



**TOWN OF CARRBORO • NC**

# **Title VI Plan**

November 2024

**Town of Carrboro – Title VI Plan**

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**Town of Carrboro – Title VI Plan**

**I. Title VI Policy Statement & Nondiscrimination Notice**

It is the policy of the Town of Carrboro to ensure that no person shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program, service, or activity administered or funded by the Town of Carrboro on the basis of race, color, national origin, limited English proficiency, sex, gender identity or expression, sexual orientation, age, disability, familial status, pregnancy, income level, National Guard or veteran status, or religion, as provided by Title VI of the Civil Rights Act of 1964 and other federal nondiscrimination authorities. The Town of Carrboro requires its contractors and subrecipients to comply with this policy.

If you feel you have been subjected to discrimination, you may file a complaint with the Town of Carrboro and/or related state/federal agency. Title VI complaints filed with the Town of Carrboro should be submitted to the Town of Carrboro Title VI Coordinator within 180 days of the alleged discrimination. For instructions on how to file a complaint or additional information regarding the Town of Carrboro’s Title VI compliance efforts, please visit [www.carrboronc.gov](http://www.carrboronc.gov) or contact our Title VI Coordinator at:

Patricia McGuire  
Mailing Address: 301 W. Main Street, Carrboro, NC 27510  
Phone: 919-918-7327  
Email: [titlevi@carrboronc.gov](mailto:titlevi@carrboronc.gov)

This policy is an expression of our commitment to nondiscrimination and support of the Title VI Program.

Signed by:  
  
AC981EF9CDF9409...  
Patricia McGuire, Title VI Coordinator

DocuSigned by:  
  
88F3EAF010BB482...  
Patrice Toney, Town Manager

11/22/2024  
Date

11/22/2024  
Date

**II. Introduction**

**Legal Authority Requiring Title VI Compliance**

Title VI of the Civil Rights Act of 1964 prohibits discrimination in federally funded programs, services, and activities, ensuring that no person is discriminated against based on race, color, or national origin. The Civil Rights Act of 1987 extended nondiscrimination coverage to all federally protected groups across all programs, services, and activities of federal aid recipients, not just those directly federally funded. Executive Orders 12898 and 13166 further emphasized environmental justice and meaningful access for limited English proficiency (LEP) individuals during the Clinton and Obama administrations.

As a federal aid recipient, the Town of Carrboro is subject to Title VI and required to develop policies, practices, and programs that ensure federal dollars are used in a manner that is nondiscriminatory. Federal aid recipients through the Federal Highway Administration (FHWA) or Federal Transit Administration (FTA) of the US Department of Transportation are furthermore required to include these

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assurances in a Title VI Plan. As the Town of Carrboro receives such funding through the NC Department of Transportation (NCDOT), it is required to have a Title VI Plan.

Prior to the development of this Title VI Plan, the Town of Carrboro's Safety Officer completed an NCDOT form to indicate ongoing Title VI compliance efforts. The adoption of this Title VI Plan, along with annual updates and compliance reports outlining implementation progress, will supplement this process. The Town establishes this Title VI Plan for the purpose of complying with Title VI of the Civil Rights Act of 1964 and pertinent nondiscrimination authorities. Signed USDOT Standard Title VI/Nondiscrimination Assurances are located in Appendix A.

While the Town of Carrboro is committed to promoting anti-discrimination, this Title VI Plan does not cover discrimination by non-governmental institutions or disputes between community members. In the first year of implementation, a Town Staff workgroup will explore opportunities to exceed federal requirements and find ways to support community members whose discrimination complaints fall outside the scope of Title VI and/or Carrboro's jurisdiction. Recommendations made through this workgroup will inform the next iteration of the Title VI Plan. For more information on local, state, and federal nondiscrimination authorities, see Appendix C.

### **Title VI Plan Overview**

23 CFR §200.9(b)(11) and Chapter 3, Section 4 of FTA C 4702.1B outline the specific requirements for a Title VI Plan. This Title VI Plan organizes these requirements into five broad components:

- To ensure the Town of Carrboro's compliance with Title VI and to assign responsibilities for ensuring compliance.
- To ensure that all persons can receive the benefits of Town programs, services, and activities.
- To ensure that individuals with limited English proficiency (LEP) are provided meaningful access to Town programs, services, and activities.
- To avoid, minimize, or mitigate disproportionate adverse environmental effects, including social and economic effects, on communities of color and low-income populations as a result of Town programs, services, and activities.
- To establish clear procedures for filing, investigating, and successfully resolving complaints on a timely basis and the lowest level possible.

The following chapters of the Title VI Plan provide policy commitments, review legal authorities, detail current compliance efforts, and present an implementation plan for future compliance.

### **III. Administration of the Title VI Plan**

The Carrboro Town Manager is ultimately responsible for implementing the Town's Title VI Plan and delegates day-to-day administration to the Planning, Zoning & Inspections Department. The Planning Director, or their designee, will serve as the Title VI Coordinator, working with departments to ensure compliance. The Town Attorney may provide legal guidance as needed. If the Title VI Coordinator changes, the signed Title VI Policy Statement & Nondiscrimination Notice will be updated and signed by the new coordinator immediately.

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Several departments have played a crucial role in Town of Carrboro’s Title VI compliance efforts. Administering and implementing the Title VI Plan involves close coordination with the following departments, guided by their respective documents:

- Communication & Engagement Department: Develops public involvement policies and manages resources to boost meaningful participation, especially among marginalized groups, through the [Inclusive Carrboro: Communications and Community Engagement Plan](#) (2020) and [Language Access Plan](#) (2024).
- Race & Equity Office: Leads efforts to mitigate disparate impacts in Town policies and practices, as outlined in the [Race & Equity Action Plan: Weaving Equity in Carrboro Town Governance](#) (2023).
- Planning, Zoning & Inspections Department: Ensures equitable and inclusive land use, transportation, and community development through the [Community Climate Action Plan](#) (2020) and [Carrboro Connects Comprehensive Plan](#) (2022), which center climate action and racial equity.

### Title VI Coordinator Responsibilities

The Title VI Coordinator is responsible for the overall management of the Title VI Plan. Key responsibilities include:

- [Implementing the Title VI Plan](#) and ensuring compliance with policy objectives. Assisting departments with the review of programs, services, or activities in relation to Title VI requirements.
- [Maintaining Resources](#) to support departments in their efforts to ensure nondiscrimination in their programs, services, or activities.
- [Managing Data Collection](#) for the Town to better understand service area population characteristics. Supporting departmental data collection through surveys, public meetings, and other outreach efforts to understand the demographic makeup of participants in and beneficiaries of Town programs, activities, and services.
- [Providing Guidance on Disseminating Title VI Information](#) by creating notice procedures and informational campaign materials to disseminate Title VI Plan details to the public.
- [Coordinating or Facilitating Trainings](#) on the Title VI Plan and federal regulations for Town staff, contractors, and subrecipients. This includes updating the Town’s contract agreements to include Title VI assurances.
- [Processing and Reviewing Title VI Complaints](#) received by the Town, following the adopted complaint process, and ensuring every effort is made to resolve complaints at the lowest level possible. Maintaining permanent records in a secure location, which include, but are not limited to Title VI Complaint logs, documentation, correspondence, and investigations.
- [Preparing an annual Title VI Compliance Report](#) that documents progress, accomplishments, and/or challenges to implementing the Title VI Plan in the previous year, as well as new goals for the upcoming year.
- [Updating the Title VI Plan](#) on an annual basis per changes in federal laws, rules, and regulations, or to reflect items discussed in the Title VI Annual Compliance Report. The updated Title VI Plan and Title VI Compliance Report will be presented to Town Council on an annual basis.

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### Departmental Responsibilities

Each Town of Carrboro Department, with support from the Title VI Coordinator, is responsible for Title VI compliance. Departmental responsibilities include:

- Collecting and Analyzing Data regarding participants in, and beneficiaries of, a department's programs, activities, and services when conducting surveys, questionnaires, and other outreach efforts. Evaluating the data to determine department program or investment benefits and burdens to affected populations, including persons protected by Title VI and other nondiscrimination statutes.
- Ensuring Involvement of All Stakeholders in important departmental planning and project decisions through community outreach and public involvement efforts.
- Providing LEP/Language Access to ensure department programs, services, and activities are accessible to LEP persons.
- Ensuring Environmental Justice by considering any potential disproportionate adverse human health and environmental impacts, including social and economic, by any Town project, program, service, or activity on minority and low-income populations.
- Ensuring Dissemination of Title VI Information in a manner that guarantees the public are aware of their rights. For example, Title VI notice language should be included in all applicable departmental documents and public meeting materials.
- Ensuring Departmental Compliance with Title VI when formulating policies, implementing plans, or executing contracts. Reviewing the Title VI Plan with department staff, contractors, and subrecipients. Working proactively with department staff to prevent disparities and take corrective action when necessary. If complaints arise, advise the Title VI Coordinator and work to resolve complaints.
- Submitting an annual Title VI Departmental Compliance Form concerning these responsibilities in a format directed by the Title VI Coordinator for inclusion in the annual Title VI Compliance Report.

## IV. Public Involvement Requirements

### Public Involvement Policy Statement

It is the policy of the Town of Carrboro to involve the public in important decisions by providing for early, open, and continuous public participation in and access to key planning and project decision-making processes. The Town of Carrboro is committed to improving communications with its external stakeholders and internally throughout the organization.

### Authorities

Federal statutory requirements mandate that the content and considerations of Title VI, Executive Order 13166, and other Department of Transportation guidance must be integrated into each recipient's public participation plan (FTA C 4702.1B). Recipients have flexibility in determining how to conduct public participation activities, based on demographic analysis and resources, while ensuring efforts to involve minority and LEP populations.

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49 CFR Section 21.5(b)(1)(vii) prohibits denying a person the opportunity to participate in a planning or advisory body based on race, color, or national origin. Recipients with non-elected planning or transportation related boards or committees must provide a table showing the racial breakdown of members and describe efforts to encourage minority participation.

### Inclusive Carrboro Plan

The Carrboro Town Council adopted the [Inclusive Carrboro Communications & Community Engagement Plan](#) in August 2020, which provides strategies for how the Town of Carrboro can effectively educate, inform, and engage with communities about programs, services, and activities, as well as opportunities for leadership. The plan guides the Town’s public involvement efforts by placing particular attention on alleviating barriers for people of color, immigrant, refugee, and other marginalized communities.

The Town will continually evaluate its communications and community engagement strategies, employing best practices to adhere to federal guidance and foster meaningful public involvement from traditionally underrepresented persons.

### Representation on Advisory Boards and Commissions

As outlined in the [Town of Carrboro Advisory Board Recruitment and Appointment Policy](#) (2021), the Carrboro Town Council is committed to appointing members who represent the ethnic, cultural, demographic, and geographic diversity of the community. The Town Council has a specific goal of promoting racial and ethnic diversity on advisory boards. To achieve this, the Town Clerk will bring forth applications to expand the racial and ethnic composition of the existing advisory board. If no applications exist that will expand the racial or ethnic diversity of the advisory board, the Town Clerk will notify the Town Council of the lack of racially or ethnically diverse applicants and at such time request that the Town Council work to recruit additional applicants.

Town Council received a [presentation](#) evaluating the membership and demographic composition of all advisory boards in February 2024. Town Staff are currently in the process of consolidating our advisory boards and commissions, as well as recruiting to achieve greater diversity overall. Progress towards these efforts will be included in the annual Title VI Compliance Report and Title VI Plan update.

## V. Limited English Proficiency Requirements

### Limited English Proficiency Policy Statement

It is the policy of the Town of Carrboro to take reasonable steps to provide meaningful access to its programs, services, and activities for any individual who prefers to speak, read, or use a language other than English. Staff will inform community members of their right to free language services and secure these services when they are needed.

### Authority

Executive Order 13166 – Improving Access to Services for Persons with LEP (2011) requires recipients to take reasonable steps to ensure meaningful access to benefits, services, information, and other important portions of their programs and activities for individuals who are LEP. Consequently, it aims to prevent discrimination based on national origin in violation of Title VI and its regulations.

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### Language Access Plan

The Carrboro Town Council adopted the [Language Access Plan](#) (LAP) in April 2024 to ensure compliance with federal requirements. The LAP establishes policies and procedures to ensure that residents with LEP have meaningful access to Town services, information, and civic opportunities.

Approximately 15.6% of Carrboro residents speak a language other than English, with Spanish being the most spoken followed by Chinese (Mandarin and Cantonese), Korean, Karen, Burmese, and Arabic. Speakers of these languages demonstrate various levels of English language proficiency, but in total, around 6.5% of Carrboro residents speak English less than “very well.”

Given this, each of these languages will appear in translated notices of available language services that are available to Town residents at no cost. The Town will also focus on securing translation of vital documents and in-person interpretation for Spanish speakers and identify language service providers who can translate and interpret for the other languages on request and, where possible, on demand. Town staff will continue to monitor and evaluate language access efforts based on requests for LEP assistance and adjust as needed to remain in compliance with federal regulations.

## VI. Environmental Justice Requirements

### Environmental Justice Policy Statement

It is the policy of the Town of Carrboro to consider whether any Town decision, program, service, activity, or benefit results in a potential disproportionate adverse human health and environmental effect, including social and economic effects, on communities of color, low-income persons, or other population groups underrepresented in public processes.

### Site and Facility Location Policy Statement

It is the policy of the Town of Carrboro to not make selection of a site or location of a facility for participants in and beneficiaries of the Town’s federal aid program if that selection could exclude individuals from participation in, deny them benefits of, or subject them to discrimination on grounds of race, color, or national origin, or could substantially undermine the goals of the Title VI Nondiscrimination Policy.

### Authorities

Executive Order 12898 – Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (1994) directs federal aid recipients to identify and address, as appropriate, disproportionately high adverse human health and environmental effects of their programs, services, and activities on minority and low-income populations.

FTA C. 4702.1B requires that when selecting facility sites, recipients must not exclude or discriminate against individuals based on race, color, or national origin, as per 49 CFR Section 21.9(b)3. For the purposes of this requirement, “facilities” include, but are not limited to the construction and/or leasing activities of storage facilities, maintenance facilities, or operations centers. Facilities do not include bus shelters, transit stations, or power substations, as those are evaluated through the National Environmental Policy Act (NEPA) process.

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The requirement for a Title VI Equity Analysis applies to projects requiring land acquisition and the displacement of persons from their residences and businesses. Should this occur, recipients must engage in outreach to persons potentially impacted by the siting of facilities and complete a Title VI Equity Analysis that compares the impacts of various site alternatives prior to the selection of the preferred site. If a recipient conducted a similar analysis during the NEPA process, then this can be utilized towards the Title VI Equity Analysis requirement.

### Compliance Efforts to Date

#### Community Climate Action Plan

The [Community Climate Action Plan](#) was adopted by Town Council in January 2017 and updated in October 2020 with renewed emphasis on race and equity. The plan provides recommendations to reduce greenhouse gas emissions, raise the community's awareness of and involvement in solutions to global climate change, and enhance ecosystem resilience. As it concerns the purposes of Title VI, the plan explicitly names that environmental justice and climate equity must be pursued in all aspects of implementation using racial equity toolkits and impact assessments when developing, implementing, and evaluating initiatives.

#### Carrboro Connects Comprehensive Plan

The [Carrboro Connects Comprehensive Plan](#) was adopted by Town Council in July 2022 and provides visions, goals, strategies, and projects concerning affordable housing; economic sustainability; environment transportation; green infrastructure; recreation, parks, and culture; land use; and public services over the next 20 years. The plan was created with a commitment to community engagement and specifies the importance of including groups that may have not been involved in the Town's programs, services, and activities previously.

As such, *Carrboro Connects* is built on a foundation of race and equity and climate action, meaning that these elements are woven into every part of the plan. In addition to outlining how strategies and projects integrate aspects of environmental justice or equitable facility siting into the intended outcomes, the plan also identifies opportunities for evaluating the impacts against these commitments throughout implementation.

#### Race & Equity Action Plan

Carrboro Town Council adopted the [Race & Equity Action Plan: Weaving Racial Equity in Town Governance](#) (REAP) in October 2023. The REAP provides an overview of the Town's race and equity journey and a blueprint for advancing the work through 2025. The REAP builds off years of collaborative efforts with the [Government Alliance on Race and Equity](#) (GARE) and the [OneOrange Collaborative](#), which aim to identify and address implicit biases to ensure that race no longer can be used to predict life outcomes.

One of the ways that the Town works to achieve this goal is by completing racial equity assessments on policies, practices, and procedures. Town Staff identified over 80 policies, practices, and procedures to go through the racial equity assessment lens (REAL) process which involves answering a series of questions that attempt to understand how communities of color and other marginalized population groups are affected by short- and long-term government decisions. The REAL places particular attention on the social, economic, health, and environmental impacts of an initiative and opportunities to mitigate

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burdens or unintended consequences. When completed, REALs are attached to related Town Council Agenda Items to bring the staff analysis into the legislative decision-making process.

By identifying any potential adverse impacts on BIPOC and low-income communities and considering mitigation plans, the Town of Carrboro intends to reduce environmental injustice and ensure facilities siting is not discriminatory.

### VII. Title VI Complaint Process & Procedures

For clarity and consistency, the following Title VI Complaint Process & Procedures are adapted from those used by NCDOT. These procedures are encouraged, but they are not a prerequisite to filing a timely Title VI complaint with the applicable state or federal agency having jurisdiction over the complaint.

#### Eligibility

Any person or class of persons who believes they have been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any program, services, or activity administered or funded by the Town of Carrboro on the basis of race, color, national origin, limited English proficiency, sex, gender identity or expression, sexual orientation, age, disability, familial status, pregnancy, income level, National Guard or veteran status, or religion, have the right to file a complaint with the Town of Carrboro Title VI Coordinator. The law also prohibits intimidation or retaliation against anyone who files a complaint.

#### Applicability

These complaint procedures apply *solely* to programs, services, and activities administered or funded by the Town of Carrboro. This includes matters of discrimination involving Town of Carrboro staff and subrecipients/contractors. Discrimination cases involving non-governmental institutions (e.g., restaurants, private businesses, etc.) or disputes between community members fall outside the scope of Title VI and the Town of Carrboro's jurisdiction.

These complaint procedures also apply *solely* to community members outside the organization. Town of Carrboro employees who feel they have been discriminated against at work should refer to the grievance procedures as described in Chapter 4, Article 10 of the Town of Carrboro Code or contact the Equal Employment Opportunity Commission. Internal Equal Employment Opportunity complaints are not covered by this Title VI process.

#### Filing Options and Time Limits

Complaints may be filed by the affected individual(s) or a representative and should be filed no later than 180 calendar days after the following:

- The date of the alleged act of discrimination,
- 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 and related discrimination complaints may be submitted to any of the entities listed below in Table 7.1. The Town of Carrboro encourages resolving complaints at the lowest possible level. Even if a

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complaint is filed with the Town of Carrboro Title VI Coordinator, complaints filed with these other agencies must also meet their time limits for filing (e.g., 180 days for the US Department of Justice).

Table 7.1 – Title VI Contact Information

<b>Agency</b>	<b>Contact Information</b>
<b>Town of Carrboro</b>	Title VI Coordinator 301 W. Main Street Carrboro, NC 27510 Phone: 919-918-7327 Email: <a href="mailto:titlevi@carrboronc.gov">titlevi@carrboronc.gov</a>
<b>North Carolina Department of Transportation</b>	Office of Civil Rights 1511 Mail Service Center Raleigh, NC 27699-1511 Phone: 984-236-1211
<b>US Department of Transportation</b>	Departmental Office of Civil Rights 1200 New Jersey Ave, S.E. Washington, DC 20590 Phone: 202-366-4648
<b>Federal Highway Administration</b>	Office of Civil Rights 1200 New Jersey Avenue, S.E. Washington, DC 20690 Phone: 202-366-4000
<b>Federal Highway Administration</b>	North Carolina Division 310 New Bern Avenue, Suite 410 Raleigh, NC 27601 Phone: 919-747-7010
<b>Federal Transit Administration</b>	Office of Civil Rights 1200 New Jersey Avenue, S.E. Washington, DC 20590 Phone: 888-446-4511
<b>Federal Motor Carrier Safety Administration</b>	Civil Rights – Information Line 1200 new Jersey Avenue, S.E. Washington, DC 20590 Phone: 800-832-5660
<b>Federal Aviation Administration</b>	Office of Civil Rights 800 Independence Avenue, S.W. Washington, DC 20591 Phone: 202-267-3258
<b>US Department of Justice</b>	Civil Rights Division 950 Pennsylvania Division, N.W. Office of the Assistant AG, Main Washington, DC 20530 Phone: 202-514-3847

**Format for Complaints**

Title VI complaints may be filed with the Town of Carrboro Title VI coordinator via mail, email, telephone, or hand delivery. Complainants are encouraged to complete and sign the Town of Carrboro

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Title VI Complaint Form and Town of Carrboro Title VI Complainant Consent/Release Form. Electronic copies of these forms are available on the Town website for download and physical copies can be collected at Carrboro Town Hall. The forms are also included as Appendices D and E of this Title VI Plan.

Complaints submitted directly to Town of Carrboro departments will be forwarded to the Title VI Coordinator for intake. Allegations received by telephone will be produced in writing on a complaint form and provided to the complainant for confirmation or revision, and signature or acknowledgement before processing. Allegations sent by email will not be processed until the identity of the complainant and the intent to proceed with the complaint have been established. An emailed complaint must be signed or acknowledged before processing.

**Complaint Basis**

Allegations must involve issues of discrimination in programs, services, or activities administered or funded by the Town of Carrboro on the basis of race, color, national origin, limited English proficiency, sex, gender identity or expression, sexual orientation, age, disability, familial status, pregnancy, income level, National Guard or veteran status, or religion, as provided by Title VI of the Civil Rights Act of 1964 and other federal nondiscrimination authorities. Table 7.2 is provided to offer how the federal government defines these protected classes and their pertinent statutes. For more information, see Appendices A and C.

**Table 7.2 – Legal Basis for Complaints**

Protected Categories	Definition	Federal Nondiscrimination Authorities	
		FHWA	FTA
<b>Race</b>	A person belonging to a racial group; or the perception, based on physical characteristics (e.g., skin color, facial features, and hair texture) that a person is a member of a racial group	Title VI of the Civil Rights Act of 1964; 49 CFR Part 21; 23 CFR 200	Title VI of the Civil Rights Act of 1964; 49 CFR Part 21; Circular 4702.1B
<b>Color</b>	Color of skin, including shade of skin within a racial group		
<b>National Origin</b>	Place of birth. Citizenship is not a factor.		
<b>Limited English Proficiency</b>	Discrimination based on language or person’s accent.	Executive Order 13166	
<b>Income level</b>	A person or household determined to be low-income.	Executive Order 12898	
<b>Sex</b>	The sex of an individual. Note: Under these statutes and regulations, sex does not include sexual orientation or gender identity/expression.	1973 Federal-Aid Highway Act	Title IX of the Education Amendments of 1972
<b>Sexual Orientation*</b>	A person’s identity in relation to the gender(s) to which they are sexually attracted	Title VII of the Civil Rights Act of 1964 (see <i>Bostock v. Clayton County, GA</i> ); Title VIII of the Civil Rights Act of 1968 (Fair Housing Act)	
<b>Gender Identity or Expression*</b>	One’s self-identification and/or expression		

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<b>Familial Status*</b>	The presence of at least one person under 18 years old in the household, including pregnant persons and those securing legal custody of a child	Title VIII of the Civil Rights Act of 1968 (Fair Housing Act)
<b>Pregnancy*</b>	A person who is experiencing a current pregnancy, past pregnancy, potential pregnancy, medical conditions related to pregnancy or childbirth	Title VII of the Civil Rights Act of 1964; Pregnancy Discrimination Act of 1978
<b>National Guard or Veteran Status*</b>	A person who has served in the military, naval, or air service	Uniformed Services Employment and Reemployment Rights Act of 1994; Vietnam Era Veterans’ Readjustment Assistance Act of 1974
<b>Age</b>	A person of any age	Age Discrimination Act of 1975
<b>Disability</b>	Physical or mental impairment, permanent or temporary, real or perceived	Section 504 of the Rehabilitation Act of 1973; Americans with Disabilities Act of 1990
<b>Religion*</b>	Creed. A person belonging to a religious group; or the perception, based usually on distinguishable characteristics that a person is a member of a religious group	Title VIII of the Civil Rights Act of 1968 (Fair Housing Act); 49 USC 47123 (FAA); 49 USC 5332

*\*Note: Protections for federal protected categories including familial status, gender identity or expression, National Guard or veteran status, pregnancy, sexual orientation, and religion, are limited to discrimination cases involving employment, fair housing, or specific transportation programs under Title VI. Discrimination protections under Title VII of the Civil Rights Act of 1964 focus on employment issues. As these Title VI complaint procedures are intended for community members outside the organization, complaints from the public about employment discrimination should be directed to the Equal Employment Opportunity Commission (EEOC) or related federal agency.*

**Complaint Receipt and Response**

The Title VI Coordinator will provide written acknowledgement via registered mail of a complaint within ten calendar days.

The Title VI Coordinator will review the complaint upon receipt to ensure the required information was provided, the complaint was timely filed, and jurisdictional requirements were met.

- If the complaint is complete and no additional information is needed, the Title VI Coordinator will send the complainant a letter of acceptance as well as a Title VI Complainant Consent/Release Form if not submitted along with the complaint.
- If the complaint is incomplete, the complainant will be contacted in writing to obtain the needed information. Failure to respond and/or provide the requested information within 15 calendar days may be considered good cause for a determination of no investigative merit.

Within fifteen calendar days of receiving the complaint, the Title VI Coordinator will determine the Town’s jurisdiction in pursuing the matter and whether the complaint has sufficient merit to warrant investigation. Within five days of this decision, the Title VI Coordinator will notify the complainant and

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the respondent (the person(s) against whom the complainant has filed the complaint) via registered mail, starting the decision.

- If the decision is not to investigate the complaint, the notification shall specifically state the reasons for the decision.
- If the decision is to investigate the complaint, the notification shall state the grounds of the Town's jurisdiction and require the complainant's full cooperation in assisting the investigator.
- Interviews may be recorded during the investigation. Consent to record may be required if the interviewee is located outside of North Carolina.

The Title VI Coordinator will attempt to resolve all discrimination complaints within 60 days of accepting the complaint for investigation. Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation between the affected party and respondent may be utilized for resolution.

### Appealing a Title VI Decision

If a complainant or affected party is not satisfied with the results of the investigation or the resolution of the complaint, the complainant or affected party may appeal the decision to the Carrboro Town Manager. The Title VI Coordinator's decision will be upheld unless the Town Manager finds that it constitutes an abuse of discretion.

Following the appeal decision, the Town Manager shall inform the complainant or affected party of the right to file a complaint directly with the US Department of Justice (or other agency) by filling out their compliant form or calling the Title VI Hotline at 1-888-TITLE-06. The appeal must be filed by the 180-day deadline established by the US Department of Justice.

## VIII. Implementation & Next Steps

To ensure timely and continuing compliance with the Town of Carrboro's Title VI obligations and fully implement this Title VI Plan, next steps include implementation of the following activities:

- Inform the public about their rights under this Title VI Plan in collaboration with the Communications & Engagement Department. Disseminate information by publishing the nondiscrimination policy and complaint forms in multiple languages through documents, brochures, and posters at public facilities. Create a Town of Carrboro public webpage and employee intranet webpage with Title VI resources.
- Train Town of Carrboro staff and subrecipients/contractors on the requirements and expectations of the Title VI Plan, in partnership with Human Resources and Finance departments. Aim for all Town staff to complete training within the first year of plan implementation. For subrecipients/contractors, incorporate Title VI language in contracts and agreements, and review it with them.
- Develop a reporting system for departmental Title VI compliance efforts. Reporting should include data collection, dissemination of Title VI information, staff training, and other compliance efforts related to the departmental responsibilities outlined in this plan.
- Examine other existing or future Town policies, practices, and procedures to support our compliance with Title VI and pertinent federal nondiscrimination authorities. Working with the

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Town Staff workgroup, explore opportunities to exceed federal requirements and find ways to support community members whose discrimination cases fall outside the scope of Title VI or Carrboro's jurisdiction.

Implementation of these compliance activities will begin immediately upon adoption of the Title VI Plan. Progress will be documented in the annual Title VI Compliance Report and Title VI Plan update, which will be presented to the Carrboro Town Council a year after the plan's adoption. Recommendations made through the Town Staff workgroup will inform the next iteration of the Title VI Plan.

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## **IX. Appendices**

### **Appendix A. USDOT Standard Title VI/Nondiscrimination Assurances**

**United States Department of Transportation**

**STANDARD TITLE VI/NONDISCRIMINATION ASSURANCES**

DOT Order No. 1050.2A

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

**Statutory/Regulatory Authorities**

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

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

**General Assurances**

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

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

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

**Specific Assurances**

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

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

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

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

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

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

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reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.

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

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

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

Town of Carrboro

DocuSigned by:  
By Patrice Toney  
88F3EAF610BB482...

Patrice Toney  
Town Manager

DATED 11/22/2024

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### ATTACHMENT A

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

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

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**ATTACHMENT B: CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY**

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

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

**(HABENDUM CLAUSE)**

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

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

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

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

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the *North Carolina Department of Transportation (NCDOT)* pursuant to the provisions of Assurance 7(a):

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

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

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

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by the *North Carolina Department of Transportation (NCDOT)* pursuant to the provisions of Assurance 7(b):

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

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

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### ATTACHMENT E

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

**Pertinent Nondiscrimination Authorities:**

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

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### Appendix B. Definitions

The following definitions apply to this Title VI Plan. Definitions were adapted from GARE, OneOrange, or other Town of Carrboro resources unless otherwise stated.

- **Affected Parties/Populations:** A term used to describe persons protected against discrimination.
- **BIPOC:** Acronym that refers to Black, Indigenous, and other People of Color.
- **Communities of Color:** A term used to describe communities of people who are not identified as White, emphasizing common experiences of racism.
- **Contractor/Subcontractor:** A person, corporation, partnership, or unincorporated association that holds a direct or federally assisted contract or subcontract with the Town and is therefore subject to Title VI compliance obligations. (23 CFR 230.407(i))
- **Discrimination:** The unequal treatment of members of various groups based on race, age, sex, disability or other categories that may result in differences in provision of goods, services or opportunities.
- **Disparities:** A term used to describe a social or economic condition that's considered unfairly unequal. Examples include (1) a racial disparity in hiring, (2) a health disparity between the rich and the poor, or (3) an income disparity between men and women. Its adjective, disparate, is used to emphasize strong differences.
- **Environmental Justice:** The fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. (US Environmental Protection Agency)
- **Limited English Proficiency (LEP):** Limited English proficiency (LEP) refers to individuals who cannot speak, read, write, or understand the English language at a level that permits them to interact effectively.
- **Locating and Siting Actions:** Refers to a recommendation or decision by the Town staff or the Town Council that will result in the construction of a public facility that could have adverse environmental impacts on the surrounding area.
- **Marginalized/Marginalization:** The process by which minority groups/cultures are excluded, ignored, or relegated to the outer edge of a group/society/community. A tactic used to devalue those that vary from the norm of the mainstream, sometimes to the point of denigrating them as deviant and regressive.
- **Meaningful access:** Refers to the provision of communicative assistance by the Town necessary to allow affected persons to participate in governmental services/activities.
- **Person/People of Color:** Often the preferred collective term for referring to non-White racial groups.
- **Recipient:** Refers to an entity or person to whom federal assistance is directly extended and thereby subjects them to Title VI compliance obligations. (23 CFR 200.5(n))
- **Subrecipient:** Refers to an entity or person to whom federal assistance is indirectly extended either through a recipient or another subrecipient and therefore subjects them to Title VI compliance obligations. (23 CFR 200.5(n))

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### Appendix C. Selected List of Nondiscrimination Authorities

This list is provided for informational purposes and should not be considered an exhaustive list of all nondiscrimination statutes and regulations.

#### Selected Town of Carrboro Resolutions and Proclamations

While not regulatory in nature, these resolutions and proclamations speak to the Town of Carrboro's efforts to ensure nondiscrimination and encourage participation in Town programs, services, and activities particularly among federally protected groups over the past five years. Many of these proclamations and resolutions are renewed annually. If so, the example provided is that of its most recent adoption by Carrboro Town Council between 2020-2024.

- [Hispanic Heritage Month Proclamation](#) (2024)
- [Americans With Disabilities Act Day Proclamation](#) (2024)
- [Juneteenth Proclamation](#) (2024)
- [Pride Month Proclamation](#) (2024)
- [Sexual Assault Awareness Month Proclamation](#) (2024)
- [A Resolution in Support of Immigrant Communities in Carrboro](#) (2024)
- [Women's History Month and International Women's Day Proclamation](#)(2024)
- [Black History Month Proclamation](#) (2024)
- [International Holocaust Remembrance Day Proclamation](#) (2024)
- [National Day of Racial Healing Proclamation](#) (2024)
- [Veterans Day Proclamation](#) (2023)
- [Minority Enterprise Development Week Proclamation](#) (2023)
- [Immigrant Heritage Month Proclamation](#) (2023)
- [Resolution in Solidarity with The Carrboro LGBTQ Community](#) (2023)
- [Transgender Day of Remembrance Proclamation](#) (2021)
- [Resolution Supporting Reparations for Black Carrboro](#) (2020)
- [Women's Equality Day Proclamation](#) (2020)

#### Town of Carrboro Code of Ordinances

- [Article IV, Section 4-18: Equal Employment Opportunity Policy](#). Prohibits employment discrimination based on age, race, color, religion, sex, national origin, political affiliation, non-disqualifying disability, sexual orientation, marital status, gender identity, or gender expression by the Town of Carrboro.
- [Article IV, Section 4-30: Harassment](#). Prohibits discrimination based on age, race, color, religion, sex, national origin, political affiliation, non-disqualifying disability, sexual orientation, marital status, gender identity, or gender expression.
- [Article V, Section 5-1: Housing Discrimination Prohibited](#). Prohibits housing discrimination based on race, color, religion, sex, or national origin, from real estate brokers, agents, and salespersons.
- [Article VIII, Section 8-82: Discrimination in Places of Public Accommodations Prohibited](#). Prohibits discrimination when providing public accommodations based on race, natural hair or hairstyles, ethnicity, creed, color, sex, sexual orientation, gender identity or expression, national origin or ancestry, marital or familial status, pregnancy, veteran status, religious belief or non-belief, age, or disability.

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- Article VIII, Section 8-83: Discrimination in Employment Prohibited. Prohibits employment discrimination based on race, natural hair or hairstyles, ethnicity, creed, color, sex, sexual orientation, gender identity or expression, national origin or ancestry, marital or familial status, pregnancy, veteran status, religious belief or non-belief, age, or disability.

### Selected North Carolina General Statutes

- NC G.S. 126-16. Equal Employment Opportunity. Prohibits employment discrimination based on race, sex, age, color, national origin, religion, or disability (as defined in NC G.S. 168A-3).
- NC G.S. 168A-6. Discrimination in Public Accommodations, Public Service, & Public Transportation. Prohibited discrimination based on disability when providing public accommodations, public service, or public transportation.

### Federal Nondiscrimination Statutes

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d through 2000d-4). Prohibits discrimination based on race, color, or national origin under any program or activity receiving federal financial assistance.
- Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e). Prohibits employment discrimination based on race, religion, national origin, color, and sex (including gender identity, pregnancy, and sexual orientation).
- Fair Housing Act of 1968 (42 U.S.C. §§ 3601-3619). Prohibits discrimination in housing based on religion or familial status, which includes families with children under 18, pregnant individuals, and those in the process of obtaining legal custody of a child.
- 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 under any program or activity receiving federal financial assistance.
- Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681). Prohibits discrimination based on sex in education programs or activities.
- Federal Aid Highway Act of 1973 (23 U.S.C. § 324). Prohibits discrimination based on sex under any program or activity receiving federal financial assistance.
- Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794). Prohibits discrimination based on handicapped status under any program or activity receiving federal financial assistance.
- Vietnam Era Veterans' Readjustment Assistance Act of 1974 (38 U.S.C. § 4212). Prohibits employment discrimination against protected veterans for contractors and subcontractors received federal financial assistance.
- Age Discrimination Act of 1975 (42 U.S.C. § 6102). Prohibits discrimination based on age under any program or activity receiving federal assistance.
- Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794). Prohibits discrimination based on disability under any program or activity receiving federal financial assistance.
- Civil Rights Restoration Act of 1987 (42 U.S.C. § 2000d-4a). Restores the broad, institution-wide scope and coverage of the nondiscrimination statute to include all programs and activities of federal-aid recipients, subrecipients, and contractors, whether such programs, activities, and services are federally assisted or not.
- Titles II and III of the Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12131-12134). Prohibits discrimination based on disability in the operation of public entities, public and private

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transportation systems, places of public accommodation, and certain testing entities as implemented by 49 CFR Parts 37 & 38.

- Uniformed Services Employment and Reemployment Rights Act of 1995 (38 U.S.C. § 4212). Prohibits employment discrimination based on your National Guard or veteran status.
- 23 CFR Part 200. Administers Federal Highway Authority regulations that specify the Title VI implementation requirements for departments of transportation at state and local levels.
- 49 CFR Part 21. Administers US Department of Transportation regulations that specify the Title VI implementation requirements for departments of transportation at state and local levels.

### Federal Nondiscrimination Executive Orders

- Executive Order No. 12898. Regards federal actions to address Environmental Justice in minority populations and low-income populations.
- Executive Order No. 13166. Requires Federal agencies and their recipients to improve access to federally sponsored programs for persons with limited English proficiency (LEP).

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**Appendix D. Title VI Complaint Form**

**Title VI Complaint Form**

*(Note: You may use this form or a letter, email, or phone call with the same information.)*

Section I: Contact Information			
Last Name:		First Name:	
Mailing Address:			
City:	State:	Zip:	
Phone Number:		Email Address:	

Section II: Are you filing this complaint on your own behalf? If yes, please go to Section III. If no, please provide the name and relationship of the person for whom you are complaining.		<input type="checkbox"/> Yes	<input type="checkbox"/> No
Name:	Relationship:		

Please explain why you have filed for a third party.

Please confirm that you have obtained permission of the aggrieved party if you are filing on behalf of a third party.		<input type="checkbox"/> Yes	<input type="checkbox"/> No
---	--	------------------------------	-----------------------------

Section III: Identify the Basis of Discrimination (Check all that apply)				
<input type="checkbox"/> Age	<input type="checkbox"/> Familial Status*	<input type="checkbox"/> Limited English Proficiency	<input type="checkbox"/> Pregnancy*	<input type="checkbox"/> Sex
<input type="checkbox"/> Color	<input type="checkbox"/> Gender Identity or Expression*	<input type="checkbox"/> National Guard or Veteran Status*	<input type="checkbox"/> Race	<input type="checkbox"/> Sexual Orientation*
<input type="checkbox"/> Disability	<input type="checkbox"/> Income Level	<input type="checkbox"/> National Origin	<input type="checkbox"/> Religion*	<input type="checkbox"/> Other:

*\*Note: Protections for federal protected classes including familial status, gender identity or expression, National Guard or veteran status, pregnancy, religion, and sexual orientation, are limited to discrimination cases involving employment, fair housing, or specific transportation programs under Title VI. Discrimination protections under Title VII of the Civil Rights Act of 1964 focus on employment issues. As these Title VI complaint procedures are intended for community members outside the organization, complaints from the public about employment discrimination should be directed to the Equal Employment Opportunity Commission (EEOC) or related federal agency.*

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

**Name(s) of individual(s) or Town department responsible for discriminatory action(s). Please include contact information if available.**

**How were you discriminated against? Please 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. Attach additional page(s), if necessary.**

**Were you retaliated against? Federal law prohibits intimidation or retaliation against anyone because they have either taken action, or participated in action, to secure rights protected by these laws. If you feel you have been retaliated against, separate from the discrimination alleged above, please explain the circumstances below. Explain what action you took that you believe was the cause for the alleged retaliation. Attach addition page(s) if necessary.**

**Town of Carrboro – Title VI Plan**

**Section IV: Names of persons (witnesses, fellow employees, supervisors, or others) whom we may contact for additional information to support or clarify your complaint.**

Name:	Phone Number:	Email Address:

**Have you discussed the complaint with any Town of Carrboro representative? If yes, please indicate their name below.**  Yes  No

Name: \_\_\_\_\_

**Section V: Have you filed this complaint with any other federal, state, or local agency or with a federal or state court? If yes, check all that apply below.**  Yes  No

<input type="checkbox"/> NC Department of Transportation	<input type="checkbox"/> US Department of Transportation	<input type="checkbox"/> Federal/State Court
<input type="checkbox"/> US Department of Justice	<input type="checkbox"/> Other: _____	

**If yes, please provide information about a contact person at the agency/court where the complaint was filed.**

Name:	Phone Number:	Email Address:
Title:	Agency:	

**Complainant’s Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

*(Note: Your complaint form cannot be processed without your signature.)*

**Mail, Email, Call in, or Hand Delivery Complaint Form To:**

**Title VI Coordinator  
 301 W Main Street  
 Carrboro, NC 27510  
 Phone: 919-918-7327  
 Email: titlevi@carrboronc.gov**

**FOR TOWN OF CARRBORO USE ONLY**

Date Complaint Received:	Processed By:	Case #:
Referred to:		Date Referred:

**Town of Carrboro – Title VI Plan**

**Appendix E. Title VI Complainant Consent/Release Form**

**Title VI Complainant Consent/Release Form**

Contact Information		
Last Name:		First Name:
Mailing Address:		
City:	State:	Zip:
Phone Number:		Email Address:

As a complainant, I understand that during an investigation it may become necessary for the Town of Carrboro to reveal my identity to individuals outside of the Town of Carrboro government in the course of verifying information or gathering facts and evidence to develop a basis for making a civil rights compliance determination. I understand that it may be necessary for the Town of Carrboro to share information, including personal details collected as part of its complaint investigation. In addition, I understand that as a complainant, I am protected by Title VI of the Civil Rights Act of 1964, as amended, and its related statutes and regulations prohibiting intimidation or retaliation for taking action or participating in an action to secure rights protected by the nondiscrimination statutes enforced by the Town of Carrboro.

Please read both paragraphs below, check your choice of CONSENT or CONSENT DENIED and sign.	
<input type="checkbox"/> CONSENT	I have read and understand the above information and authorize the Town of Carrboro to disclose my identity to individuals as needed during the course of the investigation for the purpose of verifying information or gathering facts and evidence relevant to the investigation of my complaint. I authorize the Town of Carrboro to receive, review, and discuss material and information about me relevant to the investigation of my complaint. I understand that the material and information will be used for authorized civil rights compliance and enforcement activities. I further understand that I am not required to authorize this release and volunteer to do so.
<input type="checkbox"/> CONSENT DENIED	I have read and understand the above information and do not want the Town of Carrboro to disclose my identity to any individual during the course of the investigation. I understand this choice could delay the investigation of my complaint and may, in some circumstances, result in an administrative closure of the investigation of my complaint without the Town of Carrboro making a determination in my case.

<b>Signature:</b>	<b>Date:</b>
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FOR TOWN OF CARRBORO USE ONLY		
Date Received:	Processed By:	Associated Case #: