



Date Adopted
Month/Day/Year

Title VI Program Plan

Date of adoption:



TITLE VI PLAN REVIEW AND ADOPTION

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

Signature of Authorizing Official

DATE

Table of Contents

Title VI Nondiscrimination Agreement	5
1.0 Introduction.....	7
2.0 Description of Programs and Services	7
2.1 Program(s) and Services Administered.....	7
2.2 Funding Sources / Tables	13
2.3 Decision-Making Process.....	14
2.4 Title VI Coordinator	15
2.5 Change of Title VI Coordinator and/or Head of Decision-making Body	16
2.6 Organizational Chart	16
2.7 Subrecipients	16
3.0 Title VI Nondiscrimination Policy Statement	16
4.0 Notice of Nondiscrimination	18
5.0 Procedures to Ensure Nondiscriminatory Administration of Programs and Services.....	18
6.0 Contract Administration	20
6.1 Contract Language	20
6.2 Nondiscrimination Notice to Prospective Bidders	22
7.0 External Discrimination Complaint Procedures.....	24
Discrimination Complaint Form	28
Discrimination Complaints Log	30
Investigative Guidance	31
SAMPLE Investigative Report Template	32
8.0 Service Area Population Characteristics.....	33
8.1 Race and Ethnicity	33
8.2 Age & Sex	33
8.3 Disability	34
8.4 Poverty	35
8.5 Household Income.....	36
8.6 Limited English Proficiency Populations.....	36
8.7 Population Locations.....	40
9.0 Title VI Equity Analyses (and Environmental Justice Assessments).....	40
10.0 Public Involvement	42

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

10.1 Introduction	42
10.2 Public Notification	42
10.3 Dissemination of Information	42
10.4 Meetings and Outreach.....	43
10.5 Limited English Proficiency.....	44
10.6 Demographic Requests.....	50
10.7 Key Community Contacts	51
10.8 Summary of Outreach Efforts Since the Last Title VI Program Submission	51
11.0 Staff Training	52
12.0 Nonelected Boards and Committees – By Race and Gender	52
13.0 Record-Keeping and Reports.....	53
Appendices	54
Appendix A – Applicable Nondiscrimination Authorities.....	54
Appendix B – Organizational Chart.....	56
Appendix C– NCDOT’s Transit Review Checklist.....	57
Appendix D - Holiday closures.....	60

TITLE VI NONDISCRIMINATION AGREEMENT
BETWEEN
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
AND
WNCSOURCE Transportation

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

Further, WNCSOURCE Transportation hereby agrees to:

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

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

8. Document all Title VI nondiscrimination-related activities as evidence of compliance. Submit information and reports to NCDOT on a schedule outlined by NCDOT.

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

Authorized Signature

Date

David White
CEO

1.0 INTRODUCTION

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

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

2.0 DESCRIPTION OF PROGRAMS AND SERVICES

2.1 PROGRAM(S) AND SERVICES ADMINISTERED

WNCSOURCE Transportation provides public transportation and Grant transportation options to its customers within Henderson County, North Carolina.

WNCSOURCE Transportation is the contract provider of Apple Country Public Transit and ADA Paratransit services for Henderson County

<u>Apple Country Public Transit Fares & Passes</u>	
Fare/Passes	Cost
Cash Fare	\$0.75
Discount Cash Fare (65+/Medicare recipients with card)	\$0.35
Ticket Book (20 Rides)	\$10.00
Monthly Pass (good for current month)	\$15.00

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

Transfers	Free
<u>WNCSource Transportation Grant Transport</u>	
There is no fee to use our Community Transportation services. Donations are voluntary and greatly appreciated. There is NO requirement to donate to be able to ride.	

WNCSource Transportation
526 7th Ave East, Hendersonville, NC 28792
(828) 698-8571
FAX (828) 692-0685

Please see Appendix D for Holiday closures

General Community Programming

Congregate Meal Sites - Transylvania County.

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

Mobile Meals - Transylvania County.

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

Gardens Program –Transylvania County

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

Nutritional Supplement Program - Transylvania County

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

Tiger Town Thrift Shop – Transylvania County.

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

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

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

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

Overview

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

Head Start/Early Head Start Centers

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

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

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

Home-Based Program

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

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

Additional Information

Early Head Start/Head Start children in both center and home base programs receive comprehensive services of education, family service, parent involvement, nutrition, health, mental health and disabilities. Parents are involved in all facets of the program.

The 80% federal funds allocated to operate Early Head Start/Head Start programs must be matched by 20% non-federal resources. The non-federal match is typically provided by collaboration with NC Pre-K, in-kind donations, services of volunteers, donations from individuals, church and civic groups, etc.

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

Funding Sources

- U.S. Department of Health and Human Services for Head Start/ Early Head Start
- State of North Carolina for NC Pre-K and subsidy vouchers

- County funding for use of buildings in school systems and Etowah Children's Center
- Local donations from individuals, civic and faith based organizations and community partners. Parents, community members and others provide volunteer hours.

Section 8 Housing Choice Voucher Program

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

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

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

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

Funding Source

- U. S. Department of Housing and Urban Development

WNCSOURCE Transportation Services

Overview

WNCSOURCE Transportation is the lead transportation agency in Henderson County. WNCSOURCE Transportation's fleet of 25 vehicles provides over 150,000 passenger trips at over 40,000 miles traveled per year. WNCSOURCE Transportation currently provides

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

community transportation in the form of grant and contractual services and operates the Public Transit System for Henderson County under contract.

Area agencies that we provide consolidated transportation service for include:

- Henderson County Vocational Services
- Henderson County Department of Social Services
- Henderson County Department of Health
- Pardee Hospital
- Advent Hospital
- YMCA
- Council on Aging (Sammy Williams Center congregate nutrition site)
- WNCSource Head Start
- Henderson County Vocational Rehabilitation
- Community Employment Options
- Adult Day Care
- Blue Ridge Community College
- Hope Center
- Adult Day Care

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

Public Transportation - Henderson County.

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

Henderson County Vocational Services (HCVS)

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

Henderson County Public Schools

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

Home and Care Community Block Grant (Title III)

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

ROAP (Rural Operating Assistance Program)

The three parts of this service are:

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

Green River/Tuxedo/Zirconia

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

Funding Sources

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

Type of Service	Days of week	Times	Fare (if applicable)
Demand Door to Door	5	6:30am – 6:30pm	\$1.50
Fixed Route	5	6:30am – 6:30pm	\$.75

2.2 FUNDING SOURCES / TABLES

For the purpose of federally assisted programs, "federal assistance" shall include:

1. Grants and loans of Federal funds;
2. The grant or donation of Federal property and interest in property;

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

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

Grant Title	NCD OT	FTA	Details (i.e., purpose, frequency, and duration of receipt)
5310 (Transportation for Elderly Persons and Persons with Disabilities)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	To improve mobility for seniors and individuals with disabilities throughout the county, by removing barriers to transportation services and expanding the transportation mobility options available.
5311 (Formula Grants for Other than Urbanized Areas)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	This funding amount allows our agency to administer all transportation programs that we currently oversee.

2.3 DECISION-MAKING PROCESS

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

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

Board or Committee Name	Appointed	Elected	# of Members

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

WNCSource Board	<input checked="" type="checkbox"/>	<input type="checkbox"/>	15
WNCSource Transportation Subcommittee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3

2.4 TITLE VI COORDINATOR

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

Bobby Kimmons
Human Resource Director
220 King Creek Blvd Hendersonville, NC 28792
828-693-1711 ext: 126
bkimmons@wncsource.org

Key responsibilities of the Coordinator include:

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

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

- Promptly resolving areas of deficiency to ensure compliance with Title VI nondiscrimination requirements.

2.5 CHANGE OF TITLE VI COORDINATOR

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

2.6 ORGANIZATIONAL CHART

WNCSource Transportation currently employs 20 staff which consist of the following job categories:

- Executive Director-David White
- Finance Coordinator-Elizabeth Whitten
- Transportation Director, Jeff Roper
 - Operations Coordinator- Marvin Holbert
 - Administrative Assistants-Sara Heathery
 - Lead Dispatcher-Bonnie Wilson
 - Scheduler-Bonnie Wilson
 - Drivers (15)
- Vice President of Human Resources and Inclusion/Title VI Coordinator, Bobby Kimmons

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

2.7 SUBRECIPIENTS

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

3.0 TITLE VI NONDISCRIMINATION POLICY STATEMENT

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

Signature of David White, CEO

DATE**Title VI and Related Authorities**

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

Related nondiscrimination authorities include, but are not limited to: U.S. DOT regulation, 49 CFR part 21, “Nondiscrimination in Federally-assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act”; 49 U.S.C. 5332, “Nondiscrimination (Public Transportation)”; FTA Circular 4702.1B - Title VI Requirements and Guidelines for Federal Transit Administration Recipients; DOT Order 5610.2a, “Actions to Address Environmental Justice in Minority Populations and Low-Income Populations”; FTA C 4703.1 - Environmental Justice Policy Guidance For Federal Transit Administration Recipients; Policy Guidance Concerning (DOT) Recipient's Responsibilities to Limited English Proficient (LEP) Persons, 74 FR 74087; The Americans with Disabilities Act of 1990, as amended, P.L. 101-336; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 790; Age Discrimination Act of 1975, as amended 42 U.S.C. 6101; Title IX of the Education Amendments of 1972, 20 U.S.C. 1681; Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. 4601; Section 508 of the Rehabilitation Act of 1973, 29 U.S.C. 794d

Implementation

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

4.0 NOTICE OF NONDISCRIMINATION

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

Implementation

- The notice will be posted in its entirety on our website and in any documents and reports we distribute.
- The notice will be posted in our offices and inside our vehicles.
- Ads in newspapers and other publications shall include the following: WNCSource Transportation operates without regard to **race, color, national origin, sex, creed (religion), age or disability**. For more information on WNCSource Transportation Title VI program or how to file a discrimination complaint, please contact Bobby Kimmons 828-693-1711 bkimmons@wncsource.org.
- The statement will be posted or provided in languages other than English, when appropriate.

5.0 PROCEDURES TO ENSURE NONDISCRIMINATORY ADMINISTRATION OF PROGRAMS AND SERVICES

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

Annual Education and Acknowledgment Form

Title VI Nondiscrimination Policy

(Title VI and related nondiscrimination authorities)

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

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

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

Acknowledgement of Receipt of Title VI Program

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

Signature of David White, CEO

DATE

Implementation

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

- Signed acknowledgement forms and records of internal assessments will remain on file for at least three years.

6.0 CONTRACT ADMINISTRATION

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

6.1 CONTRACT LANGUAGE

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

(1) Compliance with Regulations: The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Transit Administration (FTA), as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.

(2) Nondiscrimination: The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, national origin, sex, age, creed (religion), low-income, limited English proficiency, or disability in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.

(3) Solicitations for Subcontractors, Including Procurements of Materials and Equipment: In all solicitations, either by

competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Nondiscrimination on the grounds of race, color, or national origin.

(4) Information and Reports: The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the FTA to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the FTA, as appropriate, and will set forth what efforts it has made to obtain the information.

(5) Sanctions for Noncompliance: In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the FTA may determine to be appropriate, including, but not limited to:

- (a) withholding payments to the contractor under the contract until the contractor complies; and/or
- (b) cancelling, terminating, or suspending a contract, in whole or in part.

(6) Incorporation of Provisions: The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the FTA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

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

Pertinent Nondiscrimination Authorities

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

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;

- The Federal Aviation Administration's Nondiscrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures Nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national

origin discrimination includes discrimination because of Limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);

- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq);
- Federal transit laws, specifically 49 U.S.C. § 5332 (prohibiting discrimination based on race, color, religion, national origin, sex (including gender identity), disability, age, employment, or business opportunity).

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

Contractor's Initials

Date

Implementation

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

6.2 NONDISCRIMINATION NOTICE TO PROSPECTIVE BIDDERS

The WNCSource Transportation, in accordance with Title VI of the Civil Rights Act of 1964 and related nondiscrimination authorities, and Title 49 Code of Federal Regulations, Parts 21 and 26, hereby notifies all bidders that it will affirmatively insure that in any contact entered into pursuant to this advertisement, minority and women business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

race, color, national origin, sex, age, creed, limited English proficiency, low-income, or disability in consideration for an award.

Implementation

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

7.0 EXTERNAL DISCRIMINATION COMPLAINT PROCEDURES

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

FILING OF COMPLAINTS

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

Complaints may be submitted to the following entities:

- **WNCSource Transportation P.O. Box 685 Hendersonville, NC 28792**, Bobby Kimmons, Human Resource Director. 828-693-1711 ext: 126. bkimmons@wnctsource.org
 - **North Carolina Department of Transportation**, Office of Civil Rights, External Civil Rights Section, 1511 Mail Service Center, Raleigh, NC 27699-1511; 919-508-1830 or toll free 800-522-0453
 - **US Department of Transportation**, Departmental Office of Civil Rights, External Civil Rights Programs Division, 1200 New Jersey Avenue, SE, Washington, DC 20590; 202-366-4070
 - **Federal Transit Administration**, Office of Civil Rights, ATTN: Title VI Program Coordinator, East Bldg. 5th Floor – TCR, 1200 New Jersey Avenue, SE, Washington, DC 20590
 - **US Department of Justice**, Special Litigation Section, Civil Rights Division, 950 Pennsylvania Avenue, NW, Washington, DC 20530, 202-514-6255 or toll free 877-218-5228
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

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

received by telephone or in person will be reduced to writing, may be recorded and will be provided to the complainant for confirmation or revision before processing. Complaints will be accepted in other languages, including Braille.

- 5. Discrimination Complaint Form** – The Discrimination Complaint Form is consistent with the FTA Certifications & Assurances, “Nondiscrimination Assurance.”
- 6. Complaint Basis** – Allegations must be based on issues involving race, color, national origin, sex, age, creed (religion) or disability. The term “basis” refers to the complainant’s membership in a protected group category.

Protected Categories	Definition	Examples	Applicable Statutes and Regulations
			FTA
Race	An individual belonging to one of the accepted racial groups; or the perception, based usually on physical characteristics that a person is a member of a racial group	Black/African American, Hispanic/Latino, Asian, American Indian/Alaska Native, Native Hawaiian/Pacific Islander, White	Title VI of the Civil Rights Act of 1964; 49 CFR Part 21; 49 U.S.C. 5332(b); FTA Circular 4702.1B
Color	Color of skin, including shade of skin within a racial group	Black, White, brown, yellow, etc.	
National Origin	Place of birth. Citizenship is not a factor. Discrimination based on language or a person’s accent is also covered.	Mexican, Cuban, Japanese, Vietnamese, Chinese	
Sex	Gender	Women and Men	49 U.S.C. 5332(b); Title IX of the Education Amendments of 1972
Age	Persons of any age	21 year old person	Age Discrimination Act of 1975
Disability	Physical or mental impairment, permanent or temporary, or perceived.	Blind, alcoholic, para-amputee, epileptic, diabetic, arthritic	Section 504 of the Rehabilitation Act of 1973; Americans with Disabilities Act of 1990
Creed	Religion.	Muslim, Christian, Hindu, Atheist	49 U.S.C. 5332(b)

Complaint Processing

1. When a complaint is received, an Acknowledgment Letter and a Complainant Consent/Release Form will be mailed to the complainant within ten (10) business days by registered mail.
2. We will consult with the NCDOT Title VI Program to determine the acceptability and jurisdiction of all complaints received. (Note: If NCDOT will investigate, the Title VI Program will be responsible for the remainder of this process. We will record the transfer of responsibility in our complaints log).

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

3. Additional information will be requested if the complaint is incomplete. The complainant will be provided 15 business days to submit any requested information and the signed Consent Release form. Failure to do so may be considered good cause for a determination of no investigative merit.
4. Upon receipt of the requested information and determination of jurisdiction, we will notify the complainant and respondent of whether the complaint has enough merit to warrant investigation.
5. If the complaint is investigated, the notification shall state the grounds of our jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator.
6. If the complaint does not warrant investigation, the notification to the complainant shall specifically state the reason for the decision.

Complaint Log

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

WNCSOURCE Transportation

DISCRIMINATION COMPLAINT FORM

Any person who believes that he/she has been subjected to discrimination based upon race, color, creed, sex, age, national origin, or disability may file a written complaint with, WNCSOURCE Transportation within 180 days after the discrimination occurred.				
Last Name:		First Name:		<input type="checkbox"/> Male
				<input type="checkbox"/> Female
Mailing Address:		City	State	Zip
Home Telephone:	Work Telephone:	E-mail Address		
Identify the Category of Discrimination: <input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> SEX <input type="checkbox"/> CREED (RELIGION) <input type="checkbox"/> DISABILITY <input type="checkbox"/> LIMITED ENGLISH PROFICIENCY <input type="checkbox"/> AGE				
<i>*NOTE: Title VI bases are race, color, national origin. All other bases are found in the "Nondiscrimination Assurance" of the FTA Certifications & Assurances.</i>				

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

<p>Identify the Race of the Complainant</p> <div style="display: flex; flex-wrap: wrap;"> <div style="width: 25%;"><input type="checkbox"/> Black</div> <div style="width: 25%;"><input type="checkbox"/> White</div> <div style="width: 25%;"><input type="checkbox"/> Hispanic</div> <div style="width: 25%;"><input type="checkbox"/> Asian American</div> <div style="width: 25%;"><input type="checkbox"/> American Indian</div> <div style="width: 25%;"><input type="checkbox"/> Alaskan Native</div> <div style="width: 25%;"><input type="checkbox"/> Pacific Islander</div> <div style="width: 25%;"><input type="checkbox"/> Other</div> </div>																	
<p>Date and place of alleged discriminatory action(s). Please include earliest date of discrimination and most recent date of discrimination.</p>																	
<p>Names of individuals responsible for the discriminatory action(s):</p>																	
<p>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).</p>																	
<p>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.</p>																	
<p>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).</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 33%;"><u>Name</u></th> <th style="text-align: left; width: 33%;"><u>Address</u></th> <th style="text-align: left; width: 33%;"><u>Telephone</u></th> </tr> </thead> <tbody> <tr> <td>1. _____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>2. _____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>3. _____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>4. _____</td> <td>_____</td> <td>_____</td> </tr> </tbody> </table>			<u>Name</u>	<u>Address</u>	<u>Telephone</u>	1. _____	_____	_____	2. _____	_____	_____	3. _____	_____	_____	4. _____	_____	_____
<u>Name</u>	<u>Address</u>	<u>Telephone</u>															
1. _____	_____	_____															
2. _____	_____	_____															
3. _____	_____	_____															
4. _____	_____	_____															

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

DISCRIMINATION COMPLAINT FORM

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

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

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

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

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

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

**WE CANNOT ACCEPT AN UNSIGNED COMPLAINT. PLEASE SIGN AND DATE THE COMPLAINT FORM BELOW.	
<hr/> COMPLAINANT'S SIGNATURE	<hr/> DATE
MAIL COMPLAINT FORM TO: WNCSOURCE Transportation P.O. Box 685 Hendersonville, NC 28792 bkimmons@wncsource.org 828-693-1711	
FOR OFFICE USE ONLY Date Complaint Received: _____ Processed by: _____ Case #: _____ Referred to: <input type="checkbox"/> NCDOT <input type="checkbox"/> FTADate Referred: _____	

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

DISCRIMINATION COMPLAINTS LOG

Log Year(s):

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

No Complaints or Lawsuits ☐

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

Signature of Title VI Coordinator or Other Authorized Official

Date

Print Name and Title of Authorized Official

INVESTIGATIVE GUIDANCE

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

TEMPLATE/SAMPLE Investigative Report

- I. COMPLAINANT(S) NAME** (or attorney for the complainant(s) – name and address if applicable
Name, Address Phone:
- II. RESPONDENT(S)** (or attorney for the respondent(s) – name and address if applicable)
Name, Address, Phone: 999-999-9999
- III. APPLICABLE LAW/REGULATION**
- IV. COMPLAINT BASIS/(ES)**
- V. ISSUES/ALLEGATIONS**
- VI. BACKGROUND**
- VII. INVESTIGATIVE PROCEDURE**
- VIII. ISSUES / FINDINGS OF FACT**
- IX. CONCLUSION**
- X. RECOMMENDED ACTIONS**
- APPENDIX**

8.0 SERVICE AREA POPULATION CHARACTERISTICS

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

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	116,281	100
White	101,282	87
Black or African American	3299	3
American Indian or Alaska Native	294	0
Asian	1296	1
Native Hawaiian and Other Pacific Islander	241	0
Some other Race	400	0
Two or More Races	4015	3
HISPANIC OR LATINO (of any race)	14999	13
Mexican	7998	7
Puerto Rican	1201	1
Cuban	178	0
Other Hispanic or Latino	5622	5

8.2 AGE & SEX

Age	Number			Percent		
	Both sexes	Male	Female	Both sexes	Male	Female
Total Population	116,298	55,747	60,551	100%	48%	52%
Under 5 years	5,509	2,749	2660	4.7	4.9%	4.6
Under 18 years	22,109	11,182	10,927	19	20.1	18
18 years and older	94,189	44,565	49,624	81	80	82
65 years and over	30,025	13,335	16,690	26	24	28
Median Age	48	46	49			

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	114703	211	16688	961	14.5	0.8
Population under 5 years	5427	93	51	85	.9	1.6
Population 5 to 17 years	16465	100	956	251	5.8	1.5
Population 18 to 34 years	19168	216	1364	334	7.1	1.7
Population 35 to 64 years	44603	254	5683	625	12.7	1.4
Population 65 to 74 years	16960	180	3808	412	22.5	2.5
Population 75 years and over	12080	218	4826	368	40	3.2
SEX						
Male	55493	167	8418	700	15.2	1.3
Female	59210	224	8270	550	14	.9
RACE AND HISPANIC OR LATINO ORIGIN						
White	101584	966	15248	910	15	.9
Black or African American	3830	398	675	155	17.6	4.1
American Indian and Alaska Native	310	173	70	68	22.6	22.3
Asian	1588	148	98	79	6.2	4.9
Some other Race	2875	761	165	116	5.7	4.1
Two or more races	4516	885	432	153	9.6	3.5
Hispanic or Latino	12050	39	507	224	4.2	1.9

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

8.4 POVERTY

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

1. Subject	Total		Below poverty level		Percent below poverty level	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-
Population for whom poverty status is determined	114,405	±246	11,856	±1,473	10.4%	±1.3
AGE						
Under 18 years	21,608	±161	3,564	±766	16.5%	±3.5
18 to 64 years	63,757	±197	6,494	±825	10.2%	±1.3
65 years and over	29,040	±211	1,798	±321	6.2%	±1.1
SEX						
Male	55,359	±234	5,158	±719	9.3%	±1.3
Female	59,046	±212	6,698	±942	11.3%	±1.6
RACE AND HISPANIC OR LATINO ORIGIN						
White alone	101,448	±974	8,628	±1,209	8.5%	±1.2
Black or African American alone	3,795	±395	476	±240	12.5%	±6.2
American Indian and Alaska Native alone	310	±173	43	±75	13.9%	±22.2
Asian alone	1,588	±148	43	±38	2.7%	±2.3
Native Hawaiian and Other Pacific Islander alone	0	±31	0	±31	-	**
Some other race alone	2,748	±757	860	±512	31.3%	±15.7
Two or more races	4,516	±885	1,806	±680	40.0%	±11.0
Hispanic or Latino origin (of any race)	11,923	±143	3,150	±865	26.4%	±7.2
ALL INDIVIDUALS WITH INCOME BELOW THE FOLLOWING POVERTY RATIOS						
50 percent of poverty level	5,240	±922	(X)	(X)	(X)	(X)
125 percent of poverty level	16,203	±1,736	(X)	(X)	(X)	(X)
150 percent of poverty level	21,877	±1,803	(X)	(X)	(X)	(X)
185 percent of poverty level	29,755	±1,890	(X)	(X)	(X)	(X)
200 percent of poverty level	33,094	±1,813	(X)	(X)	(X)	(X)

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

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):

1. Subject	Households	
	Estimate	Margin of Error +/-
Total	48,519	±701
Less than \$10,000	4.8%	±0.8
\$10,000 to \$14,999	3.7%	±0.8
\$15,000 to \$24,999	8.9%	±1.1
\$25,000 to \$34,999	10.1%	±1.2
\$35,000 to \$49,999	14.3%	±1.2
\$50,000 to \$74,999	18.0%	±1.3
\$75,000 to \$99,999	14.7%	±1.3
\$100,000 to \$149,999	15.5%	±1.2
\$150,000 to \$199,999	5.3%	±0.7
\$200,000 or more	4.7%	±0.6
Median income (dollars)	59,928	±3,002
Mean income (dollars)	79,066	±2,686

8.6 LIMITED ENGLISH PROFICIENCY POPULATIONS

Subject	Total		Percent		Percent of specified language speakers							
					Speak English only or speak English "very well"		Percent speak English only or speak English "very well"		Speak English less than well		Percent speak English less than well	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-
CITIZENS 18 YEARS AND OVER												
All citizens 18 years old and over	90,146	1,429	(X)	(X)	88,792	1,471	98.5%	0.8	1,354	739	1.5%	0.8
Speak only English	85,486	1,257	94.8%	1.3	(X)	(X)	(X)	(X)	(X)	(X)	(X)	(X)

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

Speak a language other than English	4,660	1,225	5.2%	1.3	3,306	1,153	70.9%	14.5	1,354	739	29.1%	14.5
Spanish	3,244	1,172	3.6%	1.3	2,291	1,063	70.6%	19.3	953	699	29.4%	19.3
Other languages	1,416	529	1.6%	0.6	1,015	558	71.7%	21.0	401	270	28.3%	21

Label	Estimate	Margin of Error
Total:	104,194	±66
Speak only English	93,743	±771
Spanish or Spanish Creole:	8,532	±723
Speak English "very well"	3,620	±621
Speak English less than "very well"	4,912	±513
French (incl. Patois, Cajun):	184	±85
Speak English "very well"	123	±62
Speak English less than "very well"	61	±45
French Creole:	0	±28
Speak English "very well"	0	±28
Speak English less than "very well"	0	±28
Italian:	32	±27
Speak English "very well"	32	±27
Speak English less than "very well"	0	±28
Portuguese or Portuguese Creole:	0	±28
Speak English "very well"	0	±28
Speak English less than "very well"	0	±28
German:	302	±111
Speak English "very well"	203	±71
Speak English less than "very well"	99	±82
Yiddish:	0	±28
Speak English "very well"	0	±28
Speak English less than "very well"	0	±28
Other West Germanic languages:	22	±25
Speak English "very well"	22	±25
Speak English less than "very well"	0	±28
Scandinavian languages:	10	±15
Speak English "very well"	10	±15
Speak English less than "very well"	0	±28
Greek:	47	±47
Speak English "very well"	36	±43

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

Speak English less than "very well"	11	±17
Russian:	9	±15
Speak English "very well"	0	±28
Speak English less than "very well"	9	±15
Polish:	33	±36
Speak English "very well"	25	±34
Speak English less than "very well"	8	±12
Serbo-Croatian:	0	±28
Speak English "very well"	0	±28
Speak English less than "very well"	0	±28
Other Slavic languages:	44	±49
Speak English "very well"	26	±26
Speak English less than "very well"	18	±28
Armenian:	0	±28
Speak English "very well"	0	±28
Speak English less than "very well"	0	±28
Persian:	0	±28
Speak English "very well"	0	±28
Speak English less than "very well"	0	±28
Gujarati:	0	±28
Speak English "very well"	0	±28
Speak English less than "very well"	0	±28
Hindi:	0	±28
Speak English "very well"	0	±28
Speak English less than "very well"	0	±28
Urdu:	0	±28
Speak English "very well"	0	±28
Speak English less than "very well"	0	±28
Other Indic languages:	39	±58
Speak English "very well"	39	±58
Speak English less than "very well"	0	±28
Other Indo-European languages:	44	±52
Speak English "very well"	44	±52
Speak English less than "very well"	0	±28
Chinese:	83	±61
Speak English "very well"	52	±37
Speak English less than "very well"	31	±35
Japanese:	40	±42
Speak English "very well"	34	±36

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

Speak English less than "very well"	6	±11
Korean:	166	±171
Speak English "very well"	142	±141
Speak English less than "very well"	24	±36
Mon-Khmer, Cambodian:	30	±46
Speak English "very well"	0	±28
Speak English less than "very well"	30	±46
Hmong:	0	±28
Speak English "very well"	0	±28
Speak English less than "very well"	0	±28
Thai:	20	±27
Speak English "very well"	0	±28
Speak English less than "very well"	20	±27
Laotian:	61	±96
Speak English "very well"	32	±50
Speak English less than "very well"	29	±47
Vietnamese:	96	±96
Speak English "very well"	10	±17
Speak English less than "very well"	86	±96
Other Asian languages:	69	±66
Speak English "very well"	29	±37
Speak English less than "very well"	40	±59
Tagalog:	235	±93
Speak English "very well"	169	±96
Speak English less than "very well"	66	±64
Other Pacific Island languages:	69	±96
Speak English "very well"	52	±72
Speak English less than "very well"	17	±25
Navajo:	0	±28
Speak English "very well"	0	±28
Speak English less than "very well"	0	±28

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

Other Native North American languages:	0	±28
Speak English "very well"	0	±28
Speak English less than "very well"	0	±28
Hungarian:	160	±185
Speak English "very well"	135	±169
Speak English less than "very well"	25	±40
Arabic:	9	±14
Speak English "very well"	9	±14
Speak English less than "very well"	0	±28
Hebrew:	9	±15
Speak English "very well"	9	±15
Speak English less than "very well"	0	±28
African languages:	16	±25
Speak English "very well"	16	±25
Speak English less than "very well"	0	±28
Other and unspecified languages:	90	±92
Speak English "very well"	90	±92
Speak English less than "very well"	0	±28

8.7 POPULATION LOCATIONS

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

9.0 TITLE VI EQUITY ANALYSES (AND ENVIRONMENTAL JUSTICE ASSESSMENTS)

Title VI Equity Analyses. In accordance with FTA Circular 4702.1B, a Title VI equity analysis will be conducted whenever we construct a facility, such as a vehicle storage facility, maintenance facility, or operation center. The equity analysis will be conducted during the planning stage, with regard to the location of the facility, to determine if the project could result in a disparate impact to minority communities based on race, color or national origin. Accordingly, we will look at various alternatives before selecting a site for the facility. Project-specific demographic data on potentially affected communities and their involvement in decision-making activities will be

documented. Title VI Equity Analyses will remain on file indefinitely, and copies will be provided to NCDOT, upon request, during compliance reviews or complaint investigations.

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

10.0 PUBLIC INVOLVEMENT

10.1 INTRODUCTION

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

General public involvement practices will include:

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

10.2 PUBLIC NOTIFICATION

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

10.3 DISSEMINATION OF INFORMATION

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

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

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

10.4 MEETINGS AND OUTREACH

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

Public Relations and Outreach

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

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

Public Meetings

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

- Public meetings will be conducted at times, locations, and facilities that are convenient and accessible.

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

- Meeting materials will be available in a variety of predetermined formats to serve diverse audiences.
- An assortment of advertising means may be employed to inform the community of public meetings.
- Assistance to persons with disabilities or limited English proficiency will be provided, as required.

Small Group Meetings

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

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

Community Surveying

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

10.5 LIMITED ENGLISH PROFICIENCY

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

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

Four Factor Analysis

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

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

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

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

LANGUAGE SPOKEN AT HOME	Estimate	Margin of Error	Percent of Population	Margin of Error
Total (population 5 years and over):		+/-	100%	(X)
Speak only English	89057	+/- 756	%98.5	+/- 756
Spanish or Spanish Creole:	8173	+/-608	%3.6	+/- 608
Speak English "very well"	2815	+/- 483	% 2.4	+/- 483
Speak English less than "very well"	5385	+/- 467	% 4.59	+/- 467
German:	415	+/- 150	% .35	+/- % 150
Speak English "very well"	351	+/- 144	% .3	+/- % 145
Speak English less than "very well"	64	+/- 155	% .05	+/- % 49
Russian:	316	+/- 279	% .27	+/- % 279
Speak English "very well"	129	+/- 144	% .11	+/- % 144
Speak English less than "very well"	187	+/- 155	% .16	+/- % 155

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

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

understand English. WNCSource Transportation has conducted a Four Factor Analysis of the following areas:

1. Demographics
2. Frequency
3. Importance

and

4. Resources and Cost.

WNCSource Transportation's Title VI Notice

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

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

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

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

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

WNCSource Transportation's services that most often come into contact with LEP persons would be: 1) Public Transit – approximate contact 4 to 8 persons daily 2) Demand Response rural transportation – approximately 4 to 6 a 1month 3) Office Dispatch – 1 to 3 people weekly. Additionally, WNCSource Transportation will continue to hold public meetings, special events and use resources at WNCSource Transportation. WNCSource Transportation employs numerous

LEP persons in some of their programs and these employees can be a valuable resource ascertaining the importance of program activity.

Factor #4: <i>The resources available to the recipient and costs.</i>
--

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

LANGUAGE ASSISTANCE PLAN

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

Language Assistance Measures

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

- Translating public notices posted in the local paper and at stations, stops, and in vehicles into **any languages that meet the safe harbor threshold in Factor 1.**
- Vital documents—such as brochures with service times and routes—are translated into Spanish across the entire service area, and available in our facilities, doctor's offices, and shopping centers.
- Making a concerted effort to inform LEP persons of available language assistance via staff, broadcast media, relationship-building with organizations, and our website.
- Posting vital bulletin board information and disseminating community surveys in various languages.
- Providing translation and interpretive services when appropriate (upon request or predetermined) at meetings.
- Determining how best to take public involvement to LEP groups directly, including through small group meetings.

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

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

Specific Measures by Language Group –

Spanish: **WNCSource Transportation's LANGUAGE ASSISTANCE PLAN**

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

Written Translation and Oral Interpretation

Vital documents will be translated for each eligible LEP language group in our service area that constitutes 5% or 1,000, whichever is less, of the population of persons eligible to be served or likely to be encountered. Translated materials will be placed online and in appropriate public (or private) places accessible to LEP persons. The safe harbor provisions apply to the translation of written documents only, and do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable. When appropriate, translation of any document will be communicated orally in the appropriate language.

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

In the event that the 5% trigger is reached for a LEP language group that is fewer than 50 persons, written notice will be provided in the primary language of that group of the right to receive competent oral interpretation of vital written materials, free of cost. The most effective method of notice, which could be an ad in the local newspaper or other publication, a radio commercial, or door hangers, will be determined in consideration of the circumstances on the ground and in coordination with LEP community contacts.

Staff Support for Language Assistance

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

Project-Specific LEP Outreach

A project-specific four factor analysis will be conducted for any project or outreach event limited to a specific geographical area (i.e., the project study area or outreach area, respectively). Language assistance will be provided in accordance with the measures already outlined, including translating written materials for each LEP language group that is 5% or 1,000, whichever is less, of the project or outreach area population.

Monitoring and Updating the LAP

Monitoring of daily interactions with LEP persons will be continuous, thus language assistance techniques may be refined at any time. This Plan will be periodically reviewed—at least annually—to determine if our assistance measures and staff training are working. Resource availability and feedback from agency staff and the general public will be factors in the evaluation and any proposed updates. Among other practices, this process will include working with LEP community contacts to determine if our employees are responding appropriately to requests made with limited English or in languages other than English, and observing how agency staff responds to requests, including observing drivers or surveying riders. To the best of our ability, we will attempt to never eliminate a successful existing LEP service. Significant LEP program revisions will be approved or adopted by our board or designated official and dated accordingly. LEP data and procedures will be reviewed and updated at least once every three years.

10.6 DEMOGRAPHIC REQUEST

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

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

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

Completed forms will remain on file as part of the public record. For more information regarding Title VI or this request, please contact the WNCSOURCE Transportation at [828-693-1711] or by email at [bkimmons@WNCSOURCE.org].

Please sign below acknowledging that you have completed this form.

Thank you for your participation!

Name (print): _____

Signature: _____

Implementation

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

10.7 KEY COMMUNITY CONTACTS

Contact Name	Community Name	Interest or Affiliation	Also a Committee Member? (Y/N)
Jana Bianculli	Hendersonville	Senior Planner	N
Tim Jones	Hendersonville	Rescue Mission	N
Tristian Winkler	Land of Sky/MPO	Regional Transportation	N

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

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

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

Meeting Date	Meeting Time	Meeting Purpose	Target Audience	Information Disseminated
Quarterly	10:00AM	Update transit news	TAB & Public	Updates on all transportation related business

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

Monthly	6:00PM	Agency updates	WNCSOURCE Transportation Governing Board/Public	WNCSOURCE Transportation operating updates
---------	--------	----------------	---	--

11.0 STAFF TRAINING

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

12.0 NONELECTED BOARDS AND COMMITTEES – BY RACE AND GENDER

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

Body	Male %	Female %	Caucasian %	African American %	Asian American %	Native American %	Other %	Hispanic %
Service Area Population	48	52	92.5	3.4	1.3	.7	2.1	10.3
Transit Advisory Board	35	65	85	10	0	0	0	5
WNCSOURCE Transportation Board	31	62	87	6	0	0	0	6

Strategies for Representative Committees

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

- Current members will be made aware of diversity goals and polled for nominees.
- Officials from local minority groups will be made aware of the diversity goals and polled for nominees.
- Key Contacts from LEP groups will be contacted and polled for nominees.

- A recruitment notice for a Board Member opening will be posted on our website.
- An advertisement of recruitment notice for a Board Member will be placed with the local newspaper and other publications popular with minorities and other protected groups.

13.0 RECORD-KEEPING AND REPORTS

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

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

Compliance Reviews

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

Complaint Investigations

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

Appendix A

Applicable Nondiscrimination Authorities

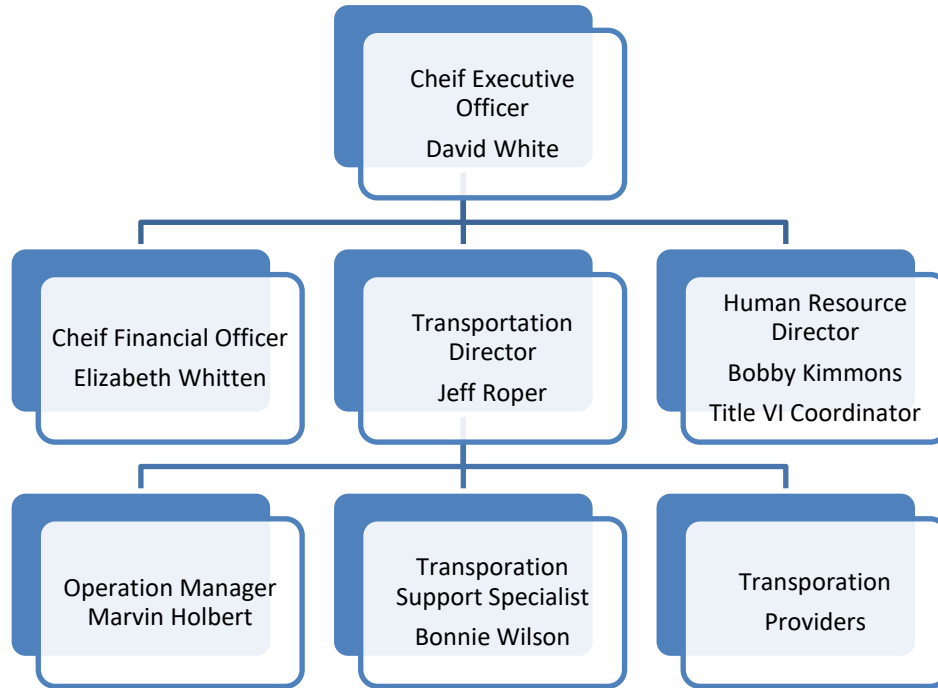
During the implementation of this Title VI Program, the organization, for itself, its assignees and successors in interest, is reminded that it has agreed to comply with the following non-discrimination statutes and authorities, including but not limited to:

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

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed (religion), color, national origin, or sex);
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Federal transit laws, specifically 49 U.S.C. § 5332 (prohibiting discrimination based on race, color, religion, national origin, sex (including gender identity), disability, age, employment, or business opportunity).

Appendix B
Organizational Chart



Appendix C
NCDOT's Compliance Review Checklist for Transit

I. Program Administration (General Requirements)

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

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

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

14. A Title VI equity analysis if you have constructed or conducted planning for a facility , such as a vehicle storage facility, maintenance facility, operation center, etc. ➤ No Facilities Planned or Constructed <input type="checkbox"/>	<input type="checkbox"/>
15. Copies of environmental justice assessments conducted for any construction projects during the past three years and, if needed based on the results, a description of the program or other measures used or planned to mitigate any identified adverse impact on the minority or low-income communities ➤ No Construction Projects <input type="checkbox"/>	<input type="checkbox"/>
16. If the recipient has undergone a Title VI Compliance Review in the last 3 years, please indicate the year of the last review and who conducted it. Year/Agency:	<input type="checkbox"/>

II. Transit Providers

Requirement: FTA C 4702.1B, Chapter IV – Requirements and Guidelines for Fixed Route Transit Providers.

Note: All NCDOT subrecipients that provide **fixed route** public transportation services (e.g., local, express or commuter bus; bus rapid transit; commuter rail; passenger ferry) must complete this section.

➤ **Not Applicable** ☐ (Check this box if you do not provide **fixed route** services, and skip questions 17 and 18. This section does not apply to you if you **only** provide demand response services.)

Requested Items (Please attach electronic documents (.pdf, .doc, etc.) or provide links to online versions)	Completed
17. Service standards (quantitative measures) developed for <i>each specific fixed route mode</i> that the recipient provides (standards may vary by mode) must be submitted for each of the following indicators:	
• Vehicle load for each mode (<i>Can be expressed as the ratio of passengers to the total number of seats on a vehicle. For example, on a 40-seat bus, a vehicle load of 1.3 means all seats are filled and there are approximately 12 standees.</i>)	<input type="checkbox"/>
• Vehicle headway for each mode (<i>Measured in minutes (e.g., every 15 minutes), headway refers to the amount of time between two vehicles traveling in the same direction on a given line or combination of lines. A shorter headway corresponds to more frequent service. Service frequency is measured in vehicles per hour (e.g., 4 buses per hour).</i>)	<input type="checkbox"/>
• On time performance for each mode (<i>Expressed as a percentage, this is a measure of runs completed as scheduled. The recipient must define what is considered to be "on time." Performance can be measured against route origins and destinations only, or against origins and destinations as well as specified time points along a route.</i>)	<input type="checkbox"/>
• Service availability for each mode (<i>Refers to a general measure of the distribution of routes within a transit provider's service area, such as setting the maximum distance between bus stops or train stations, or requiring that a percentage of all residents in the service area be within a one-quarter mile walk of bus service.</i>)	<input type="checkbox"/>

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

18. Service policies (system-wide policies) adopted to ensure that service design and operations practices do not result in discrimination on the basis of race, color or national origin, must be submitted for each of the following:	
<ul style="list-style-type: none">• Transit amenities for each mode (<i>e.g., benches, shelters/canopies, printed materials, escalators/elevators, and waste receptacles. NOTE: Attach this information <u>only</u> if you have decision-making authority over siting transit amenities or you set policies to determine the siting of amenities.</i>)	<input type="checkbox"/>
<ul style="list-style-type: none">• Vehicle assignment for each mode (<i>Refers to the process by which transit vehicles are placed into service throughout a system. Policies for vehicle assignment may be based on the type or age of the vehicle, where age would be a proxy for condition, or on the type of service offered.</i>)	<input type="checkbox"/>

WESTERN CAROLINA COMMUNITY ACTION, INC. PROGRAMS

Appendix D
WNCSource Transportation Holiday Closures

<u>HOLIDAY</u>	<u>Transit</u>	<u>Paratransit</u>	<u>Dialysis</u>	<u>Adult Day Care</u>	<u>Voc Sol</u>	<u>Hope Academy</u>	<u>Medical</u>
New Year's Day	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>
MLK Day	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>
Good Friday	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>
Memorial Day	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>
Juneteenth	<i>YES</i>	<i>YES</i>	<i>YES</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>
Independence Day	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>
Labor Day	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>
Veteran's Day	YES	YES	YES	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>
Thanksgiving	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>
Friday After	YES	YES	YES	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>
Christmas Eve (service ends at 5:30)	YES	YES	YES	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>
Christmas Day	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>
Holiday Break	YES	YES	YES	<i>NO</i>	<i>NO</i>	<i>NO</i>	<i>NO</i>