



City of Gastonia Title VI Plan

City of Gastonia

Title VI Plan



Table of Contents

Introduction	4
Authorities in Summary.....	5
Definitions	7
Staffing and Organization/Implementation	8
Areas of Practice	9
Title VI Nondiscrimination Complaint Process	12
<i>Appendix A: City Council Resolution</i>	<i>13</i>
<i>Appendix B: Title VI Non-Discrimination Policy Statement</i>	<i>14</i>
<i>Appendix C: Non-Discrimination Notice and Accessibility Rights</i>	<i>16</i>
<i>Appendix D: Equal Employment Opportunity Statement</i>	<i>17</i>
<i>Appendix E: Title VI Discrimination Complaint Form</i>	<i>18</i>
<i>Appendix F: Title VI Assurance of Compliance.....</i>	<i>21</i>

Introduction

The City of Gastonia has adopted this Title VI Plan to ensure that the City is in compliance with the provisions of Title VI of the Civil Rights Act of 1964. Title VI prohibits discrimination on the basis of race, color or national origin in programs or activities receiving federal financial assistance. Presidential Executive Order 12898 addresses environmental justice in minority and low-income populations. Presidential Executive Order 13166 addresses services to those individuals with limited English proficiency. Discrimination on the basis of gender, age, sex and disability is prohibited under related statutes. These Presidential Executive Orders and the related statutes fall under the umbrella of Title VI.

Federal-aid recipients, subrecipients and contractors are required to prevent discrimination and ensure nondiscrimination in all of their programs, activities and services whether these programs, activities and services are federally funded or not. The City of Gastonia Title VI Coordinator is responsible for providing leadership, direction and policy to ensure compliance with Title VI and environmental justice principles.

Title VI is a mechanism that directs the federal financial assistance, which drives or promotes economic development. By legislative mandate, Title VI examines the following public policy issues:

- Accessibility for all persons
- Accountability in public funds expenditures
- Disparate impact
- Economic empowerment
- Environmental justice
- Infrastructure development
- Minority participation in decision making
- Program service delivery
- Public and private partnerships built in part or whole with public funds
- Site and location of facilities

Title VI was enacted to ensure equal distribution of federal funds. Because of this, Title VI:

- Encourages the participation of minorities as members of planning or advisory bodies for programs receiving federal funds
- Prohibits discriminatory activity in a facility built in whole or part with federal funds
- Prohibits entities from denying an individual any service, financial aid, or other benefit because of race, color, or national origin
- Prohibits entities from providing a different service or benefit, or providing these in a different manner from those provided to others under the program
- Prohibits entities from requiring different standards or conditions as prerequisites for serving individuals

- Prohibits locating facilities in any way that would limit or impede access to a federally funded service or benefit
- Prohibits segregation or separate treatment in any manner related to receiving program services or benefits
- Requires assurance of nondiscrimination in purchasing of services
- Requires entities to notify the respective population about applicable programs
- Requires information and services to be provided in languages other than English when significant numbers of beneficiaries are of limited English-speaking ability

*Any City of Gastonia resident who has experienced discrimination may file a discrimination complaint with the City as set forth in this policy.

**Any City of Gastonia employee who has experienced discrimination or harassment may file a discrimination complaint with the Human Resources Department per Appendix 12 “Harassment and Discrimination Policy” of the City’s Personnel Policy Manual.

Authorities in Summary

The City of Gastonia establishes the Title VI plan not only on the adoption of a local policy, but by long standing federal law.

Title VI of the Civil Rights Act of 1964 [Pub. L. 88-352 (1964), codified as 42 U.S.C. §§2000d through 2000-4]:

Title VI of the Civil Rights Act of 1964 prohibits the discrimination in, or the denial of benefits under, any program or activity receiving federal financial assistance on grounds of race, color or national origin.

The Civil Rights Restoration Act of 1987, [Pub. L. 100-259, sec. 6 (1988), codified as 42 U.S.C. §2000D-4A]:

The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of the terms "programs or activities" to include all programs or activities of federal aid recipients, subrecipients, and contractors, whether such programs and activities are federally assisted or not.

Federal Aid Highway Act of 1973, [Pub. L. 93-87 (1973), codified as 23 U.S.C. §324]:

The Federal Aid Highway Act of 1973 provides that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.

Age Discrimination Act of 1975, [Pub. L. 94-135 (1975), codified as 42 U.S.C. §6102]:

The Age Discrimination Act of 1975 provides that no person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.

Americans with Disabilities Act of 1990, Subchapter 2, Part A [Pub. L. 101-336 (1990); codified as 42 U.S.C. §§12131-12134]:

The Americans with Disabilities Act of 1990 provides that no qualified individual with a disability shall, by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination by a department, agency, special purpose district, or other instrumentality of a state or a local government.

Section 504 of the Rehabilitation Act of 1973 [Pub. L. 93-112 (1973), codified as 29 U.S.C. §794]:

Section 504 of the Rehabilitation Act of 1973 provides that no qualified handicapped person, shall, solely by reason of his/her handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.

23 CFR Part 200:

23 CFR 200 are administration regulations promulgated by the Federal Highway Authority that specify the Title VI implementation requirements for state departments of transportation at state and local levels.

49 CFR Part 21:

49 CFR 21 are administration regulations promulgated by the US Department of Transportation that specify the Title VI implementation requirements for state departments of transportation at state and local levels.

28 CFR Part 42 Subpart C:

28 CFR 42 Subpart C are administrative regulations that implement Title VI of the Civil Rights Act of 1964 to the end that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity receiving Federal financial assistance.

Executive Order No. 12898:

Executive Order 12898 regards federal actions to address Environmental Justice in minority populations and low-income populations. (Environmental justice seeks equal protection from environmental and public health hazards for all people regardless of race, income, culture and social class. Additionally, environmental justice means that no group of people including racial, ethnic or socioeconomic groups should bear a disproportionate share of the negative environmental consequences resulting from industrial, land-use planning and zoning, municipal and commercial operations or the execution of

federal, state, local and municipal program and policies).

Executive Order No. 13166:

Executive Order 13166 regards the improvement of access to services for persons with Limited English Proficiency.

Definitions

As used in this Title VI Plan, the following mean:

Affected Parties: persons protected against discrimination because of race, color, national origin, sex, age, disability, or income by the Title VI Requirements and the City of Gastonia’s Non-Discrimination Policy.

Contractor: a person or entity that has entered into an agreement with the City that is subject to the Title VI Requirements.

Citizen Participation: an open process in which the rights of the community to be informed, to provide comments to the government, and to receive a response from the government are met through a full opportunity to be involved and to express needs and goals.

Locating and siting actions: a recommendation by City staff or decision by the City staff or the City Council that will result in the construction of a public facility that could have adverse environmental impacts on the surrounding area.

Meaningful access: the provision of communicative assistance by the City necessary to allow affected persons to participate in governmental services/activities.

Proposed Project: a project that receives federal funds and is subject to the Title VI requirements.

Subrecipient: a person or entity that receives federal funds from the City to be used by the entity to further the objectives of the federal grant. The City is the recipient of the grant and the person or entity is a subrecipient of those grant funds.

Title VI Assurances: conditions imposed upon contractors or subrecipients as a result of federal funding being directly or indirectly provided to the contractor or subrecipient.

Title VI Requirements: the nondiscrimination provisions contained in Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, the Federal Aid Highway Act of 1973, Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, Executive Order 12898 and Executive Order 13166.

Staffing and Organization/Implementation

City Manager: The City Manager is ultimately responsible for ensuring the City's compliance with Title VI requirements, including, but not limited to, monitoring City programs, preparing required reports and undertaking such other responsibilities as required by 23 CFR 200 and 49 CFR 21. To ensure compliance the City Manager has appointed the Diversity, Equity and Inclusion Coordinator to serve as the Title VI Coordinator. Other department heads will collaborate with the Title VI Coordinator as needed to ensure required compliance.

Diversity, Equity and Inclusion Coordinator Serving as Title VI Plan and Program Coordinator: The Diversity, Equity and Inclusion Coordinator is responsible for the overall management of the Title VI Program, under the direct supervision of the City Manager to include the following responsibilities as the Title VI Coordinator:

- Process and research complaints regarding compliance with this Title VI Plan that are received by the City and coordinate with relevant and appropriate staff and the City Attorney, to compile statistical data related to race, color, national origin, sex, age, disability, and income of participants in, and beneficiaries of, federally funded programs to ensure compliance with the Title VI Requirements.
- Review City programs or projects receiving federal funding for matters regarding Title VI compliance and reporting.
- Conduct training programs related to Title VI requirements for City staff who are responsible for Title VI compliance, and for contractors or subrecipients who are subject to Title VI requirements. Make recommendations to the City Manager on ways to achieve compliance with Title VI requirements.
- Develop information regarding this Title VI Plan for dissemination to the general public.
- Ensure that individuals who will be affected by locating and siting actions obtain meaningful access to the public awareness/involvement process.
- Identify deficiencies in compliance with the Title VI Requirements, and make recommendations to the City Manager for remedial actions to be taken to promptly resolve such deficiencies.
- Annually prepare a Title VI Plan Report that documents progress, accomplishments, impediments and goals in fulfilling this Title VI Plan.

Departmental Responsibility: Each Department is responsible for Title VI compliance, with support from the Title VI Coordinator, for individual projects. Compliance activities include, but are not limited to:

- Ensuring that all aspects of a project's planning process and operations comply with the Title VI Requirements.
- Ensuring that Affected Parties have meaningful access to a project's planning processes.
- Assisting the Title VI Coordinator in gathering and organizing data for the Title VI Plan Report.
- Reviewing the Department work programs, policies, and other directives to ensure compliance

with the Title VI Requirements.

- Verifying the level of participation of Affected Parties at public outreach meetings.

Areas of Practice

Notice to the and Public

The Public Notice of Title VI Rights is posted on the City's website (www.cityofgastonia.com), at City Hall located at 181 S. South Street and the Garland Center located at 150 S York St, Gastonia, NC 28052. The notice is translated into Spanish, a copy is included in Appendix C.

CITY OF GASTONIA TITLE VI NOTICE TO PUBLIC

The City of Gastonia hereby gives public notice of its policy to uphold and assure full compliance with Title VI of the Civil Rights Act of 1964 and all related acts and statutes. Title VI and related statutes prohibiting discrimination in Federally assisted programs require that no person in the United States of America shall, on the grounds of race, color, national origin, limited English proficiency, income-level, sex, sexual orientation, age, religion or disability be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal assistance.

It is the City of Gastonia's objective to:

- 1) Ensure that the level and quality of service is provided without regard to race, color, national origin, limited English proficiency, income-level, sex, sexual orientation, age, religion or disability.
- 2) Promote the full and fair participation of all affected populations in project's planning processes.
- 3) Prevent the denial, reduction, or delay in benefits related to programs and activities that benefit minority populations or low-income populations.
- 4) Ensure meaningful access to programs and activities by persons with limited English proficiency.

The City is committed to a policy of non-discrimination in the conduct of its business, including adherence to Title VI responsibilities and the delivery of equitable and accessible services. Any person who believes that he/she has been subjected to discrimination based upon race, color, sex, sexual orientation, age, national origin, disability, income-level, religion or limited English proficiency may file a written complaint with the City of Gastonia within 180 days after the discrimination occurred.

Title VI complaints may be submitted to the following location:

City of Gastonia

Attention: Cherie Jzar, AICP Coordinator of Diversity Equity and Inclusion,
P.O. Box 1748 Gastonia, NC 28053 • (704) 866-6705 • Mobile 704-616-7241
TDD: 1-800-735-2962 • Email: Cheriej@cityofgastonia.com

Or in person at Gastonia City Hall located at 181 S South Street Gastonia, NC 28052

Any person who would like more information regarding the City of Gastonia's Title VI Program may contact the City's Title VI Coordinator at the phone number or address noted above.

Policy

The City, includes in this plan, the adoption of a non-discrimination policy. This policy is therefore adopted by the City as part of the Title VI Plan. **Appendix B.**

The City adopts within this plan a Non-Discrimination Notice. **Appendix C.**

The City adopts within this plan an Equal Employment Opportunity Statement. **Appendix D.**

The City adopts within this plan a Discrimination Complaint Form. **Appendix E.**

The City adopts within this plan an Assurance of Compliance Statement. **Appendix F.**

Elimination of Discrimination: The City will continue its practice of identifying discrimination based on race, color, religion, sex, national origin, age, disability, sexual orientation, limited English Proficiency, and income-level, and where such discrimination is found to exist, implementing programs or practices to eliminate the discrimination.

Public Dissemination of Information: The Title VI Coordinator shall assist City staff in the creation and dissemination of Title VI Program information to City employees, subrecipients, contractors, Affected Parties, and the general public. Public dissemination efforts may include: posting public statements setting forth the City's non-discrimination policy; inclusion of Title VI Assurances in City contracts and grants; and publishing a Title VI Policy Statement on the City's website; including the notice and policy into all adopted plans and program documents.

Title VI Assurances in Contracts and Grants: Contracts and procurement are integrated into each department. Staff will ensure that all federally funded contracts administered by the City contain Title VI Assurances. In the event that the City distributes federal funds to another entity through grants or other agreements, the Department Head administering the grant or agreement will ensure that such grants and agreements contain the Title VI Assurances. The Department's project administrator or grant administrator will monitor the performance of the contract or grant for compliance. The Title VI Coordinator and Department Head will coordinate efforts to ensure that the requirements of Title VI are met throughout the entire contracting and grant performance process.

Data Collection: Statistical data on Affected Parties will be compiled by each department head and provided to the Title VI Coordinator. The data compilation process will be reviewed regularly by the Title VI Coordinator to ensure the data is sufficient to meet the requirements of this Title VI Plan.

Site and Facility Location: The City shall not make selection of a site or location of a facility for participants in and beneficiaries of the City's federal aid programs if that selection could exclude individuals from participation in, or deny them benefits of, or subject them to discrimination on grounds of race, color or national origin, or could substantially impair the accomplishment of the objectives of the nondiscrimination policy.

Environmental Justice in Minority and Low-Income Populations: In accordance with Executive Order 12898, titled "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," the City will develop strategies to review, consider, and address disproportionately high and adverse human health or environmental effects on minority and low-income populations, to promote nondiscrimination in Federal-aid programs, substantially effect human health and the environment, and to provide minority and low-income communities access to public information and an opportunity for public participation in matters relating to human health or the environment.

Limited English Proficiency: Approximately 12% of residents in the City primarily speak a language other than English. The City will review demographic data annually to identify language assistance needs within its service areas, utilizing the American Community Survey, to determine if a formal Limited English Proficiency (LEP) Program is needed.

Title VI Nondiscrimination Complaint Process

Any person who believes that he or she or any other program beneficiaries have been subjected to unequal treatment or discrimination in his or her receipt of benefits and/or services from the City, or by a contractor or subrecipient on the grounds of race, color, national origin, sex, age, disability, income-level, Limited English Proficiency, or religion/creed may file a Title VI Complaint with the Title VI Coordinator. The complaint form is included in **Appendix E** of this document and will be made available on the City's website and in paper form at City facilities.

Every effort will be made to obtain early resolution of complaints. The option of information mediation meeting(s) between the Title VI Coordinator, City staff, contractors, subrecipients and Affected Parties may be utilized for resolution.

The following procedures cover all complaints filed under Title VI. These procedures do not deny the right of the complainant after the completion of the Title VI process to file a complaint with state or federal agencies or to bring private action based on the complaint.

1. Any person, group of persons, or entity that believes they have been subjected to discrimination under the Title VI requirements may file a written complaint with the Title VI Coordinator. The complaint must be filed within 180 days of the alleged discriminatory act or occurrence.
2. Upon receipt of the complaint, the Title VI Coordinator will determine whether the City has jurisdiction over the complaint, whether the complaint contains the necessary information, what additional information is needed, and whether further investigation is needed. Within five working days of receipt of the complaint, the Title VI Coordinator will determine whether the complaint is complete and if it requires additional investigation.
3. The Title VI Coordinator will provide the respondent the opportunity to respond in writing to the allegations of the complaint. The respondent shall have fifteen days from receipt of notification to provide a response to the allegation in the complaint.
4. If the complaint is against a contractor or subrecipient, the City shall have fifteen days from receipt of the complaint to advise the appropriate state or federal agency of the receipt of the complaint and status of the investigation.
5. Within sixty days of the receipt of the complaint the Title VI Coordinator shall prepare a written investigative report. The report shall include narrative description of the incident, identification of persons interviewed, findings, and recommendations for resolution and corrective action. The written report will be sent to the City Attorney.
6. The City Attorney or his or her designee will review the report and meet with the Title VI Coordinator and the City Manager to determine the appropriate action.

7. When the investigative report is complete and appropriate action has been determined, the complainant and respondent shall receive a copy of the report and statement of appropriate action.
8. Within fifteen days of the complainant and respondent receiving a copy of the report and determination of appropriate action, the Title VI Coordinator will meet with each party to discuss the determination of appropriate action as well as the findings made in the investigative report.
9. Within sixty days of receipt of the original complaint, a copy of the complaint and the City's investigative report and determination of appropriate action will be provided to the appropriate federal or state agency for comments.
10. Within fifteen days of receiving comments from the federal or state agency, the Title VI Coordinator will meet with all parties to discuss comments provided by the responding agencies.
11. After receiving comments from the federal or state agency, the City Manager shall review the comments and adopt a final decision that includes taking appropriate actions to address any comments provided by a federal or state agency. The final decision shall be provided to all parties of the proceedings and shall include a statement that a party has a right to appeal the decision if the party produces evidence of new facts that were not previously considered and could not have been reasonably discovered during the investigation.
12. If a party is not satisfied with the results of the investigation or the resolution of the complaint, the party may appeal the City Manager's decision to the appropriate federal or state agency, by filing a request for an appeal no later than 180 days after the date of the City Manager's final decision.

City of Gastonia

RESOLUTION TO ADOPT A TITLE VI POLICY TO PROHIBIT DISCRIMINATION IN PROGRAMS AND SERVICES AND IN ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

27

RESOLUTION TO ADOPT A TITLE VI POLICY FOR THE CITY OF GASTONIA TO PROHIBIT DISCRIMINATION IN PROGRAMS AND SERVICES AND IN ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

WHEREAS, in 1964, Congress enacted the Civil Rights Act of 1964, which included that section labeled Title VI which prohibits discrimination in any activity which is financed by federal funds or receives federal financial assistance; and

WHEREAS, since the adoption of Title VI, additional federal regulations and court decisions have further refined the definition of "federal financial assistance" and what entities are affected and controlled by Title VI; and

WHEREAS; the City of Gastonia has no formal policy in place for defining and preventing discrimination in the activities and for the entities Title VI affects; and

WHEREAS, the interpretation and application are not intuitive or readily understood, requiring an understanding of what "federal financial assistance" might be in any particular situation and what persons or entities must comply with Title VI; and

WHEREAS, a policy and procedure for reporting violations will provide guidelines for the City, City Departments and private persons and companies doing business with the City and receiving federal financial assistance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Gastonia that the attached "Title VI Policy" is hereby adopted as the official policy of the City of Gastonia for applying, reporting and enforcing Title VI of the Civil Rights Act of 1964.

IT IS FURTHER RESOLVED that the City Manager is authorized to approve this policy on a yearly basis if no changes are made to it.

Adopted this 4 day of February, 2020.

Walker E. Reid III
Mayor Walker E. Reid, III

ATTEST:

Sherry H. Dunaway
City Clerk



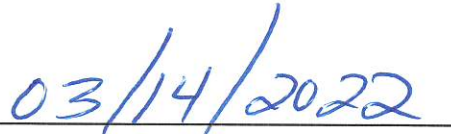
City of Gastonia - Title VI Nondiscrimination Policy Statement

It is the policy of the City of Gastonia to ensure that no person shall, on the ground of race, color, national origin, limited English Proficiency, income-level, sex, sexual orientation, age, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any City of Gastonia program or activity, including, where applicable, religion, as provided by Title VI of the Civil Rights Act of 1964, United States Department of Transportation (DOT) Order 1050.2A, Title 49 Code of Federal Regulations (CFR) Part 21, the Civil Rights Restoration Act of 1987, and other pertinent nondiscrimination authorities.

The following practices are hereby prohibited throughout the City of Gastonia to comply, at a minimum, with Title VI and related requirements:

- Denying to an individual any standard service or other program benefit without good cause.
- Providing any service or other benefit to a person which is distinct in quantity or quality, or is provided in a different manner, from that provided to others under the program.
- Subjecting a person to segregation or separate treatment in any part of a program.
- Restrictions in the enjoyment of any advantages, privileges, or other benefits enjoyed by others.
- Methods of Administration, which, directly or through contractual relationships, would defeat or substantially impair the accomplishment of effective nondiscrimination.
- Different standards, criteria, or other requirements for admission, enrollment, or participation in planning, advisory, contractual, or other integral activities.
- Acts of intimidation or retaliation, including threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by any pertinent nondiscrimination law, or because he/she has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding or hearing.
- Discrimination in any way against an individual during the hiring process or employment period for any City position.


Michael Peoples, City Manager


Date

Notice of Nondiscrimination and Accessibility Rights

The City of Gastonia, pursuant to its policy to comply with Title VI of the Civil Rights Act of 1964 and other pertinent nondiscrimination authorities, will not exclude from participation in, deny the benefits of, or subject to discrimination any person based on race, color, national origin, limited English Proficiency, income-level, sex, age, sexual orientation, disability (or religion, where applicable), under any programs or activities conducted or funded by the City of Gastonia.

Any person who believes they have been wronged by a discriminatory act (action or inaction) of the City of Gastonia or its funding recipients, has the right to file a complaint with the City of Gastonia. For instructions on how to file a complaint, or additional information regarding the City of Gastonia's nondiscrimination obligations, please contact:

City of Gastonia
Cherie Jzar, AICP - Diversity Equity and Inclusion Coordinator
PO Box 1748
Gastonia, NC 28053
cheriej@cityofgastonia.com
Phone: 704-866-6705 mobile: 704-616-7241

You may also visit www.cityofgastonia.com

Anyone with a hearing or speech impairment may use Relay NC, a telecommunications relay service, to call the City of Gastonia City Manager's Office. Relay NC can be accessed by dialing 711 or 1-877-735-8200.

ATTENTION: If you speak a language other than English, the following language assistance services are available to you, free of charge. Qualified interpreters and information written in other languages. Call 1-800-522-0453.

ATENCION: Si habla un idioma distinto del inglés, los siguientes servicios de asistencia de idiomas están disponibles para usted, de forma gratuita. Envíe un correo electrónico a cheriej@cityofgastonia.com o llame al 704-866-6705 para solicitar asistencia.

EQUAL EMPLOYMENT OPPORTUNITY STATEMENT

Appendix D

The City of Gastonia is committed to providing and maintaining a work environment that promotes equal opportunity for all of its employees and applicants for employment without regard to race, color, religion, sex, national origin, age, disability, genetic information, sexual orientation or gender identity, political affiliation, marital status, parental status, or retaliation for participating in equal employment opportunity activity. Therefore, in accordance with Title VII of the Civil Rights Act of 1964, as amended; the Civil Rights Act of 1991; the Age Discrimination Act, as amended; the Rehabilitation Act of 1973, as amended, the Genetic Information Nondiscrimination Act of 2008, The Americans with Disabilities Act, as amended and all other relevant laws, regulations, and agency policies, it is the policy and intent of the City to prohibit discrimination in the terms, conditions, and privileges of employment.

City of Gastonia Title VI Complaint Form

Section I		
Name:		
Address:		
Telephone (Home)	Telephone (Work)	
Email Address:		
Section II		
Are you filing this complaint on your own behalf?	Yes*	No
*If you answered "yes" to this question, go to Section III.		
If not, please supply the name and relationship of the person for whom you are complaining:		
Please explain why you have filed for a third party:		
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.	Yes*	No
Section III		
I believe the discrimination I experienced was based on (check all that apply): <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> Age <input type="checkbox"/> Sex <input type="checkbox"/> National Origin <input type="checkbox"/> Disability <input type="checkbox"/> Low Income <input type="checkbox"/> Sexual Orientation <input type="checkbox"/> Limited English Proficiency <input type="checkbox"/> Religion/Creed		
Date of Alleged Discrimination (Month, Day, Year):		
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information. Attach additional page(s) if necessary.		

Names of individuals responsible for the alleged discriminatory action(s):

The law prohibits intimidation or retaliation against anyone because he/she either has 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 which you believe was the cause for the alleged retaliation. Attach additional page(s) if necessary.

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

Name	Address	Telephone

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

Section IV

Have you previously filed a Title VI complaint with this agency?		Yes	No
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, check all that apply: <input type="checkbox"/> Federal Agency <input type="checkbox"/> Federal Court <input type="checkbox"/> State Agency <input type="checkbox"/> State Court <input type="checkbox"/> Local Agency			
Please provide information about a contact person at the agency/court where the complaint was filed.			
Name:		Title:	Agency:
Address:		Telephone:	
Briefly explain what remedy, or action, you are seeking for the alleged discrimination.			
AN UNSIGNED COMPLAINT WILL NOT BE ACCEPTED. PLEASE SIGN AND DATE THE FORM BELOW.			
COMPLAINANT'S SIGNATURE			DATE
MAIL COMPLAINT FORM TO:			
Cherie Jzar, AICP Coordinator of Diversity Equity and Inclusion City of Gastonia, 181 S South Street Gastonia • North Carolina North Carolina • 28052 Phone: 704-866-6705 • Mobile 704-616-7241 • TDD: 1-800-735-2962 Email: Cheriej@cityofgastonia.com			
FOR OFFICE USE ONLY			
Date Complaint Received: _____			
Processed by: _____			
Referred to: _____ Date Referred: _____			

ASSURANCES OF COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

As a condition of receipt of federal financial assistance from the Department of the Treasury, the recipient named below (hereinafter referred to as the “Recipient”) provides the assurances stated herein.

The federal financial assistance may include federal grants, loans and contracts to provide assistance to the Recipient’s beneficiaries, the use or rent of Federal land or property at below market value, Federal training, a loan of Federal personnel, subsidies, and other arrangements with the intention of providing assistance. Federal financial assistance does not encompass contracts of guarantee or insurance, regulated programs, licenses, procurement contracts by the Federal government at market value, or programs that provide direct benefits.

The assurances apply to all federal financial assistance from or funds made available through the Department of the Treasury, including any assistance that the Recipient may request in the future.

The Civil Rights Restoration Act of 1987 provides that the provisions of the assurances apply to all of the operations of the Recipient’s program(s) and activity(ies), so long as any portion of the Recipient’s program(s) or activity(ies) is federally assisted in the manner prescribed above.

1. Recipient ensures its current and future compliance with Title VI of the Civil Rights Act of 1964, as amended, which prohibits exclusion from participation, denial of the benefits of, or subsection to discrimination under programs and activities receiving federal financial assistance, of any person in the United States on the ground of race, color, or national origin (42 U.S.C. § 2000d et seq.), as implemented by the Department of the Treasury Title VI regulations at 31 CFR Part 22 and other pertinent executive orders such as Executive Order 13166, Executive Order 12898, directives, circulars, policies, memoranda, and/or guidance documents.
2. Recipient acknowledges that Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency,” seeks to improve access to federally assisted programs and activities for individuals who, because of national origin, have Limited English proficiency (LEP). Recipient understands that denying a person access to its programs, services, and activities because of LEP is a form of national origin discrimination prohibited under Title VI of the Civil Rights Act of 1964 and the Department of the Treasury’s implementing regulations. Accordingly, Recipient shall initiate reasonable steps, or comply with the Department of the Treasury’s directives, to ensure that LEP persons have meaningful access to its programs, services, and activities. Recipient understands and agrees that meaningful access may entail providing language assistance services, including oral interpretation and written translation where necessary, to ensure effective communication in the Recipient’s programs, services, and activities.

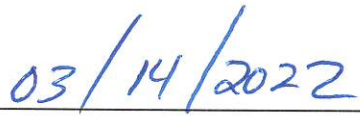
3. Recipient agrees to consider the need for language services for LEP persons when Recipient develops applicable budgets and conducts programs, services, and activities. As a resource, the Department of the Treasury has published its LEP guidance at 70 FR 6067. For more information on taking reasonable steps to provide meaningful access for LEP persons, please visit <http://www.lep.gov>. OMB Approved No. 1505 0271 Expiration Date: November 30, 2021. Recipient acknowledges and agrees that compliance with the assurances constitutes a condition of continued receipt of federal financial assistance and is binding upon Recipient and Recipient's successors, transferees, and assignees for the period in which such assistance is provided.
4. Recipient acknowledges and agrees that it must require any sub-grantees, contractors, subcontractors, successors, transferees, and assignees to comply with assurances 1-4 above, and agrees to incorporate the following language in every contract or agreement subject to Title VI and its regulations between the recipient and the Recipient's sub-grantees, contractors, subcontractors, successors, transferees, and assignees:
5. The sub-grantee, contractor, subcontractor, successor, transferee, and assignee shall comply with Title VI of the Civil Rights Act of 1964, which prohibits recipients of federal financial assistance from excluding from a program or activity, denying benefits of, or otherwise discriminating against a person on the basis of race, color, or national origin (42 U.S.C. § 2000d et seq.), as implemented by the Department of the Treasury's Title VI regulations, 31 CFR Part 22, which are herein incorporated by reference and made a part of this contract (or agreement). Title VI also includes protection to persons with "Limited English Proficiency" in any program or activity receiving federal financial assistance, 42 U.S.C. § 2000d et seq., as implemented by the Department of the Treasury's Title VI regulations, 31 CFR Part 22, and herein incorporated by reference and made a part of this contract or agreement.
6. Recipient understands and agrees that if any real property or structure is provided or improved with the aid of federal financial assistance by the Department of the Treasury, this assurance obligates the Recipient, or in the case of a subsequent transfer, the transferee, for the period during which the real property or structure 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. If any personal property is provided, this assurance obligates the Recipient for the period during which it retains ownership or possession of the property.
7. Recipient shall cooperate in any enforcement or compliance review activities by the Department of the Treasury of the aforementioned obligations. Enforcement may include investigation, arbitration, mediation, litigation, and monitoring of any settlement agreements that may result from these actions. The Recipient shall comply with information requests, on-site compliance reviews and reporting requirements.
8. Recipient shall maintain a complaint log and inform the Department of the Treasury of any

complaints of discrimination on the grounds of race, color, or national origin, and limited English proficiency covered by Title VI of the Civil Rights Act of 1964 and implementing regulations and provide, upon request, a list of all such reviews or proceedings based on the complaint, pending or completed, including outcome. Recipient also must inform the Department of the Treasury if Recipient has received no complaints under Title VI.

9. Recipient must provide documentation of an administrative agency's or court's findings of non-compliance of Title VI and efforts to address the non-compliance, including any voluntary compliance or other agreements between the Recipient and the administrative agency that made the finding. If the Recipient settles a case or matter alleging such discrimination, the Recipient must provide documentation of the settlement. If Recipient has not been the subject of any court or administrative agency finding of discrimination, please so state.
10. If the Recipient makes sub-awards to other agencies or other entities, the Recipient is responsible for ensuring that sub-recipients also comply with Title VI and other applicable authorities covered in this document State agencies that make sub-awards must have in place standard grant assurances and review procedures to demonstrate that that they are effectively monitoring the civil rights compliance of subrecipients.
11. The United States of America has the right to seek judicial enforcement of the terms of this assurances document and nothing in this document alters or limits the federal enforcement measures that the United States may take in order to address violations of this document or applicable federal law.

Under penalty of perjury, the undersigned official(s) certifies that official(s) has read and understood the Recipient's obligations as herein described, that any information submitted in conjunction with this assurances document is accurate and complete, and that the Recipient is in compliance with the aforementioned nondiscrimination requirements.


Michael Peoples, City Manager


Date