.3
\$75,000 to \$99,999	12.0	2.2
\$100,000 to \$149,999	5.7	1.5
\$150,000 to \$199,999	2.4	1.1
\$200,000 or more	1.1	0.5
Median income (dollars)	36993	2921
Mean income (dollars)	49913	3112

8.48 LIMITED ENGLISH PROFICIENCY POPULATIONS

See attached "Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over" American Fact Finder PDF for additional data.

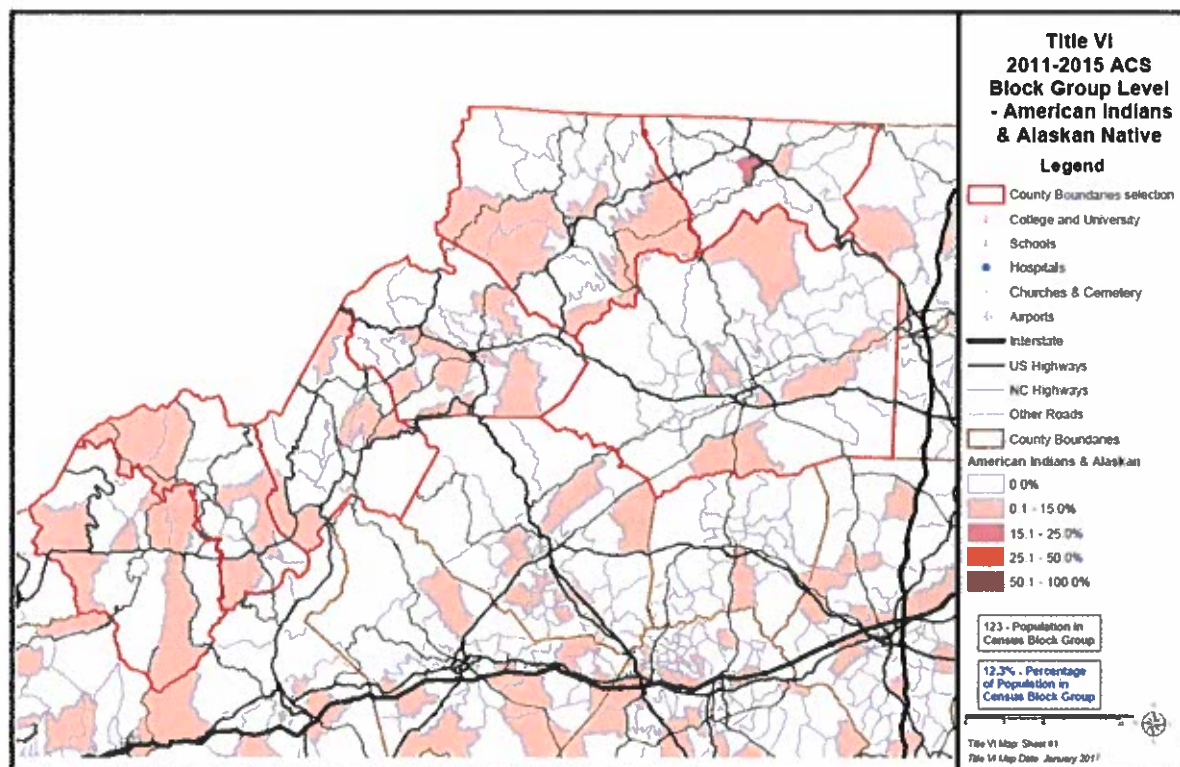
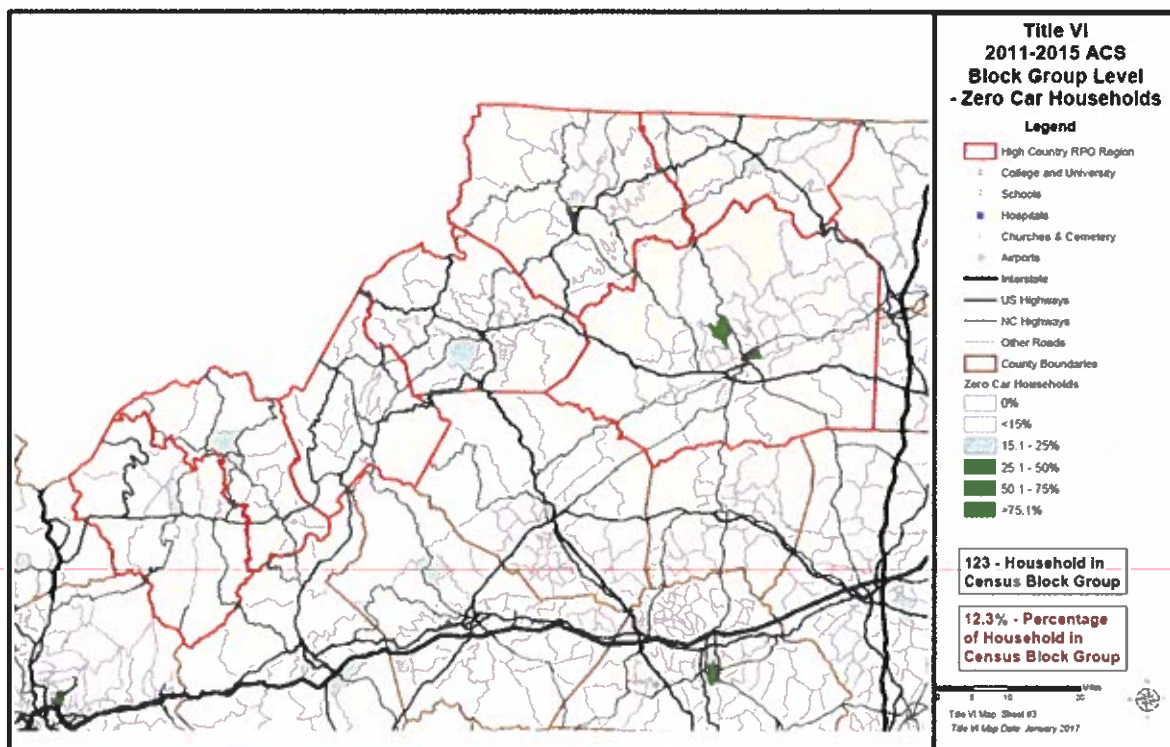
7. LANGUAGE SPOKEN AT HOME	Estimate	Margin of Error +/-	Percent of Population	Margin of Error
Total (population 5 years and over):	16852	70	-	-
Speak only English	16031	165	-	-
Spanish or Spanish Creole:	707	144	-	-
Speak English "very well"	306	150	-	-
Speak English less than "very well"	401	122	-	-
French:	22	22	-	-
Speak English "very well"	22	22	-	-
Speak English less than "very well"	0	19	-	-
French Creole:	0	19	-	-
Speak English "very well"	0	19	-	-
Speak English less than "very well"	0	19	-	-

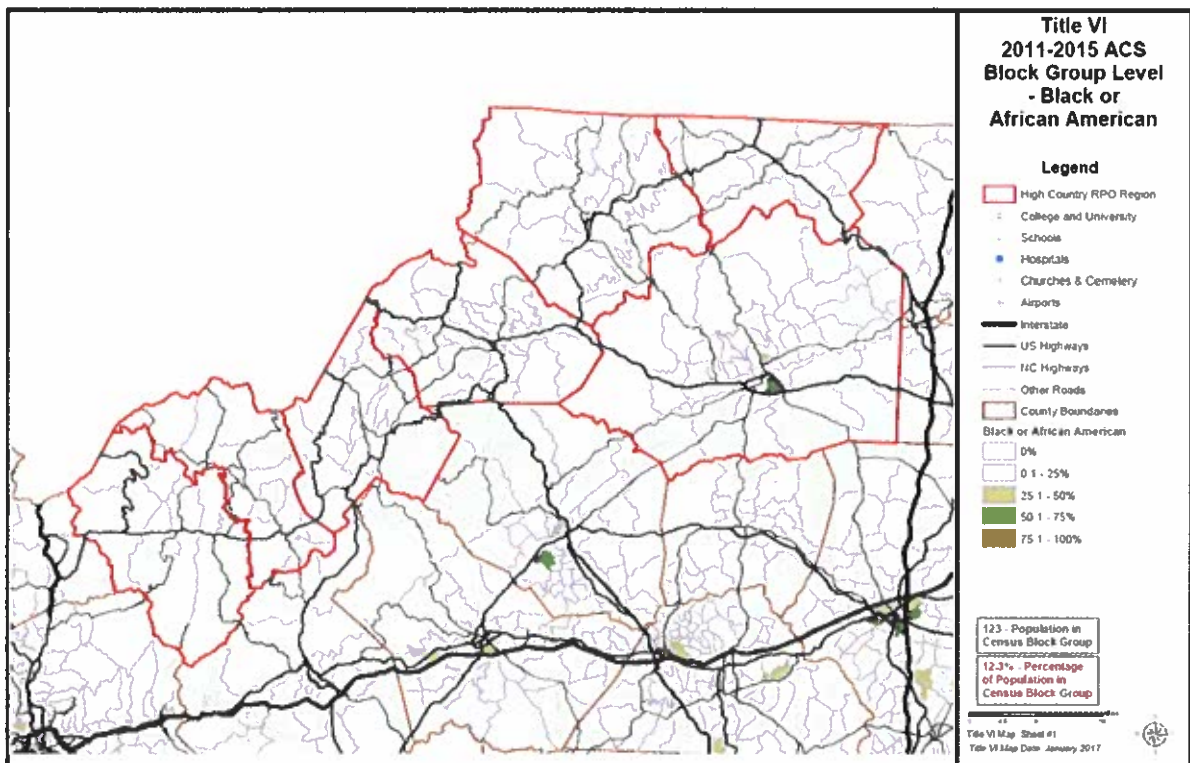
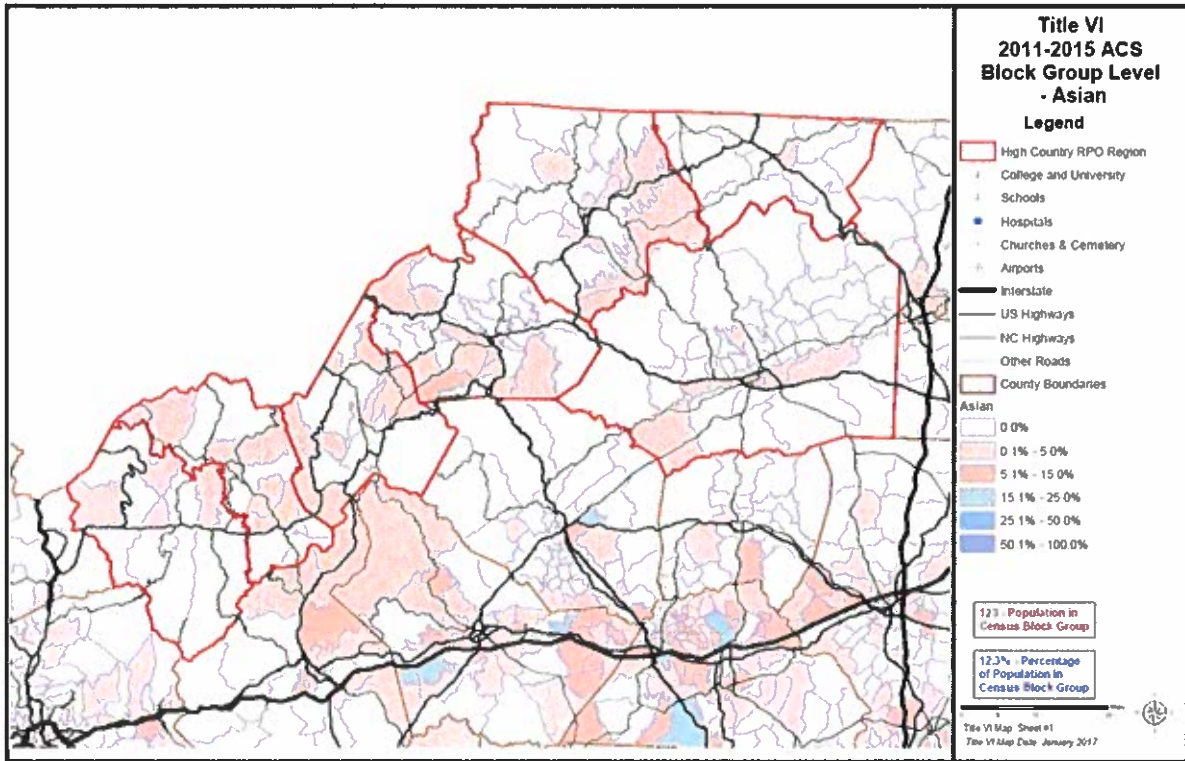
8.49 POPULATION LOCATIONS

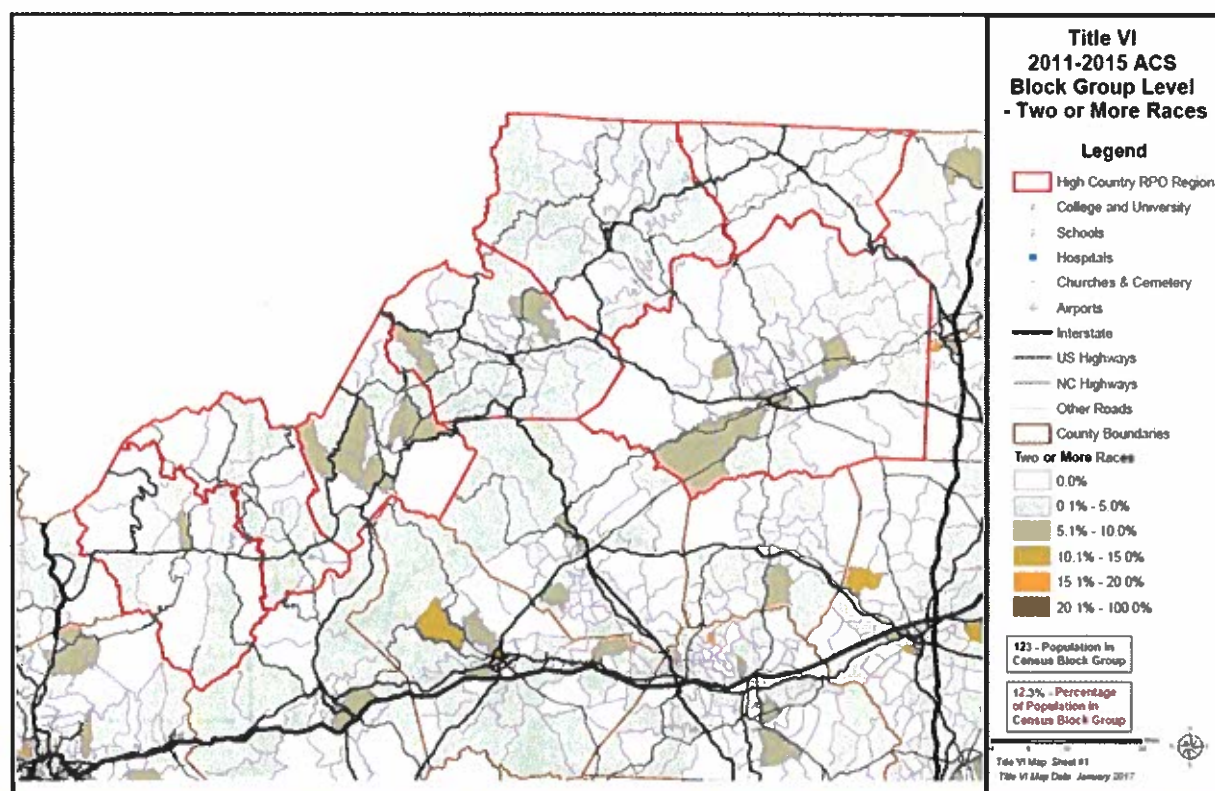
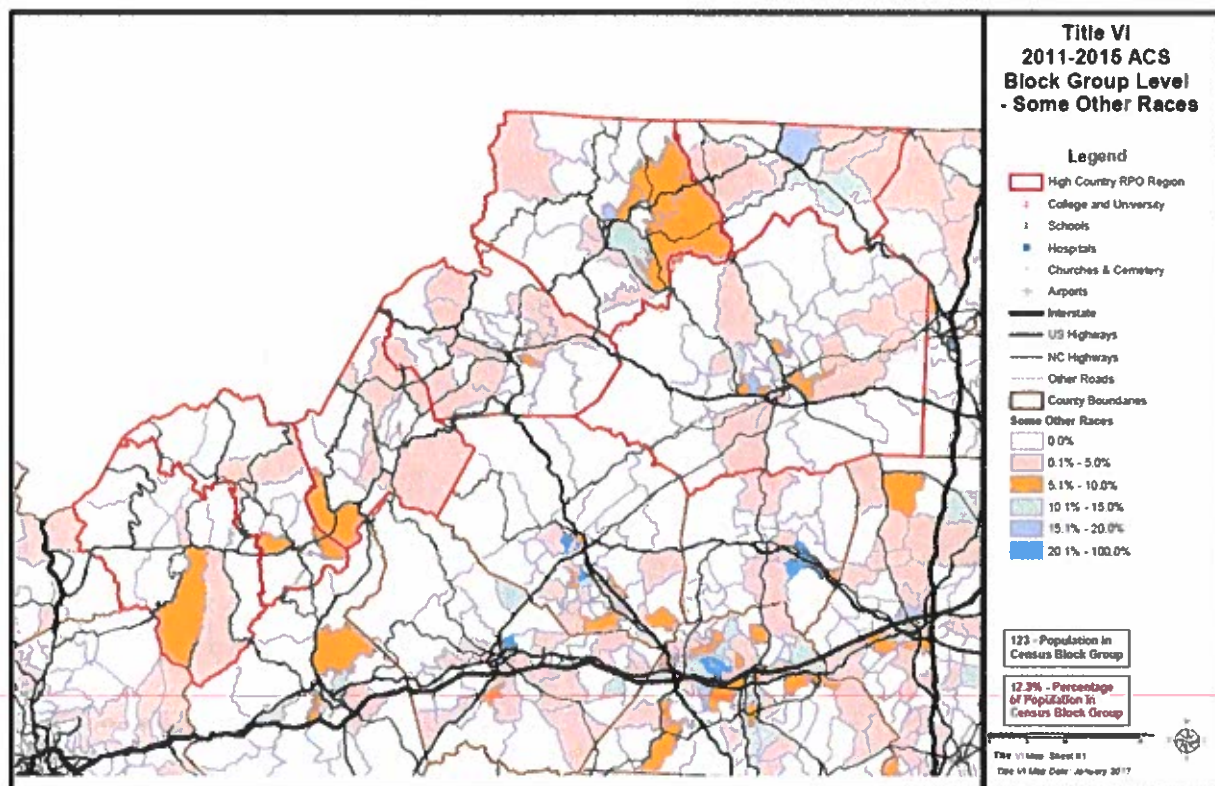
Federal-aid recipients are required to know the characteristics and locations of populations they serve, particularly by race/ethnicity, poverty and limited English proficiency. This can be accomplished through maps that overlay boundaries and demographic features on specific communities

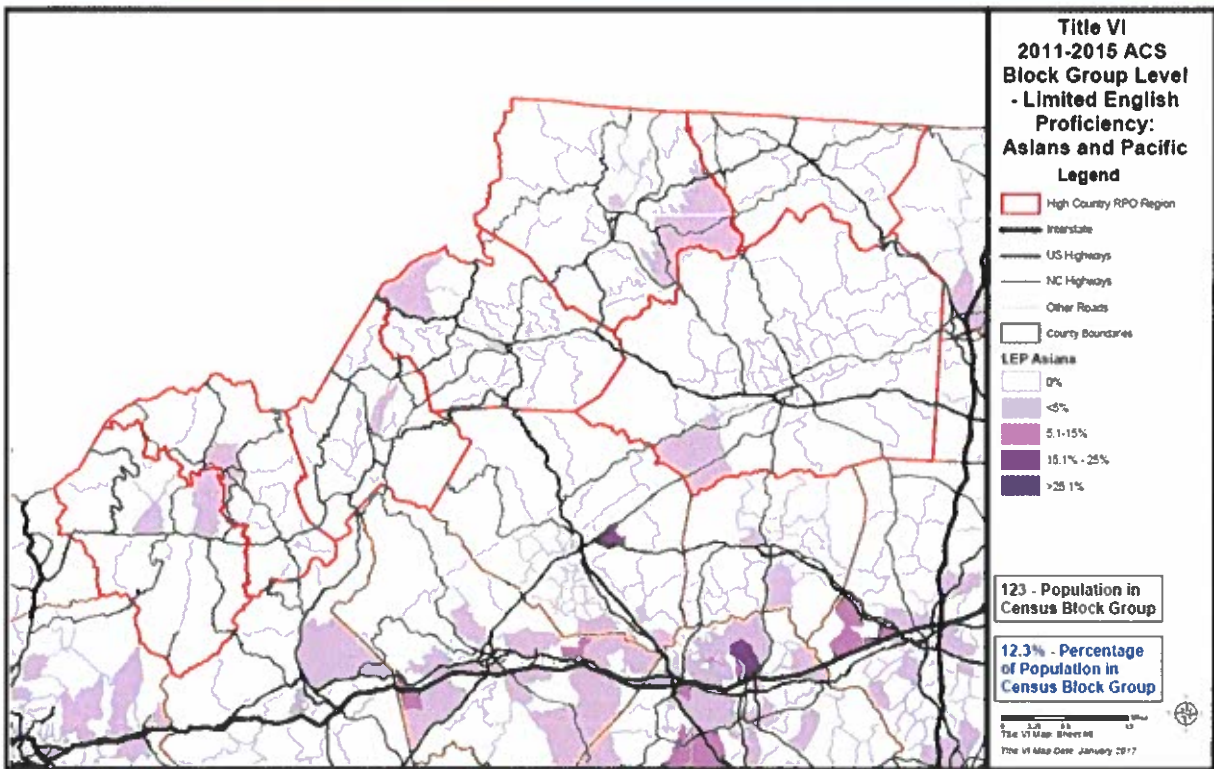
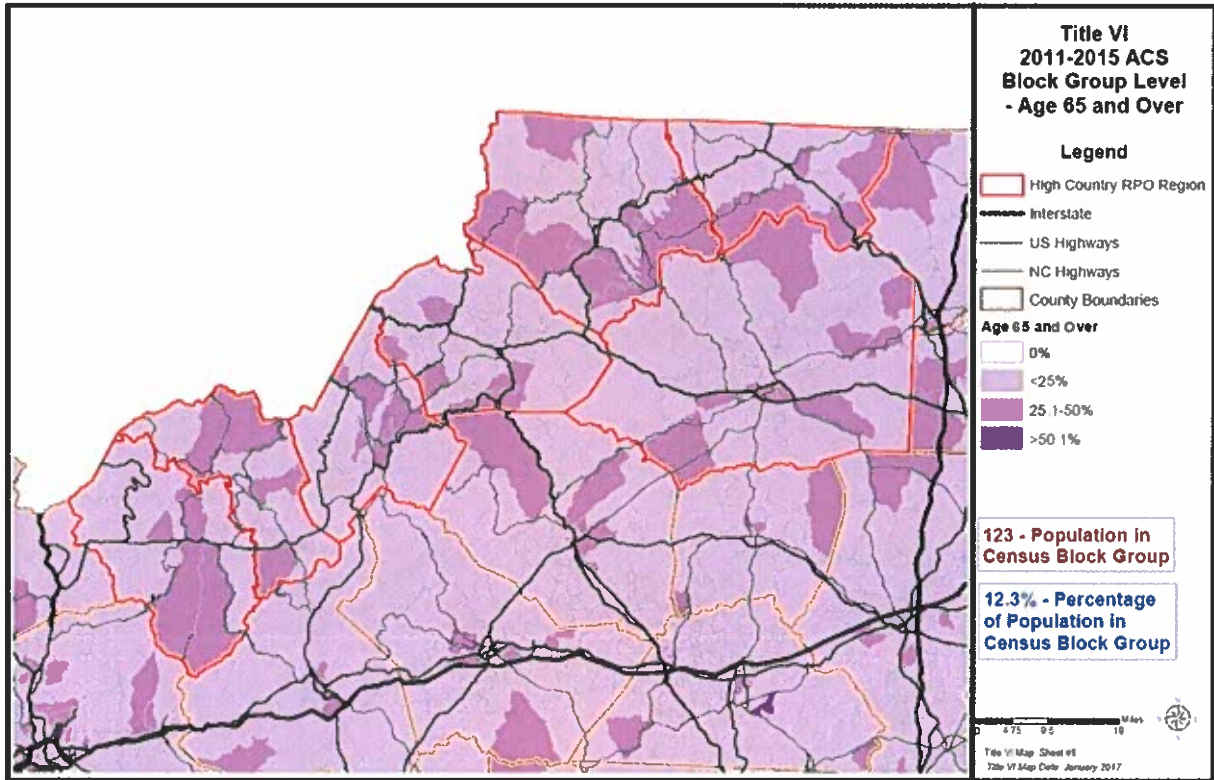
Appendix E

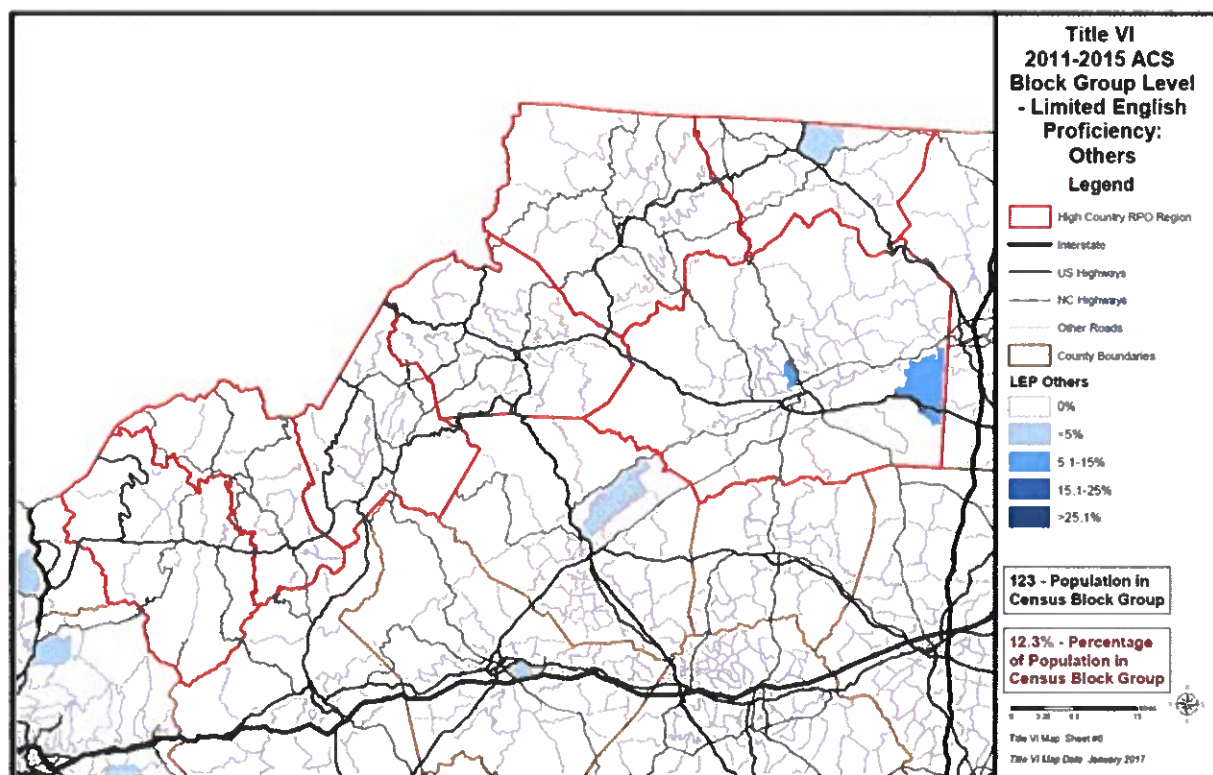
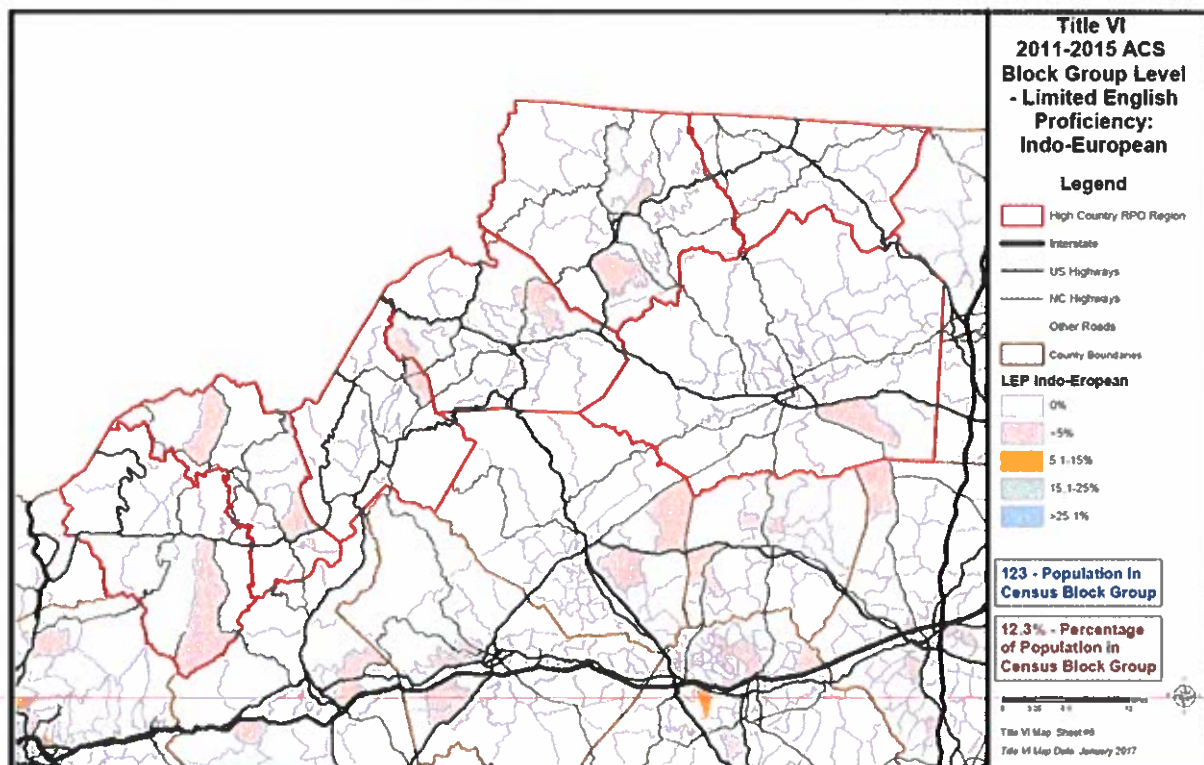
Demographic Maps

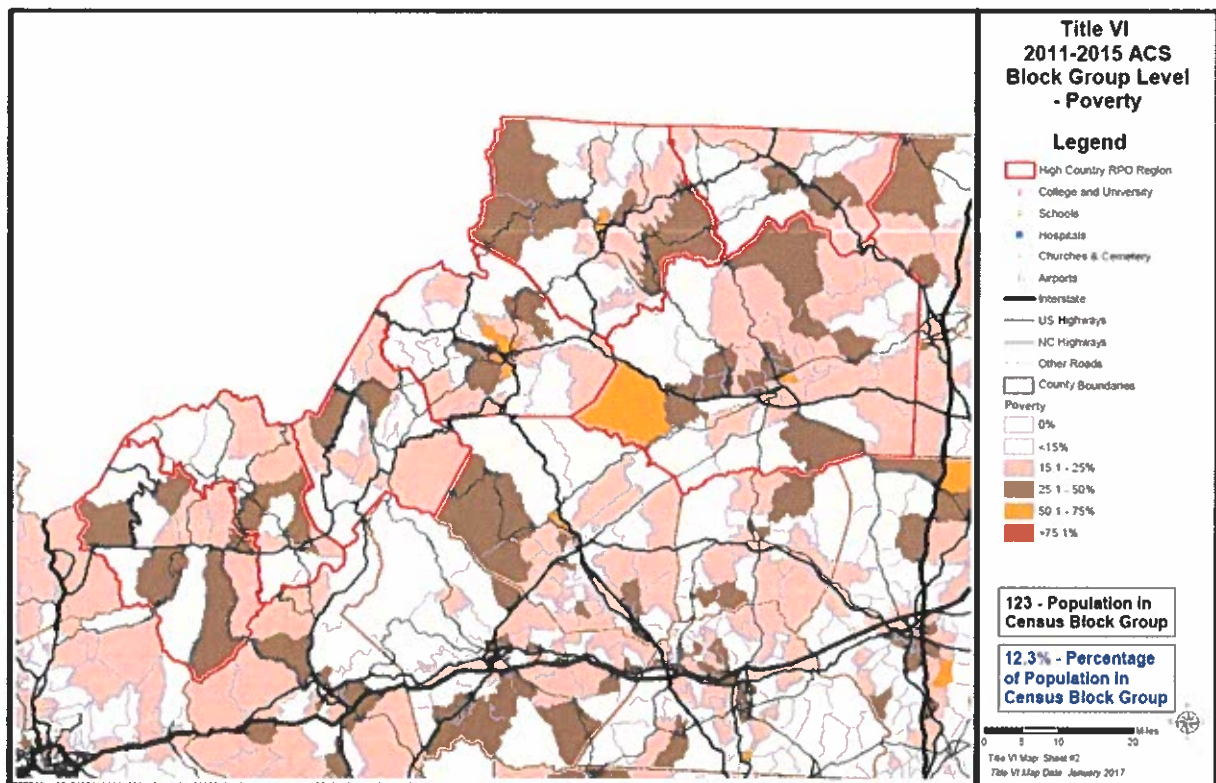
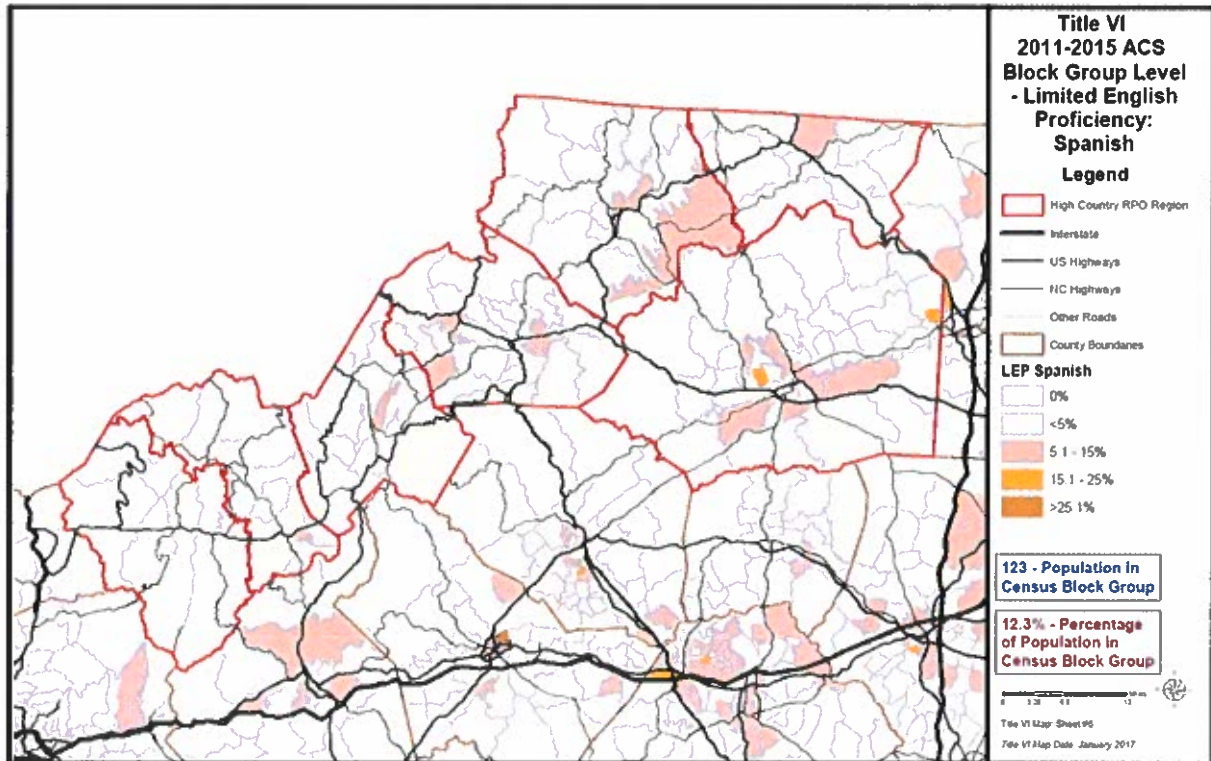


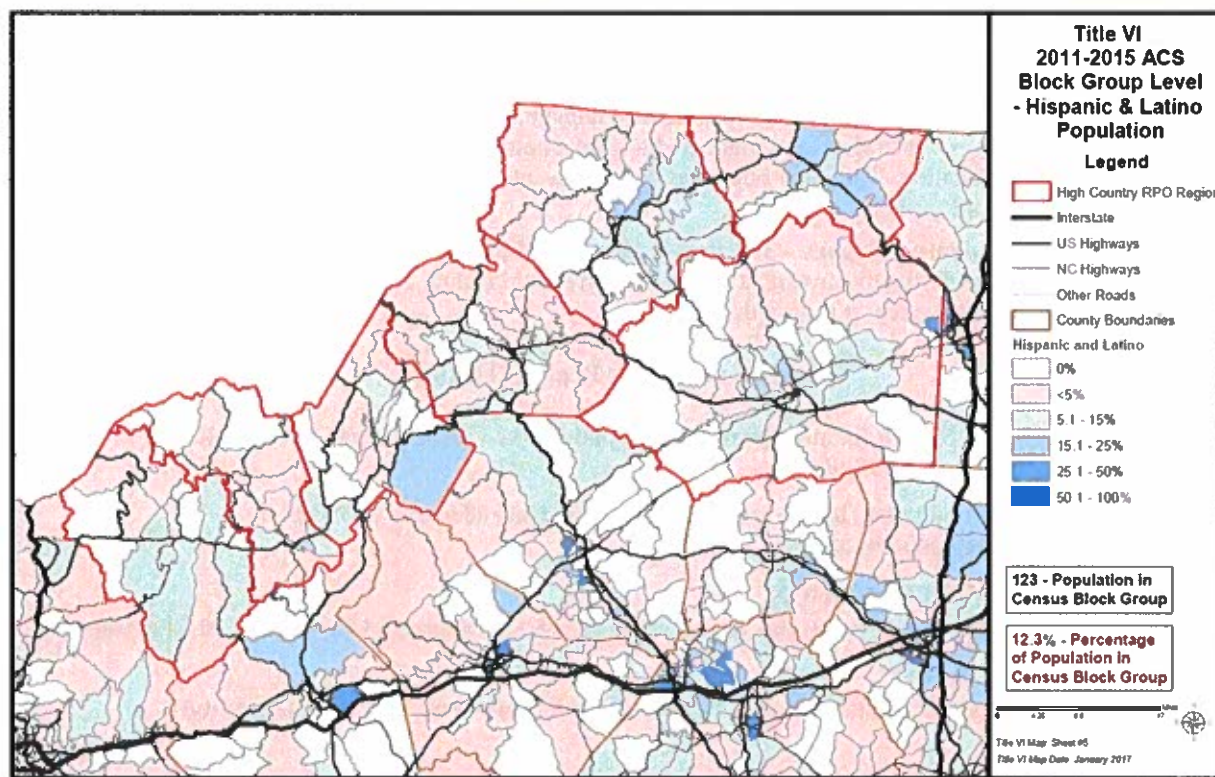
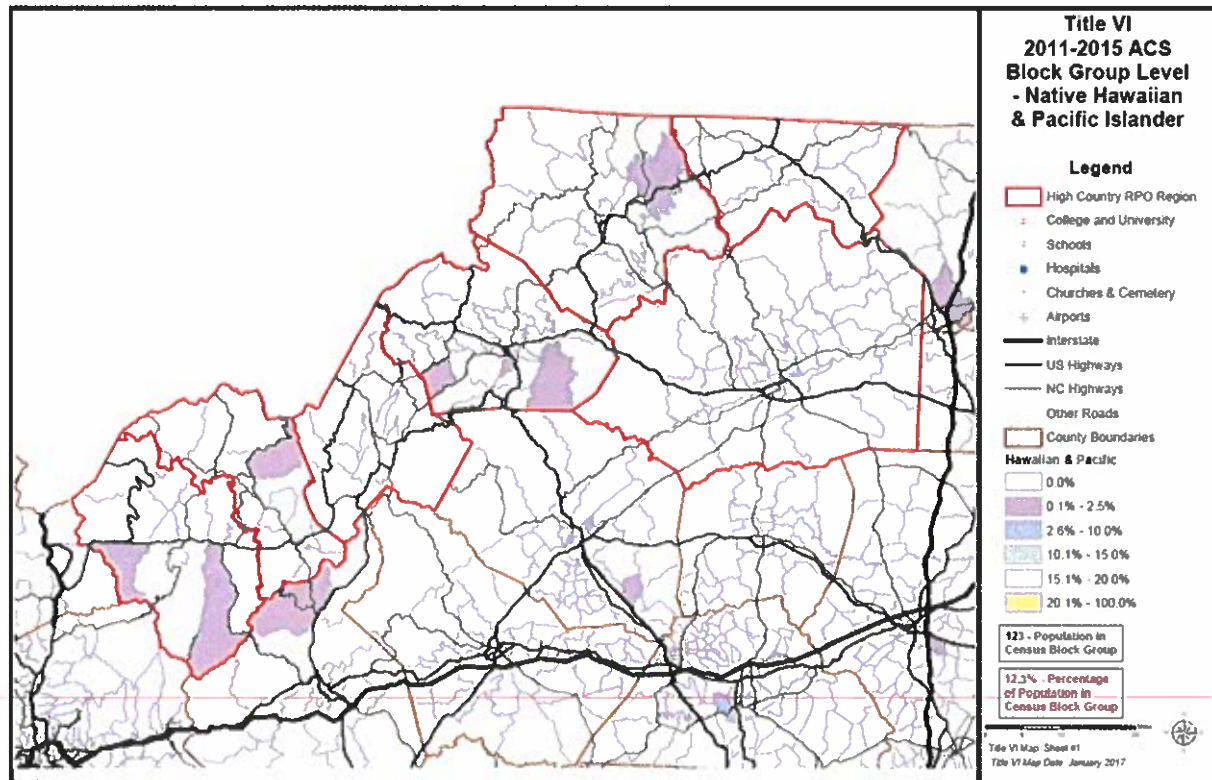












Appendix F
Investigation Guidance, Discrimination Complaint Form and Log
INVESTIGATIVE GUIDANCE

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

Sample Investigative Report Template

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

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

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

VI. BACKGROUND

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

VII. INVESTIGATIVE PROCEDURE

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

VIII. FINDINGS OF FACT

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

IX. CONCLUSION

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

X. RECOMMENDED ACTIONS

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

APPENDIX

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

High Country Rural Planning Organization
DISCRIMINATION COMPLAINT FORM

Any person who believes that he/she has been subjected to discrimination based upon race, color, national origin, sex, age, or disability may file a written complaint with High Country Rural Planning Organization, 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: <div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"><input type="checkbox"/> RACE</div> <div style="width: 50%;"><input type="checkbox"/> COLOR</div> <div style="width: 50%;"><input type="checkbox"/> NATIONAL ORIGIN</div> <div style="width: 50%;"><input type="checkbox"/> AGE</div> <div style="width: 50%;"><input type="checkbox"/> SEX</div> <div style="width: 50%;"><input type="checkbox"/> DISABILITY</div> <div style="width: 50%;"><input type="checkbox"/> LIMITED ENGLISH PROFICIENCY</div> </div>				
Identify the Race of the Complainant <div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"><input type="checkbox"/> Black</div> <div style="width: 50%;"><input type="checkbox"/> White</div> <div style="width: 50%;"><input type="checkbox"/> Hispanic</div> <div style="width: 50%;"><input type="checkbox"/> Asian American</div> <div style="width: 50%;"><input type="checkbox"/> American Indian</div> <div style="width: 50%;"><input type="checkbox"/> Alaskan Native</div> <div style="width: 50%;"><input type="checkbox"/> Pacific Islander</div> <div style="width: 50%;"><input type="checkbox"/> Other _____</div> </div>				
Date and place of alleged discriminatory action(s). Please include earliest date of discrimination and most recent date of discrimination.				
Names of individuals responsible for the discriminatory action(s):				
How were you discriminated against? Describe the nature of the action, decision, or conditions of the alleged discrimination. Explain as clearly as possible what happened and why you believe your protected status (basis) was a factor in the discrimination. Include how other persons were treated differently from you. (Attach additional page(s), if necessary).				
The law prohibits intimidation or retaliation against anyone because he/she has either taken action, or participated in action, to secure rights protected by these laws. If you feel that you have been retaliated against, separate from the discrimination alleged above, please explain the circumstances below. Explain what action you took which you believe was the cause for the alleged retaliation.				
Names of persons (witnesses, fellow employees, supervisors, or others) whom we may contact for additional information to support or clarify your complaint: (Attached additional page(s), if necessary).				
<u>Name</u>		<u>Address</u>		<u>Telephone</u>
1. _____		_____		_____
2. _____		_____		_____
3. _____		_____		_____
4. _____		_____		_____

DISCRIMINATION COMPLAINT FORM

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

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

Have you discussed the complaint with any High Country Rural Planning Organization representatives? 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:
High Country Rural Planning Organization
468 New Market Blvd.
Boone, NC 28607
(828) 265-5434

FOR OFFICE USE ONLY

Date Complaint Received: _____

Processed by: _____

Case #: _____

Referred to: ☐ NCDOT ☐ FHWA Date Referred: _____

Log Year(s):

[illegible]

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 the High Country Rural Planning Organization since the previous Title VI Program submission to NCDOT.

Date

Print Name and Title of Authorized Official

Appendix G
Compliance Review Checklist for FHWA Subrecipients

General Requirements		Completed
1.	A copy of the recipient's signed USDOT Title VI Assurances	<input type="checkbox"/>
2.	Title VI Policy Statement (signed)	<input type="checkbox"/>
3.	Title VI Notice to Public, including a list of locations where the notice is posted	<input type="checkbox"/>
4.	Name and official title of Title VI Coordinator and a list of their Title VI duties	<input type="checkbox"/>
5.	Title VI Complaint Procedures (i.e., instructions to the public regarding how to file a Title VI discrimination complaint)	<input type="checkbox"/>
6.	Title VI Complaint Form	<input type="checkbox"/>
7.	List of Title VI complaints, investigations, or lawsuits (i.e., Title VI Complaint Log)	<input type="checkbox"/>
8.	Public Participation Plan, including information about outreach methods to engage traditionally underserved constituencies (e.g., minorities, low-income, disabled), as well as a summary of outreach efforts	<input type="checkbox"/>
9.	Language Assistance Plan for providing language assistance to persons with limited English proficiency (LEP), based on the DOT LEP Guidance, which requires conducting four-factor analyses	<input type="checkbox"/>
10.	A table depicting the membership of any non-elected committees and councils, broken down by race and gender, and a description of the process the RPO uses to encourage minorities and women to participate on such committees	<input type="checkbox"/>
11.	A copy of board meeting minutes, resolution, or other appropriate documentation showing the board of directors or appropriate governing entity or official(s) responsible for policy decisions reviewed and approved the Title VI Program	<input type="checkbox"/>
12.	Compliance and enforcement procedures to ensure nondiscriminatory administration of programs and services	<input type="checkbox"/>
13.	A demographic profile of your planning area that includes identification of the locations of minority, low-income, LEP, and/or other underserved populations	<input type="checkbox"/>
14.	Information regarding how consultants and/or subrecipients are monitored for compliance with Title VI	<input type="checkbox"/>
15.	Any environmental justice analysis conducted in the past three years and, if necessary, a description of the measures used to address any disproportionately high and adverse impacts to minority or low-income communities	<input type="checkbox"/>
16.	Documentation from any Title VI compliance reviews or investigations conducted by any agency other than NCDOT-OCR in the last three years.	<input type="checkbox"/>

