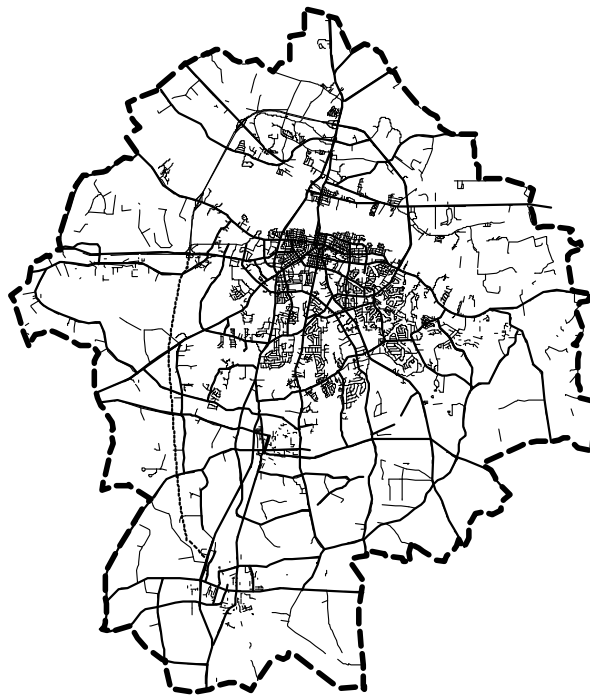


# THE GREENVILLE URBAN AREA MPO

## TITLE VI PLAN



GREENVILLE URBAN AREA  
METROPOLITAN PLANNING ORGANIZATION

Adopted: March 28, 2012

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# **TITLE VI PLAN**

## **Introduction**

The Greenville Urban Area Metropolitan Planning Organization (GUAMPO) is a transportation policy-making board responsible for planning and prioritizing transportation projects within the Urbanized Area, as defined by the US Census Bureau. The MPO works with the public, planning organizations, government agencies, elected officials, and community groups to develop transportation plans and programs through a continuing, cooperative, and comprehensive planning process. This planning process guides the use of Federal and State dollars spent on existing and future transportation projects and programs.

This plan was developed to guide the MPO in its administration and management of Title VI-related activities. The Limited English Proficiency (LEP) portion of the plan ensures that individuals with limited English proficiency have meaningful access to the transportation planning process.

## **Title VI-Related Legislation**

Section 601 of Title VI of the Civil Rights Act of 1964, codified as amended at 42 U.S.C. § 2000d, provides that no person in the United States shall “on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” Consistent therewith, and in accordance with section 602 of Title VI, codified as amended at 42 U.S.C. § 2000d-1, the Department of Justice promulgated regulations prohibiting recipients of federal funds from “utilizing criteria or methods of administration which have the effect of subjecting individuals to discrimination because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program as respects individuals of a particular race, color, or national origin.” 28 C.F.R. § 42.104(b)(2). The United States Department of Transportation later promulgated nearly identical regulations - See 49 C.F.R. § 21.5(b) (vii) (2).

In 1974, the United States Supreme Court held, in *Lau v. Nichols*, 414 U.S. 563 (1974), that Title VI prohibits conduct that has a disproportionate effect on LEP persons, because such conduct is tantamount to national origin discrimination. In *Lau*, a San Francisco school district, with a significant number of non-English speaking students of Chinese origin, was required to take reasonable steps to provide its non-English speaking students with a meaningful opportunity to participate in federally funded educational programs.

The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs and activities of Federal Aid recipients, sub-recipients, and contractors, whether such programs and activities are federally assisted or not (Public Law 100-259 {S.557} March

22, 1988).

In 1994, a Presidential Order directed every Federal agency to make Environmental Justice (EJ) part of its mission. Executive Order 12898 states:

*"Each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations."*

The DOT's goal is to avoid any needless obstacles for project developers and communities. The US DOT is committed to the principles of EJ, which include:

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

Environmental justice goals should be considered throughout transportation planning and project development, and throughout all public outreach and participation efforts conducted by the US DOT and their grantees, including the Greenville Urban Area MPO.

The Greenville Urban Area MPO's Long Range Transportation Plan contains a chapter dedicated to the environmental justice topic.

To further clarify rights protected by Title VI, President William J. Clinton, on August 11, 2000, issued Executive Order 13166, Improving Access to Service for Person with Limited English Proficiency. Executive Order 13166 requires each federal agency to examine its programs and activities and to develop and to implement plans by which LEP persons can meaningfully access those programs and activities. That Executive Order includes the statement below.

*Each Federal Agency shall prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons. Each plan shall be consistent with the standards set forth in the LEP Guidance, and shall include the steps the agency will take to ensure that eligible LEP persons can meaningfully access the agency's programs and activities.*

On that same date, in conjunction with Executive Order 13166, the Department of Justice issued a general guidance document setting forth various principles for agencies to consider in developing guidance documents for recipients of federal funds. See Enforcement of Title VI of the Civil Rights Act of 1964 – National Origin Discrimination against Persons with Limited English Proficiency, 65 Fed. Reg. 50123 (Aug. 16, 2000).

The following matrix illustrates and summarizes these laws, policies and considerations:

<b>Title VI of the Civil Rights Act of 1964</b>	<b>Limited English Proficiency Executive Order 13166</b>
Federal Law	Federal Policy
Enacted in 1964	Enacted in August 2000
Considers all persons	Considers eligible population
Contains monitoring and oversight compliance review requirements	Contains monitoring and oversight compliance review requirements
Provides protection on the basis of race, color, national origin, and subsequently expanded to include sex, age, or disability	Provides protection on the basis of national origin
Focuses on eliminating discrimination in federally funded programs	Focuses on providing LEP persons with meaningful access to services using four factor criteria

## Title VI Policy Statement

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It is the policy of the Greenville Urban Area MPO to ensure that no person shall, on the ground of race, color, sex, age, national origin, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and any other related non-discrimination Civil Rights laws and authorities.



Mayor Allen Thomas  
Chairperson, Greenville Urban Area MPO

3/28/2012  
Date

**For more information contact:**  
Greenville Urban Area MPO Title VI Coordinator  
Greenville Urban Area MPO  
City of Greenville Public Works--Engineering  
1500 Beatty St  
Greenville, NC 27834  
252-329-4470  
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## Título VI Declaración de Política

Es política de La Organización Metropolitana de Planificación de Greenville (Greenville Urban Area MPO) garantizar que ninguna persona, por motivos de raza, color, sexo, edad, origen nacional, o discapacidad, sea excluido de participar en, sea negado los beneficios de, o ser sujeto de otra manera a discriminación bajo cualquier programa o actividad a lo dispuesto en el Título VI del Acta de Derechos Civiles de 1964, la Ley de Restauración de Derechos Civiles de 1987, y cualquier otra relacionada con la no discriminación, derecho civil y las autoridades.



Mayor Allen Thomas  
Chairperson, Greenville Urban Area MPO

3/28/2012

Fecha

**Para más información contactar:**  
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1500 Beatty St  
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## Standard Title VI Assurances

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The Greenville Urban Area MPO (hereinafter referred to as the "Recipient") HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the US Department of Transportation and North Carolina Department of Transportation (NCDOT) it will comply with the Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation. Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations) and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, sex, age, national origin or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from the Department of Transportation, including the Federal Highway Administration, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(a) (1) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to its Federal-Aid Highway Program:

1. That the Recipient agrees that each "program" and each "facility" as defined in subsections 21.23 (b) and 21.23 (e) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations made in connection with the Federal-Aid Highway Program and, in adapted form in all proposals for negotiated agreements:

The Greenville Urban Area MPO in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

3. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to the Act and the Regulations.
4. That the Recipient shall insert the clauses of Appendix B of this assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over or under such property.



7. That the Recipient shall include the appropriate clauses set forth in Appendix C of this assurance, as a covenant running with land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under the Federal-Aid Highway Program; and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under the Federal-Aid Highway program.
8. That this assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.
9. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he delegates specific authority to give reasonable guarantee that it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Greenville Urban Area MPO under the Federal-Aid Highway Program and is binding on it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest and other participants in the Federal-Aid Highway Program. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.



Mayor Allen Thomas  
Chairperson, Greenville Urban Area MPO

3/28/2012  
Date

## Limited English Proficiency

Compliance with Title VI includes Limited English Proficient (LEP) persons. The Limited English Proficiency (LEP) portion of this plan addresses Title VI of the Civil Rights Act of 1964, which prohibits discrimination based on race, color or national origin. In 1974, the U.S. Supreme Court affirmed that the failure to ensure a meaningful opportunity for national origin minorities, with limited-English proficiency, to participate in a federally funded program violates Title VI (Federal-Aid Recipient Programs & Activities) regulations. Additionally, requirements are outlined in Executive Order 13166: Improving Access to Service for Persons with Limited English Proficiency signed on August 11, 2000. Its purpose is to ensure accessibility to programs and services to eligible persons who have limited proficiency in the English language.

Furthermore, the U.S. Department of Transportation (DOT) published Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons in the December 14, 2005 Federal Register Volume 70; Number 239. The guidance explicitly identifies Metropolitan Planning Organizations (MPOs) as organizations that must follow this guidance. The Limited English Proficiency (LEP) Plan must be consistent with the fundamental mission of the organization, though not unduly burdening the organization.

### Who is an LEP Individual?

Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English are considered limited English proficient, or "LEP." The U.S. Census Bureau does not define limited English proficiency or non-limited English proficient populations. It reports data based on the four categories of English-speaking ability: very well, well, not well, and not at all.

### Determining the Need

As a recipient of federal funding, the MPO must take reasonable steps to ensure meaningful access to the information and services it provides. As noticed in the *Federal Register/Volume 70, Number 239/Wednesday, December 14, 2005/Notices*, there are four factors to consider in determining "reasonable steps".

- Factor 1: The number and proportion of LEP persons in the eligible service area;
- Factor 2: The frequency with which LEP persons encounter MPO programs;
- Factor 3: The importance of the service provided by MPO programs;
- Factor 4: The resources available and overall cost to the MPO.

The DOT Policy Guidance gives recipients of federal funds substantial flexibility in determining what language assistance is appropriate based on a local assessment of the four factors listed above.

The greater the number or proportion of eligible LEP persons; the greater the frequency with which they have contact with a program, activity, or service; and the greater the importance of that program, activity, or service, the more likely enhanced language

services will be needed. Smaller recipients with more limited budgets are typically not expected to provide the same level of language service as larger recipients with larger budgets. The intent of DOT's guidance is to suggest a balance that ensures meaningful access by LEP persons to critical services while not imposing undue burdens on small organizations and local governments.

This document contains an assessment of need in the Greenville Urban Area MPO in relation to the four factors and the transportation planning process.

### **Processes and Procedures for Document Updates**

The latest version of Title VI & LEP related documents and plans as adopted by the MPO's Transportation Advisory Committee will be deemed appendices to the latest adopted version of the MPO's Public Involvement Plan. The MPO will periodically review all related documents and plans to determine what, if any, updates may be needed. Any suggested updates will be brought before the MPO's technical and policy committees for consideration of adoption.

## **LEP ASSESSMENT FOR THE GREENVILLE URBAN AREA MPO**

### **Factor 1: The Number and Proportion of LEP Persons in the Eligible Service Area**

The MPO will assess the language needs of the population to be served. To identify the language and number of LEP persons the MPO may encounter, MPO staff will review:

- Census Data
- School system data
- Community agency data
- interviews with MPO members to determine frequency of contact with LEP individuals and what language was encountered

The first step towards understanding the profile of individuals that could participate in the transportation planning process is a review of Census data. Tables 1 through 5 on the following pages display the primary language spoken and number of individuals that are LEP as measured by . For our planning purposes, we are considering people that speak English "not well" or "not at all" and only the top four language groups are included in the analysis.

### **Census Data:**

Tables 1-5, derived from the 2005-2009 American Community Survey 5-Year Estimates, shows the number and percent of persons who are age five (5) and older, with regard to their English language skills, for the entirety of Pitt County. This data will be used to establish a baseline percentage that will then be compared with percentages from various municipalities within the MPO area to determine the locations of high concentrations of LEP persons.

As indicated, 2.5% of the County-wide area population 5 years and over is not proficient in English. Of those, the predominant language spoken is Spanish composing 2.0% of the County's total population

<b>TABLE 1: LANGUAGE SPOKEN AT HOME - PITT COUNTY, NC</b>				
<b>Population 5 years and over</b>	<b>141,163</b>	<b>+/-15</b>	<b>141,163</b>	<b>(X)</b>
English only	132,219	+/-653	93.7%	+/-0.5
Language other than English	8,944	+/-654	6.3%	+/-0.5
Speak English less than "very well"	3,545	+/-370	2.5%	+/-0.3
Spanish	5,708	+/-445	4.0%	+/-0.3
Speak English less than "very well"	2,831	+/-327	2.0%	+/-0.2
Other Indo-European languages	1,745	+/-424	1.2%	+/-0.3
Speak English less than "very well"	329	+/-146	0.2%	+/-0.1
Asian and Pacific Islander languages	1,029	+/-257	0.7%	+/-0.2
Speak English less than "very well"	351	+/-169	0.2%	+/-0.1
Other languages	462	+/-269	0.3%	+/-0.2
Speak English less than "very well"	34	+/-42	0.0%	+/-0.1

<b>TABLE 2: LANGUAGE SPOKEN AT HOME - GREENVILLE, NC</b>				
<b>Population 5 years and over</b>	<b>71,329</b>	<b>+/-399</b>	<b>71,329</b>	<b>(X)</b>
English only	66,913	+/-764	93.8%	+/-0.8
Language other than English	4,416	+/-602	6.2%	+/-0.8
Speak English less than "very well"	1,307	+/-294	1.8%	+/-0.4
Spanish	2,038	+/-393	2.9%	+/-0.6
Speak English less than "very well"	766	+/-245	1.1%	+/-0.3
Other Indo-European languages	1,089	+/-299	1.5%	+/-0.4
Speak English less than "very well"	165	+/-85	0.2%	+/-0.1
Asian and Pacific Islander languages	921	+/-252	1.3%	+/-0.4
Speak English less than "very well"	342	+/-168	0.5%	+/-0.2
Other languages	368	+/-257	0.5%	+/-0.4
Speak English less than "very well"	34	+/-42	0.0%	+/-0.1

<b>TABLE 3: LANGUAGE SPOKEN AT HOME - WINTERVILLE, NC</b>				
<b>Population 5 years and over</b>	<b>4,419</b>	<b>+/-119</b>	<b>4,419</b>	<b>(X)</b>
English only	4,193	+/-156	94.9%	+/-2.3
Language other than English	226	+/-103	5.1%	+/-2.3
Speak English less than "very well"	103	+/-69	2.3%	+/-1.6
Spanish	134	+/-80	3.0%	+/-1.8
Speak English less than "very well"	62	+/-44	1.4%	+/-1.0

Other Indo-European languages	83	+/-75	1.9%	+/-1.7
Speak English less than "very well"	36	+/-55	0.8%	+/-1.3
Asian and Pacific Islander languages	9	+/-15	0.2%	+/-0.3
Speak English less than "very well"	5	+/-8	0.1%	+/-0.2
Other languages	0	+/-127	0.0%	+/-0.8
Speak English less than "very well"	0	+/-127	0.0%	+/-0.8

**TABLE 4: LANGUAGE SPOKEN AT HOME - AYDEN, NC**

<b>Population 5 years and over</b>	<b>4,682</b>	<b>+/-89</b>	<b>4,682</b>	<b>(X)</b>
English only	4,412	+/-215	94.2%	+/-4.2
Language other than English	270	+/-195	5.8%	+/-4.2
Speak English less than "very well"	57	+/-52	1.2%	+/-1.1
Spanish	223	+/-186	4.8%	+/-4.0
Speak English less than "very well"	57	+/-52	1.2%	+/-1.1
Other Indo-European languages	31	+/-38	0.7%	+/-0.8
Speak English less than "very well"	0	+/-127	0.0%	+/-0.8
Asian and Pacific Islander languages	16	+/-28	0.3%	+/-0.6
Speak English less than "very well"	0	+/-127	0.0%	+/-0.8
Other languages	0	+/-127	0.0%	+/-0.8
Speak English less than "very well"	0	+/-127	0.0%	+/-0.8

**TABLE 5: LANGUAGE SPOKEN AT HOME - SIMPSON, NC**

<b>Population 5 years and over</b>	<b>203</b>	<b>+/-81</b>	<b>203</b>	<b>(X)</b>
English only	197	+/-71	97.0%	+/-12.9
Language other than English	6	+/-27	3.0%	+/-12.9
Speak English less than "very well"	1	+/-7	0.5%	+/-3.1
Spanish	4	+/-27	2.0%	+/-12.8
Speak English less than "very well"	1	+/-7	0.5%	+/-3.1
Other Indo-European languages	0	+/-127	0.0%	+/-16.8
Speak English less than "very well"	0	+/-127	0.0%	+/-16.8



Asian and Pacific Islander languages	0	+/-127	0.0%	+/-16.8
Speak English less than "very well"	0	+/-127	0.0%	+/-16.8
Other languages	2	+/-3	1.0%	+/-1.7
Speak English less than "very well"	0	+/-127	0.0%	+/-16.8

The data shows that no MPO-member jurisdiction has a greater concentration of persons who speak English less than "very well" when compared to the county-wide area percentages.

### **School System Data:**

Student enrollment data regarding enrollment for the 2011-2012 school calendar year was collected from Pitt County Schools. Table 6 below lists all the schools within the MPO boundary, the total number of students attending each school, and the total number of students identified as LEP students in each school.

The analysis shows that 3.5% of school students attending schools within the MPO are classified as LEP.

**TABLE 6**  
**Limited English Proficiency Student Enrolment**  
**2011-2012 Pitt County Schools**  
**Schools located within MPO boundary**

<b>School</b>	<b>Total LEP Students</b>	<b>Total All Students</b>
A G Cox Middle	9	781
Ayden Elementary	24	631
Ayden Middle	9	335
Belvoir Elementary	157	538
C M Eppes Middle	5	628
Creekside Elementary	5	592
D H Conley High	31	1448
E B Aycok Middle	22	731
Eastern Elementary	38	535
Elmhurst Elementary	9	404
J H Rose High	29	1562
Lakeforest	24	736
Ridgewood Elementary	11	707
S Greenville Elementary	3	478
South Central High	18	1632
W H Robinson Elementary	11	566
Wahl Coates Elementary	6	437
Wellcome Middle	42	436
Wintergreen Intermed	21	715
Wintergreen Primary	32	662
Grand Total:	506	14554

**Percent of Students in MPO boundary  
classified as LEP 3.5%**

### **Community agency data**

#### Pitt County Literacy Volunteers

Data was collected from Pitt County Literacy Volunteers. This organization promotes literacy in Pitt County through trained volunteer tutors who provide one on one and small group tutoring to adults with limited reading, writing or English speaking/literacy skills.

There are currently 18 students in that organization's English as a Second Language (ESL) class originating from 14 different countries. Seven of those 18 students (39%)



are native Spanish speakers and compromise the largest language percentage of the group.

#### Pitt Community College (PCC) -- English as a Second Language Program

The Community College located within the MPO has an established ESL program. Over the years, PCC's ESL (English as a Second Language) program has served students from over 80 countries. ESL is a program of instruction designed to help adults whose native language is not English. Classroom instruction is offered at several levels ranging from beginning to advanced. Classes are designed to help improve a student's English reading, writing, listening, and speaking skills. All ESL courses help learners develop life skills required for living and working in the United States.

The most recent data available is for the 2010-2011 school year. PCC's ESL program has served 323 students during the 2010-2011 school year. The predominate first language spoken by students is Spanish - which comprises approximately 70% of students in this program. The program served students from 37 different countries.

#### **Interviews with MPO members:**

Staff conducted interviews with members of the MPO regarding their frequency of contact with LEP individuals and the languages encountered. The interviews revealed that MPO members very rarely had contact with LEP individuals. On the few instances where MPO members did have contact with LEP individuals, the language spoken by the LEP individual was Spanish. MPO members noted that it is common for the individual to be accompanied by another person with bilingual abilities. MPO staff have not yet encountered LEP individuals at the time of this writing.

#### Summary of Factor 1 findings:

Of the LEP persons within the MPO area, between 0.5% and 2.5% speak English less than "very well". The first factor identifies Spanish as the most significant language spoken by the LEP population in the Greenville Urban Area MPO. Data collected from community agencies further supports this finding. A survey of MPO members indicates contact with LEP persons occurs rarely.

#### **Factor 2: The Frequency in which LEP Persons Encounter MPO Programs**

The small size of the LEP population in this region is not expected to increase disproportionately to the general population. However, to date, no requests have been made by either individuals or groups directly to the MPO for Spanish or other language interpreters or publications. Any future requests for language assistance will be monitored and used in future updates to this document. The probability that MPO members will have future contact with LEP individuals is projected to remain similar to established patterns and occur very rarely.

The MPO conducts Technical Coordinating Committee (TCC) and Transportation Advisory Committee (TAC) meetings as needed throughout the year. Occasionally, the

MPO conducts open house public input workshops to receive input for regarding the MPO's prioritization list or for other projects, as they may occur. Community outreach is achieved through the MPO's website, in-person office visits to MPO staff, and through advertising in the local newspaper.

### **Factor 3: The Importance of the Service Provided by the MPO Program**

MPO programs use federal funds to plan for future transportation projects, and therefore do not include any direct service or program that requires vital, immediate or emergency assistance, such as medical treatment or services for basic needs (like food or shelter). Further, the MPO does not conduct required activities such as applications, interviews or other activities prior to participation in its programs or events. Involvement by any citizen with the MPO or its committees is voluntary.

However, the MPO must ensure that all segments of the population, including LEP persons, have been involved or have had the opportunity to be involved in the transportation planning process to be consistent with the goal of the Federal Environmental Justice program and policy.

The impact of proposed transportation investments on underserved and underrepresented population groups is part of the evaluation process for the use of federal funds in three (3) major work products for the MPO (each of the following bullet points represents a document created by the MPO):

- The **Unified Planning Work Program (UPWP)**, a one or two-year business plan.
- The **Transportation Improvement Program (TIP)**, a 7-year staged program of funded projects for all modes of travel. The TIP is based on and reflects the North Carolina Department of Transportation's Work Program.
- The **Long Range Transportation Plan, (LRTP)**, a 20-year (or more) forecast of multi-modal transportation needs.

The TIP document is developed by NCDOT. As such, any Spanish version of that document provided to the MPO by NCDOT will be made available on the MPO's website.

Inclusive public participation is a priority consideration in other MPO plans, studies and programs as well. The impacts of transportation improvements resulting from these planning activities have an impact on all residents. Understanding and continued involvement are encouraged throughout the process. The MPO is concerned with input from all stakeholders, and every effort is taken to make the planning process as inclusive as possible.

As a result of the long range transportation planning process, selected projects receive approval for federal funding and progress towards project planning and construction under the responsibility of local jurisdictions or state transportation agencies. These state and local organizations have their own policies to ensure LEP individuals can

participate in the process that shapes where, how and when a specific transportation project is implemented.

#### **Factor 4: The Resources Available and Overall MPO Cost**

The MPO seeks input from all stakeholders, and every effort is made to ensure that the planning process is as inclusive as possible. Continued public involvement and participation is encouraged throughout the process. Given the small size of the LEP population within the MPO planning area and financial constraints, full multi-language translations of large transportation plan documents, agenda packages, programs, and maps are not considered as warranted at this time. Moreover, based on the MPO's budget, the number of MPO staff, and rare occurrences MPO members encounter LEP persons, such activities would, at the present time, be cost prohibitive. However, as shown in the LEP Implementation Plan below, the MPO will seek to include the LEP community and is committed to including all residents in the transportation planning and decision-making process.

The MPO will continue its efforts to collaborate with state and local agencies to provide language translation and interpretation services when practical and in consideration of the funding available. When applicable, the translation of these documents will begin after the final English version has been completed.

Spanish language outreach materials from organizations such as federal, state, and local transportation agencies will be used when possible.

## **Meeting the Requirements and Implementation**

### **Identifying LEP Individuals Who Need Language Assistance**

When first encountering a LEP individual in a face-to-face situation, the MPO staff plans to use language identification flashcards developed by the U.S. Census Bureau. These cards have the phrase, "Mark this box if you read or speak 'name of language,'" translated into 38 languages. They were designed for use by government and non-government agencies to identify the primary language of LEP individuals during face-to-face contacts. The Census Bureau's Language Identification Flashcard can be downloaded for free at <http://www.lep.gov/ISpeakCards2004.pdf>. The MPO plans to make them available at public meetings and other community input events. Once a language is identified, a relevant point of contact will be notified to assess feasible translation or oral interpretation assistance.

### **Types of language services available**

Language assistance will be provided for LEP individuals through language translations. MPO staff is located in the City of Greenville's Public Works Department. Should the

need arise, MPO staff has access to City of Greenville employees who are bilingual and would have use of their Spanish language ability.

The MPO can utilize Google's Translate program, <http://translate.google.com>, for its website to allow users to view HTML content in other languages. Although an imperfect system, this alternative may have the potential to provide enough information for an LEP individual or group to gain some understanding of the MPO and to initiate contact.

Outside of those services, because MPO staff is small and does not possess in-house translation capabilities or expertise, MPO staff can only assist LEP persons but cannot accurately assess or guarantee the accuracy of translation services provided by others. Within its limited budget and capabilities, the Greenville Urban Area MPO pledges that it will, to the best of its abilities, ensure that LEP persons have a meaningful opportunity to participate in the transportation planning and decision-making process.

### **How recipient staff can obtain those services**

MPO staff can obtain Spanish language services by contacting City employees who are bilingual.

### **How to respond to LEP callers**

MPO staff are instructed to place the caller on hold by saying "Por favor espera uno momento" which means 'please wait a minute'. Staff will then contact a City employee who is bilingual and transfer the call to that person for further assistance.

### **How to respond to written communications from LEP persons**

Upon receipt of written communication from LEP persons, MPO staff are directed to contact bilingual City staff for translation of the communication. If needed, MPO staff can have a written response translated using bilingual City employees.

### **How to respond to LEP individuals who have in-person contact with recipient staff**

Should a LEP individual make in-person contact, MPO staff are directed to call upon bilingual City employees who can either assist by telephone or in-person.

### **Providing Notice to LEP Persons**

It is important to notify LEP persons of services available free of charge in a language that would be understood. Where appropriate and feasible, the MPO will include the following language in English and Spanish, in agenda packages:

**Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require translation services**

**for a meeting (free of charge) should contact the MPO's Title VI Coordinator at 252-329-4470 or [jpenrose@greenvillenc.gov](mailto:jpenrose@greenvillenc.gov) at least ten days in advance.**

**Se solicita La participación del público, sin importar la raza, color, nacionalidad, edad, sexo, religión, incapacidad o estado familiar. Personas que requieren servicios de traducción (sin cargo alguno) deben contactar a MPO's Title VI Coordinador al teléfono 252-329-4470 o [jpenrose@greenvillenc.gov](mailto:jpenrose@greenvillenc.gov) por lo menos diez días antes de la reunión.**

### **MPO Staff Training**

Incoming staff members will be briefed on the MPO's LEP Plan and how to assist LEP residents. They will be told to keep a record of language assistance requests to assess future LEP population needs.

### **Dissemination of the MPO Limited English Proficiency Plan**

The MPO will post the LEP Plan on its website at:

[http://www.greenvillenc.gov/departments/public\\_works\\_dept/information/default.aspx?id=510](http://www.greenvillenc.gov/departments/public_works_dept/information/default.aspx?id=510). Copies of the LEP Plan will be provided to the North Carolina Department of Transportation (NCDOT), Federal Highway Administration (FHWA), and any person or agency requesting a copy. Each MPO member jurisdiction will be provided a copy and be instructed to read it to be educated on the importance of providing language assistance.

Any questions or comments regarding this plan should be directed to:

Title VI Coordinator  
Greenville Urban Area MPO  
1500 Beatty Street  
Greenville, NC 27834  
Phone: 252-329-4470

### **Title VI Plan Updates**

The MPO will consider its most recently adopted Title VI Plan as an appendix to its most recently adopted Public Involvement Plan. The MPO understands that its community profile continues to change and that the four-factor analysis may reveal the need for additional LEP services in the future. As such, the MPO will examine its Title VI Plan to ensure that it remains reflective of the community's needs, during regular updates to the Public Involvement Plan.

## APPENDIX A

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

(1) **Compliance with Regulations:** The contractor shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), 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, shall not discriminate on the grounds of race, age, sex, color, disability, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

(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 shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on grounds of race, color, or national origin.

(4) **Information and Reports:** The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the <contracting agency>, the North Carolina Department of Transportation or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to the <contracting agency>, the North Carolina Department of Transportation, or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.

(5) **Sanctions for Noncompliance:** In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the <contracting agency> and/or the North Carolina Department of Transportation shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

- (a) withholding of payments to the contractor under the contract until the contractor complies, and/or
- (b) cancellation, termination or suspension of the contract, in whole or in part.

(6) **Incorporation of Provisions:** The contractor shall include the provisions of paragraph (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto.

The contractor shall take such action with respect to any subcontract or procurement as the <contracting agency>, North Carolina Department of Transportation or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for non-compliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the <contracting agency> to enter into such litigation to protect the interests of the <contracting agency>, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

\*For the purpose of this appendix, "contracting agency" shall mean the MPO member jurisdiction that is entering into the contract

## APPENDIX B

The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

### (GRANTING CLAUSE)

NOW, THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that the <contracting agency> will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code, the Regulations for the Administration of Federal-Aid for Highways and the policies and procedures prescribed by Federal Highway Administration of the Department of Transportation and, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the <contracting agency> all the right, title and interest of the Department of Transportation in and to said lands described in Exhibit "A" attached hereto and made a part hereof.

### (HABENDUM CLAUSE)

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

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

\*For the purpose of this appendix, "contracting agency" shall mean the MPO member jurisdiction that is entering into the contract.



## APPENDIX C

The following clauses shall be included in all deeds, licenses, leases, permits or similar instruments entered into by the <contracting agency> pursuant to the provisions of Assurance 6(a).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself, his heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

That in the event of breach of any of the above nondiscrimination covenants, the <contracting agency> shall have the right to terminate the [license, lease, permit, etc.] and to re-enter and repossess said land and the facilities thereon, and hold the same as if said [licenses, lease, permit, etc.] had never been made or issued.

That in the event of breach of any of the above nondiscrimination covenants, the <contracting agency> shall have the right to re-enter said lands and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the <contracting agency> and its assigns.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by the <contracting agency> pursuant to the provisions of Assurance 6(b).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself, his personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds, and leases add "as a covenant running with the land") that (1) no person on the ground of race, sex, age, color, disability, or national origin shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land and the furnishing of services thereon, no person on the ground of race, sex, age, color, disability, or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964), and as said Regulations may be amended.

That in the event of breach of any of the above nondiscrimination covenants, <contracting agency> shall have the right to terminate the [license, lease, permit, etc.] and to re-enter and repossess said land and the facilities thereon, and hold the same as if said [license, lease, permit, etc.] had never been made or issued.

That in the event of breach of any of the above nondiscrimination covenants, the <contracting agency> shall have the right to re-enter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the <contracting agency> and its assigns.

\*For the purpose of this appendix, "contracting agency" shall mean the MPO member jurisdiction that is entering into the contract.

## Appendix D

### GREENVILLE URBAN AREA MPO'S TITLE VI NOTICE TO PUBLIC

U.S. Department of Justice regulations, 28 Code of Federal Regulations, Section 42.405, Public Dissemination of Title VI Information, require recipients of Federal financial assistance to publish or broadcast program information in the news media. Advertisements must state that the program is an equal opportunity program and/or indicate that Federal law prohibits discrimination. Additionally, reasonable steps shall be taken to publish information in languages understood by the population eligible to be served or likely to be directly affected by transportation projects.

The Greenville Urban Area MPO hereby gives public notice that it's the policy of the MPO to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, Executive Order 13166 *Improving Access to Services for Persons with Limited English Proficiency*, and related nondiscrimination statutes and regulations in all programs and services. It is the MPO's policy that no person in the United States shall, on the grounds of race, color, sex, age, income status, national origin, or disabilities be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program, activities, or services for which the MPO receives Federal financial assistance.

Any person who believes they have been mistreated by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with the Greenville Urban Area MPO. Any such complaint must be in writing or in person to the City of Greenville, Public Works--Engineering, MPO Title VI Coordinator, 1500 Beatty St, Greenville, NC 27834, within one hundred eighty (180) days following the date of the alleged discrimination occurrence. Title VI Discrimination Complaint forms may be obtained from the above address at no cost, or via internet at [www.greenvillenc.gov](http://www.greenvillenc.gov).

### GREENVILLE URBAN AREA MPO'S TÍTULO VI COMUNICACIÓN PÚBLICA

El Departamento de Justicia de regulaciones de EU, Código 28 de Regulaciones Federales, Sección 42.405, Difusión Pública del Título VI de la información, exigen que el beneficiario de la ayuda financiera del gobierno federal publique o difunda la información del programa a los medios de comunicación. Los anuncios deben indicar que el programa es un programa de igualdad de oportunidades y / o indicar que la ley federal prohíbe la discriminación. Además, deben tomarse pasos razonables para publicar la información en los idiomas de la población a la cual servirán, o que puedan ser directamente afectadas por los proyectos de transporte.

La Organización Metropolitana de Planificación de Greenville (Greenville Urban Area MPO) notifica públicamente que es política del MPO asegurar el pleno cumplimiento del Título VI del Acta de Derechos Civiles de 1964, la Ley de Restauración de Derechos Civiles de 1987, la Orden Ejecutiva 12898 Dirección Federal de Acciones para la Justicia Ambiental en Poblaciones minoritarias y poblaciones de bajos ingresos, la Orden Ejecutiva 13166 Mejorar el acceso a los Servicios para Personas con Inglés Limitado, y de los estatutos y reglamentos relacionados con la no discriminación en todos los programas y servicios. El MPO está comprometido a ofrecer oportunidades de participación significativa en sus programas, servicios y actividades a las minorías, poblaciones de bajos recursos y personas que no dominan bien el idioma Inglés. Además, reconocemos la necesidad de evaluar el potencial de impactos a estos grupos a través del proceso de toma de decisiones, así como la obligación de evitar, minimizar y mitigar impactos adversos en los que son desproporcionadamente altos. Es política del MPO que ninguna persona en los Estados Unidos, por motivos de raza, color, sexo, edad, nivel de ingresos, origen nacional o discapacidad sea excluido de la participación en, sea negado los beneficios de, o sea de otra manera sujeto a discriminación bajo cualquier programa, actividades o servicios para los que el MPO recibe asistencia financiera federal.

Cualquier persona que crea haber sido maltratada por una práctica discriminatoria ilegal en virtud del Título VI tiene derecho a presentar una queja formal con NCDOT. Cualquier queja debe ser por escrito o en persona con el Ciudad de Greenville, Public Works--Engineering, MPO Title VI Coordinator, 1500 Beatty St, Greenville, NC 27834, dentro de los ciento ochenta (180) días siguientes a la fecha en que ocurrió la supuesta discriminación. Los formatos de quejas por discriminación del Título VI pueden obtenerse en la Oficina de Public Works sin costo alguno o, o a través de Internet en [www.greenvillenc.gov](http://www.greenvillenc.gov).

## Appendix E

### TITLE VI VOLUNTARY PUBLIC INVOLVEMENT FORM

*Completing this form is **completely** voluntary. You are not required to provide the information requested in order to participate in this meeting.*

<b>Meeting Type:</b> <b>Location:</b>	<b>Date:</b>
<b>TIP No.:</b> <b>Project Description:</b>	

In accordance with Title VI of the Civil Rights Act of 1964 and related authorities, the Greenville Urban Area MPO assures that no person(s) shall be excluded from participation in, denied the benefits of, or subjected to discrimination under any of its programs, policies, or activities, based on their race, color, national origin, disability, age, income, or gender.

Completing this form helps meet our data collection and public involvement obligations under Title VI and NEPA, and will improve how we serve the public. Please place the completed form in the designated box on the sign-in table, hand it to MPO Title VI Coordinator or mail it to the MPO office at 1500 Beatty St, Greenville, NC 27834.

All forms will remain on file at the MPO as part of the public record.

<b>Zip Code:</b> _____ <b>Street Name:</b> <i>(i.e. Main Street)</i> _____	<b>Gender:</b> <input type="checkbox"/> Male <input type="checkbox"/> Female <b>Age:</b> <input type="checkbox"/> Less than 18 <input type="checkbox"/> 45-64 <input type="checkbox"/> 18-29 <input type="checkbox"/> 65 and older <input type="checkbox"/> 30-44
<b>Total Household Income:</b> <input type="checkbox"/> Less than \$12,000 <input type="checkbox"/> \$47,000 – \$69,999 <input type="checkbox"/> \$12,000 – \$19,999 <input type="checkbox"/> \$70,000 – \$93,999 <input type="checkbox"/> \$20,000 – \$30,999 <input type="checkbox"/> \$94,000 – \$117,999 <input type="checkbox"/> \$31,000 – \$46,999 <input type="checkbox"/> \$118,000 or greater	<b>Disabled:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Race/Ethnicity:</b> <input type="checkbox"/> White <input type="checkbox"/> Black/African American <input type="checkbox"/> Asian <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Native Hawaiian/Pacific Islander <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other (please specify): _____	<b>National Origin:</b> (if born outside the U.S.) <input type="checkbox"/> Mexican <input type="checkbox"/> Central American: _____ <input type="checkbox"/> South American: _____ <input type="checkbox"/> Puerto Rican <input type="checkbox"/> Chinese <input type="checkbox"/> Vietnamese <input type="checkbox"/> Korean <input type="checkbox"/> Other (please specify): _____

For more information regarding Title VI or this request, please contact the Greenville Urban Area MPO at (252)-329-4470, or by email at [jpenrose@greenvillenc.gov](mailto:jpenrose@greenvillenc.gov) Thank you for your participation!

## TÍTULO VI ENCUESTA DE PARTICIPACIÓN PÚBLICA

*El llenado de este formato es completamente voluntario. Usted no está obligado a proporcionar la información solicitada con el fin de participar en esta reunión.*

<b>Tipo de Reunión:</b>	<b>Fecha:</b>
<b>Lugar de la Reunión:</b>	
<b>TIP No.:</b>	
<b>Descripción del Proyecto:</b>	

De conformidad con el Título VI del Acta de Derechos Civiles de 1964 y otras disposiciones de derechos civiles de la ley Federal estatutaria, el MPO de Greenville (MPO por sus siglas en inglés) asegura que ninguna persona(s) afectada por sus programas, políticas o actividades, quedarán excluidos de su participación en, negada de los beneficios de, o sometidos a la discriminación por motivos de raza, color, origen nacional, discapacidad, edad, ingresos o género.

Este formato ayuda a que el Departamento de Transporte del Estado (DOT) cumpla con sus obligaciones legales para la recopilación de datos y la participación del público en virtud del Título VI y NEPA. Por favor deposite el formato llenado en la casilla designada en la mesa de registro, someterlo a Title VI Coordinador del MPO, o envíe por correo a 1500 Beatty St, Greenville, NC 27834.

Los formatos completados serán guardados en los archivos de MPO como parte del registro público.

<b>Código Postal:</b> _____	<b>Sexo:</b> <input type="checkbox"/> Masculino <input type="checkbox"/> Femenino
<b>Nombre de la Calle:</b> <u>(ej. Main Street)</u> _____	<b>Edad:</b> <input type="checkbox"/> Menor de 18 <input type="checkbox"/> 45-64 <input type="checkbox"/> 18-29 <input type="checkbox"/> 65 o Mayor <input type="checkbox"/> 30-44
<b>Ingreso Total del Hogar:</b> <input type="checkbox"/> Menos de \$12,000 <input type="checkbox"/> \$47,000 – \$69,999 <input type="checkbox"/> \$12,000 – \$19,999 <input type="checkbox"/> \$70,000 – \$93,999 <input type="checkbox"/> \$20,000 – \$30,999 <input type="checkbox"/> \$94,000 – \$117,999 <input type="checkbox"/> \$31,000 – \$46,999 <input type="checkbox"/> \$118,000 o Mayor	<b>Discapacidad:</b> <input type="checkbox"/> Si <input type="checkbox"/> No
<b>Raza/Etnicidad:</b> <input type="checkbox"/> Blanco <input type="checkbox"/> Afro Americano <input type="checkbox"/> Asiático <input type="checkbox"/> Indio Americano/Nativo de Alaska <input type="checkbox"/> Nativo de Hawaii/Islands del Pacífico <input type="checkbox"/> Hispano/Latino <input type="checkbox"/> Otra (por favor especifique): _____	<b>Nacionalidad de Origen:</b> (Si nació fuera de los EU) <input type="checkbox"/> Mexicano <input type="checkbox"/> Centro Americano: _____ <input type="checkbox"/> Sudamericano: _____ <input type="checkbox"/> Puertorriqueño <input type="checkbox"/> Chino <input type="checkbox"/> Vietnamita <input type="checkbox"/> Coreano <input type="checkbox"/> Otro (por favor especifique): _____

Para más información relacionada con el Título VI o este proceso, por favor contacte a Greenville Urban Area MPO al teléfono (252)-329-4470, o por correo electrónico [jpenrose@greenvillenc.gov](mailto:jpenrose@greenvillenc.gov)

¡Gracias por su cooperación!

## APPENDIX F

### DISCRIMINATION COMPLAINT PROCESS

#### INTRODUCTION

The complaint procedures outlined herein apply to the Greenville Urban Area MPO and other primary recipients and sub-recipients of Federal financial assistance. These procedures cover discrimination complaints filed under Title VI of the Civil Rights Act of 1964, Civil Rights Restoration Act of 1987, Section 504 of the Rehabilitation Act of 1973, and other nondiscrimination authorities relating to any program, services, or activities administered by the MPO and its sub-recipients, consultants, and contractors.

The Greenville Urban Area MPO will make every effort to obtain early resolution of complaints at the lowest level possible. Complaints of alleged discrimination will be investigated by the appropriate authority. The option of informal mediation meeting(s) between the affected parties and the MPO's Title VI Coordinator may be utilized for resolution. Upon completion of each investigation, the MPO's Title VI Coordinator will inform every complainant of all avenues of appeal.

#### PURPOSE

The purpose of the discrimination complaint procedures is to describe the process used by the MPO for processing complaints under Title VI of the Civil Rights Act of 1964, related statutes and authorities.

#### FILING OF COMPLAINTS

1. **Applicability** – The complaint procedures apply to the beneficiaries of the MPO's programs, activities, and services, including but not limited to the public, contractors, subcontractors, consultants, and other sub-recipients of federal and state funds.
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, or disability may file a written complaint with the MPO's Title VI Coordinator. 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.

Title VI complaints may be submitted to the following entities:

- **Greenville Urban Area MPO**, City of Greenville, Public Works-Engineering, 1500 Beatty St, Greenville, NC 27834
- **North Carolina Department of Transportation**, Office of Civil Rights, Title VI/EO Contract Compliance 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 Highway Administration**, Office of Civil Rights, 1200 New Jersey Avenue, SE, 8<sup>th</sup> Floor, E81-314, Washington, DC 20590, 202-366-0693 / 366-0752

**Federal Highway Administration**, North Carolina Division Office, 310 New Bern Avenue, Suite 410, Raleigh, NC 27601, 919-747-7010

**Federal Transit Administration**, Office of Civil Rights, ATTN: Title VI Program Coordinator, East Bldg. 5<sup>th</sup> Floor – TCR, 1200 New Jersey Avenue, SE, Washington, DC 20590

**Federal Aviation Administration**, Office of Civil Rights, 800 Independence Avenue, SW, Washington, DC 20591, 202-267-3258

- **US Department of Justice**, Special Litigation Section, Civil Rights Division, 950 Pennsylvania Avenue, NW, Washington, DC 20530, 202-514-6255 or toll free 877-218-5228

4. **Format for Complaints** – Complaints shall be in **writing** and **signed** by the complainant(s) or a representative and include the complainant's name, address, and telephone number. Complaints received by fax or e-mail will be acknowledged and processed. Allegations received by telephone will be reduced to writing and provided to the complainant for confirmation or revision before processing (see "**Complaint Form**" in **Appendix G**). Complaints will be accepted in other languages including Braille.
5. **Complaint Basis** – Allegations must be based on issues involving race, color, national origin, sex, age, or disability. The term "basis" refers to the complainant's membership in a protected group category.

Protected Categories	Definition	Examples
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
Color	Color of skin, including shade of skin within a racial group	Black, White, light brown, dark brown, etc.
National Origin	Place of birth. Citizenship is not a factor. Discrimination based on language or a person's accent is also covered by national origin.	Mexican, Cuban, Japanese, Vietnamese, Chinese
Sex	Gender	Women and Men
Age	Persons of any age	21 year old person
Disability	Physical or mental impairment, permanent or temporary, or perceived.	Blind, alcoholic, para-amputee, epileptic, diabetic, arthritic

## INTERNAL COMPLAINT PROCESS

1. **Initial Contact** – As resources, the MPO's Title VI coordinator will provide complainants with an explanation of the filing options, information concerning the discrimination complaint process and a Title VI Discrimination Complaint Form.
2. **The Complaint Review Process**
  - a. The Public Works Director, MPO Title VI coordinator, or designee, will review complaints upon receipt to ensure that relevant information is provided, the complaint is timely, and satisfies jurisdictional requirements.
  - b. All complaints shall be investigated unless:
    - The complaint is withdrawn;
    - The complainant fails to provide required information in a timely manner;
    - The complaint is not filed timely; and

- Any issues that do not involve discrimination, or are not based on a protected basis will be directed to the appropriate entity. Under no circumstances will complainants be discouraged from filing a complaint.
- c. The Public Works Director, MPO Title VI coordinator, or designee, will investigate all complaints filed against the MPO's contractors, subcontractors, consultants, and other sub-recipients. These complaints will be forwarded to NCDOT upon request.
- d. Complaints filed against the MPO will be forwarded to NCDOT for processing and investigation.
- e. Upon determination that the complaint warrants an investigation, the complainant is sent a certified letter acknowledging receipt of the complaint within 10 days of receipt of the complaint. The name of the investigator is provided as well as the complainant's rights under Title VI and related statutes.
- f. The respondent is notified by certified mail that he/she has been named in a complaint and is provided with his/her rights under Title VI and related statutes. The letter identifies the investigator's name and informs the respondent that he/she will be contacted for an interview.

## INVESTIGATION

### 1. Investigative Plan

The investigator shall prepare an investigative plan that includes, but is not limited to the following:

- Complainant(s) name and address;
- Respondent(s) name and address;
- Applicable law(s);
- Basis for the complaint;
- Allegations, events or circumstances that caused the person to believe that he/she has been discriminated against;
- Appropriate information needed to address the issue;
- Name of persons to be interviewed and issues of which they have first-hand knowledge;
- Questions for the complainant, respondent, and witness(es);
- Evidence to be obtained during the investigation; and
- Remedy sought by the complainant.

### 2. Conducting the Investigation

- The investigation will address only those issues relevant to the allegations in the complaint.
- Confidentiality will be maintained to the fullest extent possible.
- Interviews will be conducted to obtain the facts and evidence regarding the allegations in the complaint. The investigator will ask questions to elicit information about aspects of the case that the witness can provide firsthand information.
- Interviews are taped/recorded with the interviewee's consent.
- A chronological contact sheet is maintained in the case file throughout the investigation.
- The investigation working papers are completed, cross-referenced and indexed.
- The interviewee may have representation of his/her choice at the interview.

### 3. Informal Resolution

The Alternative Dispute Resolution (ADR) process is offered as an alternative for resolving Title VI complaints. During the investigative process, the investigator will make every effort to assist the parties with reaching a voluntary, negotiated resolution. During the initial interviews with the complainant and respondent, the investigator will request information regarding specifically requested relief and settlement opportunities. The attempts to resolve complaints using ADR are required by the Alternative Dispute Resolution Act of 1998.

### 4. Investigation Reporting Process



- Within 60 days of conducting the investigation, the investigator will prepare an investigative report and submit the report and supporting documentation to the Public Works Director, or designee for review. The investigative report should include recommended decisions.
- The investigative report should outline the following complaint details: Date of written complaint, contract number, contractor and/or subcontractor name, and the complaint basis (race, color, national origin, etc).
- The Public Works Director, or designee will review the file and investigative report. If a designee conducts the review, then subsequent to the review, the designee will submit the investigative reports, investigative files, and recommended decisions to the Public Works Director.
- Upon the Director's approval, the investigative report and recommended decisions shall be forwarded to NCODT or FHWA for a final agency decision.

## RECORDS

All records and investigative working files will be maintained within the MPO offices, or at a location as directed by the Public Works Director. Records are kept for four years internally.

## PROCESO DE QUEJAS POR DISCRIMINACIÓN

### INTRODUCCIÓN

Los procedimientos de quejas presentadas en este documento se aplican al Organización Metropolitana de Planificación de Greenville (Greenville Urban Area MPO) otros destinatarios principales y los sub-receptores que reciben ayuda Federal. Estos procedimientos se aplicarán a las quejas por discriminación presentadas en virtud del Título VI del Acta de Derechos Civiles de 1964, Ley de Restauración de Derechos Civiles de 1987, la Sección 504 del Acta de Rehabilitación de 1973, y autoridades de la no discriminación en relación con cualquier otro actividades, programa, o servicios administrados por el MPO y sus sub-receptores, consultores y contratistas.

El Greenville Urban Area MPO hará todo lo posible para obtener pronta resolución de las quejas en el nivel más bajo posible de administración. Denuncias de presunta discriminación serán investigadas por las autoridades competentes. La opción de reunión(es) de mediación informal entre las partes afectadas y el MPO Title VI Coordinador puede ser utilizada para su resolución. Al término de cada investigación, el MPO Title VI Coordinador informará a cada demandante todas las vías de recurso.

### PROPÓSITO

El propósito de los procedimientos de denuncia por discriminación es describir el proceso utilizado por el MPO para tramitar las quejas en virtud del Título VI del Acta de Derechos Civiles de 1964, relacionados con los estatutos y las autoridades.

### PRESENTACIÓN DE QUEJAS

1. **Aplicación** – Los procedimientos de queja aplican a los beneficiarios de los programas de el MPO, actividades y servicios, incluyendo pero no limitando a la opinión pública, contratistas, subcontratistas, consultores y otros sub-receptores de fondos federales y estatales.
2. **Eligibilidad** – Cualquier persona o grupo de personas que crea haber sido objeto de discriminación o represalia prohibida por alguna de las autoridades de Derechos Civiles, basada en la raza, color, sexo, edad, origen nacional o discapacidad, puede presentar una queja por escrito al Title VI coordinator del MPO. La ley prohíbe la intimidación o represalias de ningún tipo. La denuncia podrá ser presentada por la persona afectada o un representante y debe ser por escrito.
3. **Plazos y opciones de presentación** – La queja debe ser presentada a más tardar 180 días naturales después de lo siguiente:

- La fecha del supuesto acto de discriminación; o
- La fecha en que la persona(s) se dió cuenta de la supuesta discriminación; o
- Cuando ha sido un curso continuo de conducta, la fecha en que dicho comportamiento se interrumpió o en el último ejemplo de dicha conducta.

Título VI las quejas podrán presentarse a las siguientes entidades:

- **Greenville Urban Area MPO**, City of Greenville, Public Works-Engineering, 1500 Beatty St, Greenville, NC 27834
- **North Carolina Department of Transportation**, Office of Civil Rights, Title VI/EO Contract Compliance 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 Highway Administration**, Office of Civil Rights, 1200 New Jersey Avenue, SE, 8<sup>th</sup> Floor, E81-314, Washington, DC 20590, 202-366-0693 / 366-0752
  - Federal Highway Administration**, North Carolina Division Office, 310 New Bern Avenue, Suite 410, Raleigh, NC 27601, 919-747-7010
  - Federal Transit Administration**, Office of Civil Rights, ATTN: Title VI Program Coordinator, East Bldg. 5<sup>th</sup> Floor – TCR, 1200 New Jersey Avenue, SE, Washington, DC 20590
  - Federal Aviation Administration**, Office of Civil Rights, 800 Independence Avenue, SW, Washington, DC 20591, 202-267-3258
- **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. **Formato de Quejas** – Las denuncias deberán ser **por escrito y firmadas** por el denunciante (s) o un representante, e incluir el nombre del autor, dirección y número de teléfono. Las denuncias recibidas por fax o correo electrónico serán confirmadas y procesadas. Las denuncias recibidas por teléfono serán transcritas y proporcionadas al denunciante para la confirmación o su revisión antes de ser procesadas. **(Se consulte Appendix G)**. Quejas serán aceptadas en otros lenguajes, incluyendo Braille.
5. **Fundamento de la Queja**– Las denuncias deberán basarse en cuestiones relacionadas con la raza, color, origen nacional, sexo, edad o discapacidad. El término "fundamento" se refiere a la pertenencia del autor de la queja en una categoría del grupo protegido.

Grupo Protegido	Definición	Ejemplos
Raza	Un individuo perteneciente a uno de los grupos raciales aceptados; o la percepción, basada generalmente en las características físicas de que una persona es miembro de un grupo racial.	Afro Americano, Hispano/Latino, Asiático, Indio Americano/Nativo de Alaska, Nativo de Hawai/Islands del Pacífico, Blanco.
Color	Color de piel, incluyendo tono de piel dentro de un grupo racial.	Negro, blanco, moreno claro, moreno oscuro, etc.
Origen Nacional	Lugar de Nacimiento. La ciudadanía no es un factor. La discriminación basada en el idioma o acento de una persona también está cubierta por el origen nacional.	Mexicanos, cubanos, japoneses, vietnamitas, chinos.
Sexo	Género.	Mujer y hombre.
Edad	Personas de cualquier edad.	Personas de 21 años
Discapacidad	Disabilidad física o mental, permanente o temporal, o percibida.	Ciego, alcohólico, para-amputado, epilépticos, diabéticos, artríticos

# APPENDIX G

## Greenville Urban Area MPO DISCRIMINATION COMPLAINT FORM

Last Name:		First Name:		<input type="checkbox"/> Male <input type="checkbox"/> Female
Mailing Address:		City	State	Zip
Home Telephone:	Work Telephone:	E-mail Address		
Identify the Category of Discrimination: <div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"><input type="checkbox"/> RACE</div> <div style="width: 50%;"><input type="checkbox"/> COLOR</div> <div style="width: 50%;"><input type="checkbox"/> NATIONAL ORIGIN</div> <div style="width: 50%;"><input type="checkbox"/> AGE</div> <div style="width: 50%;"><input type="checkbox"/> RELIGION</div> <div style="width: 50%;"><input type="checkbox"/> DISABILITY</div> <div style="width: 50%;"><input type="checkbox"/> SEX/GENDER</div> </div>				
Identify the Race of the Complainant <div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"><input type="checkbox"/> Black</div> <div style="width: 50%;"><input type="checkbox"/> White</div> <div style="width: 50%;"><input type="checkbox"/> Hispanic</div> <div style="width: 50%;"><input type="checkbox"/> Asian American</div> <div style="width: 50%;"><input type="checkbox"/> American Indian</div> <div style="width: 50%;"><input type="checkbox"/> Alaskan Native</div> <div style="width: 50%;"><input type="checkbox"/> Pacific Islander</div> <div style="width: 50%;"><input type="checkbox"/> Other _____</div> </div>				
Date and place of alleged discriminatory action(s). Please include earliest date of discrimination and most recent date of discrimination.				
Names of individuals responsible for the discriminatory action(s):				
How were you discriminated against? Describe the nature of the action, decision, or conditions of the alleged discrimination. Explain as clearly as possible what happened and why you believe your protected status (basis) was a factor in the discrimination. Include how other persons were treated differently from you. (Attach additional page(s), if necessary).				
The law prohibits intimidation or <b>retaliation</b> against anyone because he/she has either taken action, or participated in action, to secure rights protected by these laws. If you feel that you have been retaliated against, separate from the discrimination alleged above, please explain the circumstances below. Explain what action you took which you believe was the cause for the alleged retaliation				
Names of persons (witnesses, fellow employees, supervisors, or others) whom we may contact for additional information to support or clarify your complaint: (Attached additional page(s), if necessary). <div style="display: flex; justify-content: space-between; font-size: small;"> <span>Name</span> <span>Address</span> <span>Telephone</span> </div> <div style="margin-top: 10px;">           1.            2.            3.            4.         </div>				

# DISCRIMINATION COMPLAINT FORM

Page 2

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.

- ☐ US Equal Employment Opportunity Commission \_\_\_\_\_
- ☐ Federal Highway Administration \_\_\_\_\_
- ☐ US Department of Transportation \_\_\_\_\_
- ☐ Federal or State Court \_\_\_\_\_
- ☐ NCDOT \_\_\_\_\_
- ☐ Other \_\_\_\_\_

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

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

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

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

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

\_\_\_\_\_  
**DATE**

## MAIL COMPLAINT FORM TO:

GREENVILLE URBAN AREA MPO Title VI Coordinator  
CITY OF GREENVILLE  
PUBLIC WORKS-ENGINEERING  
1500 BEATTY ST  
GREENVILLE, NC 27834

## FOR OFFICE USE ONLY

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

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

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

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

## Greenville Urban Area MPO

### FORMATO DE QUEJAS POR DISCRIMINACIÓN

Apellido:		Nombre:		<input type="checkbox"/> Hombre <input type="checkbox"/> Mujer
Dirección:		Ciudad	Estado	Código Postal
Teléfono de Casa:	Teléfono de Trabajo:	Dirección de correo electrónico		
Identificar la categoría de la Discriminación:				
<div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"><input type="checkbox"/> RAZA</div> <div style="width: 50%;"><input type="checkbox"/> COLOR</div> <div style="width: 50%;"><input type="checkbox"/> ORIGEN NACIONAL</div> <div style="width: 50%;"><input type="checkbox"/> EDAD</div> <div style="width: 50%;"><input type="checkbox"/> RELIGIÓN</div> <div style="width: 50%;"><input type="checkbox"/> DISCAPACIDAD</div> <div style="width: 50%;"><input type="checkbox"/> SEXO/GÉNERO</div> </div>				
Identificar la Raza del Demandante				
<div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"><input type="checkbox"/> Afro Americano</div> <div style="width: 50%;"><input type="checkbox"/> Blanco</div> <div style="width: 50%;"><input type="checkbox"/> Hispano</div> <div style="width: 50%;"><input type="checkbox"/> Asiático Americano</div> <div style="width: 50%;"><input type="checkbox"/> Indio Americano</div> <div style="width: 50%;"><input type="checkbox"/> Nativo de Alaska</div> <div style="width: 50%;"><input type="checkbox"/> Islas del Pacífico</div> <div style="width: 50%;"><input type="checkbox"/> Otra _____</div> </div>				
Fecha y lugar de la acción discriminatoria alegada(s). Por favor, incluya la fecha más antigua de la discriminación y la fecha más reciente de la discriminación.				
Nombre de las personas responsables de la acción discriminatoria (s):				
¿Cómo fué discriminado? Describir la naturaleza de la acción, decisión, o condiciones de la supuesta discriminación. Explicar lo más claramente posible lo que ocurrió y por qué usted cree que su condición de protección (fundamento) fué un factor en la discriminación. Incluya de qué manera otras personas fueron tratadas de manera diferente a usted. (Si es necesario adjunte páginas adicional (es)).				
La ley prohíbe la intimidación o <b>represalias</b> contra cualquier persona porque él o ella ha tomado medidas, o ha participado activamente, para garantizar los derechos protegidos por estas leyes. Si usted siente que ha sido víctima de represalias, además de la supuesta discriminación, por favor explique las circunstancias a continuación. Explique qué medidas tomó usted que cree que fueron la causa de las supuestas represalias.				
Nombre de las personas (testigos, compañeros de trabajo, supervisores, u otros) que podemos contactar para obtener información adicional y apoyar o aclarar su queja: (Adjuntar pagina(s) adicional(es), si es necesario).				
<div style="display: flex; justify-content: space-between;"> <span>Nombre</span> <span>Dirección</span> <span>Teléfono</span> </div>				
<ol style="list-style-type: none"> <li>1.</li> <li>2.</li> <li>3.</li> <li>4.</li> </ol>				

## FORMATO DE QUEJAS POR DISCRIMINACIÓN

Página 2

¿Ha presentado o tiene intenciones de presentar una queja con respecto a cualquiera de las siguientes cuestiones planteadas? En caso afirmativo, indique la fecha de presentación. Marque todas las que aplican.

- ☐ US Comisión de Igualdad de Oportunidades de empleo \_\_\_\_\_
- ☐ Administración de Carreteras Federales \_\_\_\_\_
- ☐ US Departamento de Transporte \_\_\_\_\_
- ☐ Corte Federal o Estatal \_\_\_\_\_
- ☐ NCDOT \_\_\_\_\_
- ☐ Otros \_\_\_\_\_

¿Ha discutido la denuncia con algún representante de NCDOT? En caso afirmativo, indique el nombre, puesto, y fecha de la discusión.

Por favor proporcione cualquier información adicional que considere usted pueda ayudar a una investigación.

Explique brevemente qué remedio, o acción, está usted buscando debido a la supuesta discriminación.

**\*\* NO PODEMOS ACEPTAR QUEJAS SIN FIRMAR. POR FAVOR INCLUYA SU FIRMA Y FECHA EN EL SIGUIENTE FORMATO.**

\_\_\_\_\_  
**FIRMA DEL SOLICITANTE**

\_\_\_\_\_  
**FECHA**

### ENVÍE SU FORMATO DE QUEJA A:

GREENVILLE URBAN AREA MPO Title VI Coordinator  
CITY OF GREENVILLE  
PUBLIC WORKS-ENGINEERING  
1500 BEATTY ST  
GREENVILLE, NC 27834

### FOR OFFICE USE ONLY

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

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

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

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

## Appendix H - Greenville Urban Area MPO Complaint Log

Case No.	Complainant	Respondent	Race, color, sex, or national origin	Receiving Agency	Date Filed	Basis	Date of Report	Determination



## APPENDIX I

### Letter Acknowledging Receipt of Complaint

Today's Date

Ms. Jane Doe

1234 Main St.

Greenville, NC 27834

Dear Ms. Doe:

This letter is to acknowledge receipt of your complaint against the Greenville Urban Area MPO alleging \_\_\_\_\_ in the \_\_\_\_\_ program

An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact this office by telephoning 252-329-4425, or writing to me at this address.

Sincerely,

<Name>,

Public Works Director

## APPENDIX J

### Letter Notifying Complainant That Complaint is Substantiated

Today's Date

Ms. Jane Doe

1234 Main St.

Greenville, NC 27834

Dear Ms. Doe:

The matter referenced in your letter of \_\_\_\_\_ (date) against the Greenville Urban Area MPO alleging denial of participation of minorities in the \_\_\_\_\_ program has been investigated.

(An/Several) apparent violation(s) of Title VI of the Civil Rights Act of 1964, including those mentioned in your letter (was/were) identified. Efforts are underway to correct these deficiencies.

Thank you for calling this important matter to our attention. You were extremely helpful during our review of the program. (If a hearing is requested, the following sentence may be appropriate.) You may be hearing from this office, or from federal authorities, if your services should be needed during the administrative hearing process.

Sincerely,

<Name>,

Public Works Director

## APPENDIX K

### Letter Notifying Complainant that the Complaint Is Not Substantiated

Today's Date

Ms. Jane Doe

1234 Main St.

Greenville, NC 27834

Dear Ms. Doe:

The matter referenced in your complaint of \_\_\_\_\_ (date) against the Greenville Urban Area MPO alleging \_\_\_\_\_ in the \_\_\_\_\_ program has been investigated.

The results of the investigation did not indicate that the provisions of Title VI of the Civil Rights Act of 1964, had in fact been violated. As you know, Title VI prohibits discrimination based on race, color, or national origin in any program receiving federal financial assistance.

The City of Greenville has analyzed the materials and facts pertaining to your case for evidence of the city's failure to comply with any of the civil rights laws. There was no evidence found that any of these laws have been violated.

I therefore advise you that your complaint has not been substantiated, and that I am closing this matter in our files.

Thank you for taking the time to contact us. If I can be of assistance to you in the future, do not hesitate to call me.

Sincerely,

<Name>,

Public Works Director

## RESOLUTION NO. 2012-07-GUAMPO

### ADOPTING THE GREENVILLE URBAN AREA METROPOLITAN PLANNING ORGANIZATION TITLE VI PLAN

WHEREAS, the Transportation Advisory Committee has found that the Greenville Urban Area Metropolitan Planning Organization (MPO) is conducting transportation planning in a continuous, cooperative, and comprehensive manner in accordance with 23 U.S.C. 134 and 49 U.S.C. 1607; and

WHEREAS, Whereas, the purpose of Title VI of the United States Civil Rights Act of 1964 and subsequent legislation, regulations, statutes and orders is to prohibit programs that receive Federal funds from discriminating against participants on the basis of race, color, national origin, disability, age, gender, or income status; and

WHEREAS, the Transportation Advisory Committee has considered how the Transportation Planning Process will affect the involvement of Disadvantaged Business Enterprises in the FHWA and the FTA funded planning projects (Sec. 105(f), Pub. L. 97-424, 96 Stat. 2100, 49 CFR part 23); and


WHEREAS, the Transportation Advisory Committee has considered how the Transportation Planning Process will affect the elderly and the disabled per the provision of the Americans with Disabilities Act of 1990 (Pub. L. 101-336, 104 Stat. 327, as amended) and the U.S.D.O.T. implementing regulations; and

WHEREAS, the Transportation Advisory Committee has found the Transportation Planning Process to be in full compliance with Title VI of the Civil Rights Act of 1964 and the Title VI Assurance executed by each State under 23 U.S.C. 324 and 29 U.S.C. 794;

NOW THEREFORE, BE IT RESOLVED that the Transportation Advisory Committee for the Greenville Urban Area hereby certifies compliance with policies, procedures and plans with regard to Title VI of the Civil Rights Act of 1964 (as amended) and additional assurances as required, and hereby adopt the MPO's Title VI plan on this the 28th day of March, 2012.



Mayor Allen Thomas, Chairperson  
Transportation Advisory Committee  
Greenville Urban Area MPO



Amanda Braddy, Secretary