

2021

Dorchester County Title VI Plan



Dorchester County Government
201 Johnston Street
St. George, SC 29477

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POLICY STATEMENT

It is the policy of Dorchester County to comply with all federal and state authorities requiring nondiscrimination, including but not limited to Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA), the Age Discrimination Act of 1975 and Executive Order 12898 (Environmental Justice) and 13166 (Limited English Proficiency). Dorchester County does not and will not exclude from participation in; deny the benefits of; or subject anyone to discrimination on the basis of race, color, national origin, sex, age, disability or income.

All Federally assisted programs will be administered in a manner to guarantee that Dorchester County, other recipients, sub-recipients, contractors, subcontractors, transferees, and other recipients, sub-recipients, contractors, subcontractors, transferees, successors in interest, and other participants in Federal financial assistance comply with all requirements imposed by or pursuant to, civil rights acts and Department of Transportation regulations. Dorchester County is responsible for initiating and monitoring Title VI activities, preparing required reports and other responsibilities as required by 23 Code of Federal Regulation (CFR) Part 200 and 49 Code of Federal Regulation Part 21.

*Those requiring information in alternative formats or in another language subject to Dorchester County's Limited English Proficiency (LEP) Plan, should contact the Title VI Liaison.



Jason L. Ward, County Administrator

12/21/2021
Date

ORGANIZING & STAFFING

Refer to [Appendix G](#) for an organizational chart for Dorchester County.

The County Administrator and Deputy Administrators are responsible for ensuring the implementation of the County's Title VI program. The Title VI Coordinator will work with Liaison staff members in each of the affected departments, including Business Services, Human Resources, Planning/Zoning, Public Works, Economic Development, Facilities Maintenance, Sheriff's Office, and Communications. The Coordinator, along with the Liaison staff in these departments, is responsible for the overall management of the Title VI program, with the support of the County Administrator and Deputy Administrators.

Authorities:

Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, national origin, religion or gender, be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination under any program or activity receiving federal financial assistance (23 CFR 200 and 49 CFR 21).

The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding to the recipients, sub-recipients and contractors, whether such programs and activities are federally funded or not (PL 100259).

Environmental Justice Executive Order 12898 addresses disproportionate adverse environmental, social, and economic impacts that may occur in minority and low-income populations.

Limited English Proficiency Executive Order 13166 addresses access to services for persons whose primary language is not English and have a limited ability to read, write, speak, or understand English.

Americans with Disabilities Act of 1990 and the ADA Amendments Act of 2008 prohibit discrimination and ensure equal opportunity for persons with disabilities in employments, State and local government services, public accommodations, and transportation.

Disadvantaged Business Enterprise (DBE) Bid Opportunities:

In addition to other non-discrimination laws and regulations that must be adhered to, projects funded by CDBG, ESG, and HOME Program funds must comply with regulations contained in 24 CFR 85.36(e)(2)(1) requiring that bid opportunities be provided to Minority, Women and Handicapped Business enterprises (MBE, WBE, HBE). Projects funded by the FAA are regulated by 49 CFR Part 26 (DBE) and 49 CFR Part 23 (ACDBE) respectively.

Title VI Coordinator Responsibilities

As authorized by the County Administrator, the Title VI Coordinator is responsible for initiating, monitoring, and ensuring Dorchester County's compliance with Title VI requirements as follows:

1. Along with Department Liaisons, participate in Title VI training opportunities.
2. Process, review, and investigate Title VI complaints received by Dorchester County. Every effort will be made to resolve complaints informally at the County and contractor level.
3. Maintain a log of all Title VI complaints received by Dorchester County, together with disposition information.
4. Meet with Liaisons to determine the effectiveness of program area activities at all levels. Oversee the collection of statistical data of participants in benefits and programs to determine impacted citizens, displaced citizens, and affected communities. Each of the Title VI Liaisons will maintain data on an ongoing basis, and access to the logs will be regularly provided to the Title VI Coordinator.
5. Conduct Title VI reviews and assist in the formation of department goals regularly.
6. Work with Liaisons to evaluate programs and services to avoid, minimize and/or mitigate adverse health and environmental effects of actions, programs, or services on minority populations and low-income populations, as well as any population.
7. Engage in efforts with Liaisons to ensure the full and fair participation by all potentially affected communities in the input process for projects, programs, and services.
8. Assist in the development of Title VI information for dissemination to minority and Limited English Proficiency (LEP) populations. Ensure general dissemination in languages other than English, when appropriate.
9. Assist departments in identifying solutions to communications issues with non-English speaking or low-English proficiency individuals and communities.
10. Oversee dissemination of Title VI program information to County employees, contractors, subcontractors, consultants, and sub-consultants, as well as the general public. Public dissemination will include posting of public statements and inclusion of Title VI language in contracts and bid documents. An abbreviated Title VI Policy Statement will be included on announcements of hearings and meetings.
11. Identify and eliminate discrimination when found to exist. Work with County departments to establish procedures for resolving deficiencies. Deficiencies will be corrected with strategies, such as utilization of disadvantaged business enterprises and public involvement.
12. Maintain updated legislative and procedural information regarding Dorchester County's Title VI Program and update Title VI plan as necessary.
13. Create and maintain a list of bilingual County employees.
14. Ensure that language translation services are available as may be necessary.

CONTRACTING OPPORTUNITIES and LIAISON RESPONSIBILITIES

All Liaison staff will work with Title VI Coordinator to accomplish Title VI goals and responsibilities, and generally will assist the Title VI Coordinator with implementation and monitoring of Title VI requirements for federally-funded projects, in which their department is involved.

The following Liaison responsibilities apply to Liaison staff in every department with regard to federally-funded projects in the department:

Planning Process

1. Detail efforts taken to identify minority or low-income populations affected by federally-funded project activities, including rights of way, roads, bridges, etc.
2. Conduct meetings to provide information to local populations concerning proposed projects.
3. Attend public meetings to document and verify the level of participation of Title VI protected group members.
4. Monitor to ensure follow-through occurs with respect to all efforts to include underserved populations.
5. Consult DBE firms to identify possible barriers to their contract participation and use information to attempt to eliminate such barriers.
6. Ensure that Limited English Proficiency (LEP) individuals who will be affected by contract awards or construction projects receive meaningful access into the public awareness/involvement process to allow them to participate.
7. Ensure that economic, social, topographical and environmental impacts of a proposed project are key factors weighed in the location consideration and that special efforts are engaged in the area of Environmental Justice to inform members of minority or low-income communities of public hearings or other public involvement activities.
8. Document contacts and encounters with LEP and DBE persons.

Bidding Process

1. Identify any federally-funded projects when presenting requests for proposals or invitations to bid through Purchasing Services.
2. For federally-funded projects, provide Title VI Coordinator with copies of any requests for proposals or invitations to bid at the same time information is submitted to Purchasing Services.
3. Ensure policies and procedures for selection of proposals and contract negotiations and administration for federally-funded projects comply with Title VI requirements.
4. Conduct pre-grant and post-grant approval reviews of federally funded grant programs for compliance with Title VI requirements.
5. Document all evidence to support conclusions concerning Environmental Justice issues.

6. Ensure all federally-funded projects include the necessary Title VI appendix.
7. Ensure that all bidders on federally funded projects, including contractors, vendors, suppliers, etc., who will utilize subcontractors, are required to state in their bids to Dorchester County how enterprises owned by "minority, women, and persons with a disability" (MBE, WBE, DBE) will be considered in the bid evaluation.

Contracting Requirements

1. Include Title VI language in contract award letters to encourage the utilization of DBE or SCDOT certified firms. Award of construction contracts shall be granted on the basis of the lowest responsive bidder meeting the established DBE goal through subcontracting or sufficient Good Faith Efforts.
2. Ensure that DOT Title VI Assurance language is included in all contracts, deeds, licenses, permits or other similar instruments for federally-funded projects.
3. Ensure that consultants retained on federally-funded projects are qualified and screened for Title VI compliance with regard to consultant firms that may relate to public works projects and/or the development of construction plans and special provisions for roads and bridges, design work associated with structures, performing environmental studies or preparing NEPA or SEPA documents for public works projects.
4. Oversee prime contractors who are required to contact and solicit subcontract bids from eligible MBE, WBE or DBE's to substantiate that contact documentation is provided by prime contractors, local units of government and local road agencies.
5. Provide supportive services to DBE's.
6. Review all projects for application of DBE goals.
7. Assist the Title VI Coordinator with monitoring DBE program requirements when applicable.

Property Acquisition Contracts

If property acquisition is part of a project considered by Dorchester County, including but not limited to property appraisal, negotiation of terms and conditions for acquisition, and assistance in relocation of displaced individuals, businesses, farm operations, non-profit organizations and property management, efforts will be undertaken to account for Title VI considerations, including:

1. Ensure equal opportunity for disadvantaged businesses to participate in personal services contracts, including appraisal, relocation and property management.
2. Apprise all affected property owners, tenants, and others involved of their rights and options regarding negotiation, relocation, condemnation, and other aspects of the acquisition process.

3. Incorporate Title VI language and assurance statements in all surveys of property owners and tenants. Coordinate the preparation of deeds, permits, and leases to ensure the inclusion of appropriate clauses, including Title VI Assurances.
4. Monitor whether appraised values and communications associated with the appraisal and negotiation operations result in equitable treatment of underserved populations.
5. Ensure comparable replacement dwellings are available and assistance is given to all displaced persons and entities through the property acquisition process.
6. Maintain separate documentation of Title VI property acquisition projects, including efforts and initiatives for monitoring and compliance purposes.

Reporting

1. Assist the Title VI Coordinator in gathering and organizing information for update reports.
2. Document encounters and contacts with LEP persons.
3. Gather statistical data on DBE utilization.
4. Maintain statistical data including race, color, national origin, and gender on all re-locates affected by federally-funded projects, and provide detailed demographic data annually to Title VI Coordinator.
5. Assist the Title VI Coordinator in gathering and maintaining necessary data and documentation required for completion of Title VI update reports.

General Duties

1. Conduct pre-grant and post-grant approval reviews of federally funded grant programs for compliance with Title VI requirements.
2. Report to Title VI Coordinator the availability of bilingual staff.
3. Disseminate notices in Spanish and English. All public meeting notices, advertisements and notices to the public concerning meetings or notification of benefits and/or services available through Dorchester County Government which either directly or indirectly involve federal funding are required to include both a Title VI and an ADA notice in the publication.
4. Notify Title VI Coordinator whenever Title VI complaint or issue arises.
5. Maintain separate documentation for Title VI projects and compliance efforts.

DATA COLLECTION/REPORTING ANALYSIS

Statistical data on race, color, national origin and sex of participants in, and beneficiaries of federally funded programs, (e.g., impacted citizens and affected communities), will be gathered by county staff and maintained by the Title VI Coordinator. The data gathering process will be reviewed regularly to ensure sufficiency of the data in meeting the requirements of the Title VI program administration.

Dorchester County Government may utilize the following sources for gathering data to identify target populations: U.S. Census; Berkeley-Charleston-Dorchester Council of Governments (BCDCOG); Dorchester County Department of Social Services; and Dorchester County School Districts 2 & 4.

Public Notices

To engage in efforts to reach a greater portion of the Spanish speaking population, all public notices regarding any federally funded project will be provided in English and Spanish. A translator will be available, upon reasonable advance request, at public meetings. In addition, a sign-in sheet will be at all public meetings.

Dorchester County believes that public input into its process is valuable and makes its products better. The qualitative information derived from citizen involvement is essential to good decision-making. As a matter of long-standing policy and a requirement of federal law, the County planning process will make special efforts to consider the concerns of traditionally underserved communities, including low-income and minority communities and people with disabilities.

Pre and Post-Grant Reviews

Construction Contracts, Planning initiatives, and Grant Programs that are federally funded will conduct pre- and post-grant reviews for Title VI compliance.

Dorchester County shall establish monitoring procedures for pre-grant and post-grant approval reviews of federally-funded grant programs for compliance with Title VI requirements. Dorchester County will endeavor to ensure that awards of Federal financial assistance are only granted to entities that adhere to the substantive nondiscrimination mandates of Title VI and other laws.

Pre-Award Authority

Title VI guidelines grant Dorchester County discretionary authority to dispense assistance to Sub-recipients. They also support obtaining assurances from sub-recipients. When Dorchester County receives information pre-award that indicates noncompliance by a sub-grantee, it may defer

making the grant decision, may seek a voluntary resolution and, if no settlement is reached (after complying with procedural requirements), may refuse to award assistance.

Subcontracts and Vendors

All subcontractors and vendors who receive payments from Dorchester County, where funding originates from any federal assistance, are subject to the provisions of Title VI of the Civil Rights Act of 1964 as amended.

Written contracts shall contain non-discrimination language, either directly or through the bid specification package which becomes an associated component of the contract.

Additional Data Collection

Except as determined to be inappropriate by applicable regulations, laws, and/or statutes, Dorchester County shall, in regard to each assisted program, provide for the collection of relevant and current data and information from Sub-recipients, Departments, etc. for, and recipients of, federal assistance sufficient to permit effective enforcement of Title VI.

Examples of data and information which, to the extent necessary and appropriate for determining compliance with Title VI, shall be required as follows:

1. The manner in which services are provided by the program in question, and related data necessary for determining whether any persons are or will be denied such services on the basis of prohibited discrimination
2. The population eligible to be served by race, color, and national origin
3. Data regarding covered employment, including use or planned use of bilingual public-contact employees serving beneficiaries of the program where necessary to permit effective participation by beneficiaries unable to speak or understand English
4. The location of existing or proposed facilities connected with the program, and related information adequate for determining whether the location has or will have the effect of unnecessarily denying access to any persons on the basis of prohibited discrimination
5. The present or proposed membership, by race, color and national origin, in any planning or advisory body which is an integral part of the program
6. Where relocation is involved, the requirements and steps used or proposed to guard against unnecessary impact on persons on the basis of race, color or national origin
7. Prompt notification of any lawsuit filed against the Sub-recipient alleging discrimination on the basis of race, color or national origin, and that each Sub-recipient notify the County upon its request of any complaints filed against the Sub-recipient alleging such discrimination.
8. A statement by the Sub-recipient describing any civil rights compliance reviews and information concerning the agency or organization performing the review; and periodic statements by any recipient regarding such reviews

9. A written assurance by the Sub-recipient that it will compile and maintain records required, pursuant to preceding paragraphs, by the agency's guidelines or other directives.

Where a federal agency determines that any of the requirements of this section are inapplicable or inappropriate in regard to any program, the basis for this conclusion shall be set forth in writing and made available to the public upon request.

DISSEMINATION OF TITLE VI INFORMATION

To assure that the widest possible circulation of Dorchester County Government's Title VI policy statement, the following actions will be taken:

Notice to the Public of Rights Under Title VI.

Dorchester County's Title VI Plan website provides information to the public regarding the county's Title VI obligations and appraises members of the public of the protections against discrimination afforded them by Title VI. The website is located at:

<https://www.dorchestercountysc.gov/our-county/title-vi-plan>. The website information includes the following: Public Notice of Rights under Title VI, Dorchester County's Title VI Plan, Public Participation Plan, Title VI Complaint Procedures, ADA Transition Plan, Citizens Request for Accommodations form, and Title VI Complaint Form.

The Title VI Policy Statement will be issued to all contract recipients, Department Heads, Administrator and Deputy Administrators, contractors, and subcontractors.

The Title VI Policy Statement will be posted in strategic locations throughout Dorchester County offices and on the county's kiosks.

The Equal Opportunity Policy Statement will be displayed on Dorchester County Government's website and intranet.

Transportation systems will display Title VI compliant posters in strategic public locations.

Training will be provided on an ongoing basis to educate and inform all affected staff that the implementation of the Equal Opportunity Policy Statement is their responsibility.

LIMITED ENGLISH PROFICIENCY PLAN

This Limited English Proficiency Plan (LEP) has been prepared to address Dorchester County's responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English proficiency language skills.

The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C 2000d, et seq, and its implementing regulations, which states that no person shall be subjected to discrimination on the basis of race, color or national origin. Executive Order 13166, titled "Improving Access to Services for Persons with Limited English Proficiency", indicates that differing treatment based upon a person's inability to speak, read, write or understand English is a type of national origin discrimination. It directs each entity to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies which receive federal funds, including all Dorchester County departments receiving federal grant funds.

LEP Plan Summary

Dorchester County has developed this Limited English Proficiency Plan to help identify reasonable steps for providing language assistance to persons with limited English proficiency who wish to access services provided. As defined in Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write, or understand English. This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available.

All contractors or subcontractors performing work for Dorchester County will be advised of and required to follow the Title VI/LEP guidelines.

LEP Meaningful Access: Four-Factor Analysis

To prepare this plan, Dorchester County used the four-factor LEP-analysis, which considers the following factors:

1. The number, or proportion, of LEP persons in the service area who may be served or are likely to require Dorchester County services:
According to the U.S. Census Bureau, 2019 American Community Survey 5-Year Estimates, 96.2% of Dorchester County residents speak English only. Of the 3.8% who speak a language other than English, 2.1% speak Spanish; 1.7% speak other languages.
2. The frequency with which LEP persons come in contact with Dorchester County services:

County staff has reviewed the frequency with which County Council members and County staff have, or could have, contact with LEP persons. This includes documenting phone inquiries or office visits. To date, Dorchester County has had no requests for interpreters and no requests for translated program documents. The Dorchester County staff has had very little contact with LEP persons.

However, it is of utmost importance for future encounters with LEP persons to be documented. Working with the Title VI Liaisons, the Title VI Coordinator will ensure she is advised when any County department has service contact with an LEP person and feels assistance is needed.

3. The nature and importance of services provided by Dorchester County to the LEP population:

There is no large geographic concentration of any type of LEP individuals in the service area for Dorchester County. The overwhelming majority of the population speaks English only. Therefore, few social, professional, and leadership organizations that reach out to LEP persons are currently provided within the County service area. Dorchester County staff members are most likely to encounter LEP individuals through office visits and phone conversations, or notifications from other County department staff as to impacts upon services area services and attendance at public meetings.

The Dorchester County Adult Education Center offers English as a Second Language (ESL) courses at affordable rates to adults who speak other languages.

4. The resources available to Dorchester County and overall cost to provide LEP assistance:

Dorchester County has identified the need in providing translation services for documents relevant to the needs of the LEP community. The County has limited resources that could be used for providing LEP assistance. Local citizens and/or staff members who are bilingual will be identified to the Title VI Coordinator and may be called upon to assist in translating services.

Language Assistance

A person who does not speak English as his/her primary language and who has a limited ability to read, write, speak or understand English may be a Limited English Proficient person and may be entitled to language assistance with respect to Dorchester County services.

Language assistance may include interpretation, which means oral or spoken transfer of a message from one language into another and/or translation, which means the written transfer of a message from one language into another language.

How Dorchester County staff may identify an LEP person who needs language assistance:

- Post notice of LEP Plan and the availability of interpreter or translations services in Spanish.
- All County departments will be provided with "I Speak" cards to assist in identifying the language interpretation needed if the occasion arises.
- Human Resources, as well as the Title VI Coordinator, will maintain a list of bilingual employees, non-employee volunteers and interpreter services available to departments which may require these services in any given situation.
- All County staff will be informally surveyed periodically on their experience concerning any contacts with LEP persons during the previous year.
- When informational events or meetings are held, several staff members may be assigned to greeting attendants as they arrive. In doing so, persons who may have limited English proficiency can be identified. Providing last-minute assistance may be infeasible at that time; however, it will help in the planning for future events.
- Local interpreters for Spanish language will be provided when requested in advance within a reasonable time period. Language interpretation for all other languages will be provided, if possible.
- Certain public meeting notices will be translated into Spanish. When staff prepares a document, or schedules a meeting, and the target audience is expected to include a higher percentage of LEP individuals, the documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population.
- In the event a citizen seeking assistance from Dorchester County is illiterate, or an interpreter is not available, the Title VI Coordinator will be contacted and work to meet the language needs of the LEP person.

Translation Services

Any individual who wishes to request oral or written translation services can do so by contacting the Title VI Coordinator, at 843-563-0144 or pjhart@dorchestercountysc.gov.

Monitoring and Updating The LEP Plan

Dorchester County will update the LEP Plan as required based upon the information gathered concerning changes in population. The plan will be reviewed and updated when data from the 2020 U.S. Census is available, or when it is clear that higher concentrations of LEP individuals are present in the Dorchester County service area. Updates will include the following:

- The number of documented LEP person contacts encountered annually.
- How the needs of LEP persons have been addressed.
- Determination of the current LEP population in the service area.

- Determination as to whether the need for translation services has changed.
- Determine whether local language assistance programs have been effective and sufficient to meet the need.
- Determine if Dorchester County’s financial resources are sufficient to fund language assistance resources needed.
- Determine whether Dorchester County fully complies with the goals of this LEP Plan.
- Determine whether complaints have been received concerning the agency's failure to meet the needs of LEP individuals.

Dissemination of the LEP Plan

The following steps will be taken to disseminate the plan:

- Post the Title VI Plan on the County’s “P” drive to ensure access may be gained by all county departments. Notify department heads and elected officials of the location of the Title VI Plan, which includes the LEP Plan.
- Post signs at Government buildings notifying LEP persons of the LEP Plan and how to access language services.
- State on agendas and public notices in the language those LEP persons would understand that documents may be translated into that language upon request to the Title VI Coordinator.
- Post the LEP Plan on County’s Title VI website:
<https://www.dorchestercountysc.gov/our-county/title-vi-plan>

ENVIRONMENTAL JUSTICE PLAN FOR LOW-INCOME AND MINORITY POPULATIONS

Environmental Justice Policy

It is the policy of Dorchester County Government to ensure that all of its programs, policies and other activities do not have disproportionate adverse effects on minority and low-income populations. Dorchester County takes a proactive approach in engaging these communities to attempt to ensure their full and fair participation in processes involving federally funded projects.

Executive Order 12898

Dorchester County Government promotes and protects the rights of community members to participate meaningfully in decisions that may affect them. The County follows the directives of EO 12898, which states:

"Each Federal agency must make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health, environmental, economic and social effects of its programs, policies, and activities on minority and low-income populations, particularly when such analysis is required by NEPA. The EO emphasizes the importance of NEPA's public participation process, directing that each Federal agency shall provide opportunities for community input in the NEPA process. Agencies are further directed to identify potential effects and mitigation measures in consultation with affected communities."

The E.O. requires agencies to work to ensure effective public participation and access to information. Each agency should translate crucial public documents, notices and hearings that relate to human health or environmental issues for limited English-speaking populations when it is practical and appropriate.

DISADVANTAGED BUSINESS ENTERPRISE POLICY STATEMENT

Dorchester County Government has established a Disadvantaged Business Enterprise (DBE) Program in accordance with the regulations of the Department of Transportation (DOT), 49 CFR Part 26.

It is the policy of Dorchester County Government to ensure that DBEs as defined in Part 26 have an equal opportunity to receive and participate in federally funded projects. In order to accomplish this goal, the County has adopted the following guidelines:

1. To ensure non-discrimination in the award and administration of federally funded contracts.
2. To create a level playing field on which DBEs may compete fairly for federally funded contracts.
3. To ensure that DBE contractors meet the eligibility standards set forth in Part 26 before being qualified.
4. To help remove barriers to the participation of DBEs in federally funded projects.

DISCRIMINATION COMPLAINT PROCEDURE

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964 as amended, including its Disadvantaged Business Enterprise (DBE), Equal Employment Opportunity (EEO) and On-the-Job Training (On) Components, Section 504 of the Rehabilitation Act of 1973, Civil Rights Restoration Act of 1987, the Americans with Disabilities Act of 1990 and the ADA Amendments Act of 2008, relating to any transportation or Public Works program or activity administered by Dorchester County, as well as to sub-recipients, consultants, and contractors.

These procedures apply to complaints filed against a program and/or activity funded by the Federal Highway Administration (FHWA) or the Federal Aviation Administration (FAA).

The procedures outlined herein do not obstruct or deny the right of any complainant to file formal complaints with other state or federal agencies or to seek private counsel for complaints alleging discrimination.

Every effort will be made to resolve complaints at the lowest possible level. The option of informal mediation between the affected parties and the investigator may be utilized to explore potential resolutions at any stage of the process. The investigator will make every effort to pursue complaint resolution and will request information concerning the relief sought and settlement possibilities at the initial interview stage.

Any individual or community that wishes to file a Title VI complaint or discuss concerns regarding Dorchester County Government's process or procedures may contact:

Dorchester County Human Resources Department
Title VI Coordinator
201 Johnston Street
St. George, SC 29477
843-563-0242
pjhart@dorchestercountysc.gov

Eligibility

If any individual, group of individuals or entity believes that they or any other program beneficiaries have been subjected to discrimination prohibited by Title VI as a recipient of benefits and/or services, he/she may file a Complaint with Dorchester County.

Title VI Complaints filed by an aggrieved party received by any employee or department should be directed to the Title VI Coordinator. Employees or departments who receive informal or formal complaints under Title VI must notify the Title VI Coordinator of the complaint as soon as possible.

Title VI Complaint forms are available on-line at dorchestercountysc.gov in the “Forms” section of the Title VI information or in [Appendix D](#) of this plan or may be obtained in person from the Human Resources Department during regular business hours.

Title Vi Complaint Process For Airport Complaints

1. Airports are required under 49 CFR Part 21 to forward a copy of any written complaint based on race, color or national origin to the FAA, along with a statement describing all actions taken to resolve the matter, and the results thereof.
2. The Airport must notify the complainant of the right to file a complaint directly to the FAA.
3. Complaint made directly to FAA; Any person who believes that he or she, individually or as a member of any specific class of persons was discriminated against based on race, color, national origin, sex, creed or disability in public services or employment opportunities may file a written complaint to the FAA, office of Civil Rights, 800 Independence Ave, SW Washington, D.C. 20591.
4. The complaint must be filed with the FAA no later than 180 days after the date of the alleged discriminatory act or if the discrimination is ongoing, the date the conduct was disclosed.

Title VI Complaint Process for All Other County Departments

1. Upon receipt of a Complaint, the Title VI Coordinator will review the Complaint to determine whether it falls within the jurisdiction of the County under Title VI.
2. The Title VI Coordinator will investigate the Complaint and forward a copy of the Complaint to the Administrator, the County Attorney, and if the complaint involves a project in which Dorchester County is a sub-recipient, it will be forwarded to the SCDOT Title VI Coordinator for a determination of acceptability.
3. To be accepted, a complaint must meet all of the following criteria:
 - i. must be filed within 180 days of the alleged occurrence or issue
 - ii. must involve a covered basis such as race, color or national origin
 - iii. must involve a program or activity that receives Federal financial assistance
4. The SCDOT will be notified of complaints received and intent to investigate. If the SCDOT accepts the complaint it will assume responsibility for the investigation.
5. If the complaint involves a matter in which Dorchester County is not a sub-recipient of the SCDOT, then Dorchester County will conduct its own investigation and forward a Report of Investigation to the Administrator, County Attorney and affected Department.
6. In the event the Complainant is not satisfied with the results of the investigatory process, he or she shall be advised of his right to appeal Dorchester County's decision. Appeals must be received by the Administrator within 60 days of the Report's mailing to the Complainant. The decision of the County's Administrator regarding the Appeal will be final.

7. Dorchester County Government will maintain a log of all complaints received. The log will include the name of the complainant and respondent, the basis of the complaint, the date received, the date SCDOT was notified, the disposition of the complaint and an explanation of the actions taken or proposed to resolve the issue raised in the complaint.

APPENDIX A

TITLE VI AND ADA LANGUAGE FOR PUBLICATIONS, COMMUNICATIONS AND PUBLIC INVOLVEMENT

ALL PUBLIC MEETING NOTICES, ADVERTISEMENTS, AND NOTICES TO THE PUBLIC CONCERNING MEETINGS OR NOTIFICATION OF BENEFITS AND/OR SERVICES AVAILABLE THROUGH DORCHESTER COUNTY GOVERNMENT WHICH EITHER DIRECTLY OR INDIRECTLY INVOLVE FEDERAL FUNDING ARE REQUIRED TO INCLUDE BOTH A TITLE VI AND AN ADA NOTICE IN THE PUBLICATION.

1. ENGLISH AND SPANISH VERSIONS OF TITLE VI LANGUAGE TO BE USED FOR POSTERS, WEB NOTICES, MAILINGS ETC.

Title VI Notice to Public

It is the policy of Dorchester County Government to assure that no person shall, on the grounds of race, color, national origin or sex, as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, be denied the benefits of, or be otherwise discriminated against under any of its federally funded programs and activities. Any person who believes his/her Title VI protection has been violated may file a complaint. For additional information concerning Title VI complaint procedures please contact the Title VI Coordinator, at 843-563-0242 or pjhart@dorchestercountysc.gov.

Spanish Version

Notificación de Título VI al Público

Es la política de Gobierno de Condado de Dorchester de asegurar que ninguna persona sea excluida de participación o sea negado los beneficios, o sea desicriminado bajo cualquiera de sus programas y actividades financiado con fondos federales sobre la base de raza, color, origen nacional o sexo, como proveido por el Título VI han sido violadas, puede hacer una queja. Para informacion adlcional con respect a procedimientos de quejas de Título VI, por favor de comunicarse con la Coordinadores de Título VI, al 843-563-0242 o pjhart@dorchestercountysc.gov.

Abbreviated Version for PUBLIC MEETING newspaper advertisements:

Dorchester County Government does not discriminate on the basis of race, color, national origin or sex, under Title VI of the Civil Rights Act. Persons who believe their access to services or programs is limited in violation of Title VI may contact the Title VI Coordinator at 843-563-0242.

Es la poliza de Gobierno de Condado de Dorchester de asegurar que ninguna persona sea excluida de participacion o sea negado los beneficios, o sea desicriminado bajo cualquiera de sus programas y actividades financiado con fondos federales sobre la base de raza, color, origen nacional o sexo, como proveido por el Titulo VI. Las personas que creen que su acceso a los servicios o programas es limitado en violacion del Titulo VI puede ponerse en contacto con ella Coordinadores de Titulo VI, al 843-563-0242.

2. ENGLISH AND SPANISH VERSIONS OF AMERICANS WITH DISABILITIES ACT INFORMATION

Abbreviated Notice for PUBLIC MEETING Newspaper Advertisements/Americans with Disabilities Act (ADA) Information

The meeting site is accessible to persons with disabilities. Accommodations for persons with disabilities may be arranged with advance notice by calling the Title VI Coordinator at 843-563-0242.

FULL VERSION OF NOTICE/Americans with Disabilities Act (ADA) Information

Individuals requiring reasonable accommodations may request written materials in alternate formats, sign language interpreters, physical accessibility accommodations, or other reasonable accommodations by contacting the Title VI Coordinator at 843-563-0242.

SPANISH ABBREVIATED NOTICE/Informacion sobre el Acta (ADA) para estadounidenses con discapacidades

El lugar de la reunion es accesible par alas personas con discapacidades. Se puede hace arreglos de acomodacion razonable par alas personas con discapacidades, con aviso anticipado, llamando al con la Coordinadores de Titulo VI, al 843-563-0242.

FULL VERSION OF NOTICE/Informacion del Acta (ADA) para estadounidenses con discapacidades

Los individuos que requieran acomodacion razonable pueden solicitar materials impresos en formatos alternos, interpretes de lenguaje de senas, acomodacion de accesibilidad flsica, u otras acomodaciones rasonables, informado alia Coordinadores de Titulo VI, al 843-563-0242.

APPENDIX B

EQUAL OPPORTUNITY POLICY STATEMENT

Dorchester County Government recognizes its moral, social, legal and economic responsibilities to extend all employment and procurement opportunities made available through Dorchester County Government to all eligible applicants regardless of race, creed, color, handicap, religion, national origin, sex, age, political affiliation or beliefs. All necessary steps will be taken to assure that all recruitment, employment, training, promotions, appointments, funding, utilization of services, or any aspect of program operations will comply with the above principles. This policy covers all staff, contractors, and services, either purchased or provided under any source of funds. Dorchester County Government commits to full compliance to all applicable portions of the Civil Rights Act of 1964 as amended, the Equal Pay Act of 1967, the Rehabilitation Act of 1973, the Uniform Guidelines on Employee Selection Procedures of 1978, and all applicable regulations of the primary funding source, and to monitor compliance with the same by all staff, contractors, and subcontractors. Failure of contractors and/or subcontractors to follow these practices of equal employment and procurement opportunities will be considered as grounds for refusal of continued or renewed funding. Failure of staff to follow these practices of equal employment and procurement opportunities shall be subject to investigation and appropriate action.

APPENDIX C

LIMITED ENGLISH PROFICIENCY PLAN (LEP)

COUNTY STANDARDS FOR PERSON PROVIDING INTERPRETER SERVICES IN THE DELIVERY OF COUNTY SERVICES

The standards set forth apply to bilingual staff, contracted interpreters, volunteer interpreters, and telephone interpreter services.

1. ETHICAL STANDARDS

- Confidentiality – All information divulged in any interpreted exchange is strictly confidential. The person interpreting may only reveal at the direction of the individual receiving services.
- Accuracy – Any person interpreting is expected to transmit the content and spirit of the original language into the other language without omitting, modifying, condensing or adding. If there are difficulties with interpreting any information, the person interpreting should advise the individuals involved.
- Impartiality – Any person providing interpreter services shall refrain from interjecting personal opinions or biases into the exchange. No interpreter services will be provided in the event that an assignment or situation is presented where bias or opinion may affect impartiality.
- Conflict of Interest – Any person providing interpreter services shall inform all parties if a conflict of interest is present, and no interpreter services will be provided.
- Acknowledgment of Limitations – Any person providing interpreter services shall decline to interpret beyond his/her training, level of experience or skills.

2. COMPETENCY STANDARDS FOR INTERPRETING

- Self-Introduction – Interpreter shall introduce him/her self to all parties and explain role.
- Self-Positioning – Interpreter will position him/her self to best facilitate communication amongst all parties, and speak loudly and clearly.
- Communication of Context – Interpreter will communicate all parties' content and feelings that may be expressed.
- Speak in First Person – Interpreter shall speak in the first person when communicating to both parties, referencing "I" rather than "he/she said".
- Neutrality – Any person providing interpreter services will remain neutral, impartial, maintain professional distance and avoid any conflict of interest.

- Self-Correction – Interpreter will check the accuracy of his/her interpretation and identify and correct any misinterpretation for all parties.
- Cultural Brokering – Interpreter will share relevant cultural information with all parties and assist all speakers in reaching a mutual understanding.
- Flow of Communication – Interpreter will manage the flow and pace of communication to preserve the accuracy and completeness of all parties' communications.
- Complete Appropriate Documentation – Interpreter will complete appropriate documentation as may be required in the given circumstance.

3. GUIDELINES FOR WORKING WITH INTERPRETER

- Speak directly to the LEP person, not to the interpreter.
- Do not say anything that you do not wish to be interpreted.
- Use words, not gestures, to convey your meaning.
- Use simple vocabulary.
- Explain jargon and technical terms when necessary.
- Speak in short, simple sentences.
- Ask one question at a time.
- Allow the interpreter to stop you and seek clarification when necessary.
- Expect the interpreter to take notes in instances of complicated communications.
- Be prepared to repeat yourself in different words if your message is not understood.
- Double check through the interpreter to confirm that your message is understood.

APPENDIX D

TITLE VI COMPLAINT FORM

NAME _____

STREETADDRESS _____

CITY, STATE, ZIP CODE _____

PHONE _____

NAME, POSITION, & DEPARTMENT OF PERSON WHO DISCRIMINATED AGAINST YOU:

NAME _____

POSITION _____

DEPARTMENT, LOCATION _____

PLEASE IDENTIFY ANY WITNESSES TO THE DISCRIMINATION AND PROVIDE CONTACT INFORMATION IF AVAILABLE:

WITNESS NAME _____

PHONE _____

WITNESS NAME _____

PHONE _____

WITNESS NAME _____

PHONE _____

DATE(S) OF DISCRIMINATION COMPLAINED OF _____

I WAS DISCRIMINATED AGAINST BECAUSE OF (CHECK ONE):

____ RACE/COLOR ____ SEX ____ NAT'L ORIGIN

PLEASE EXPLAIN WHAT HAPPENED DESCRIBING HOW YOU WERE DISCRIMINATED AGAINST AND WHO WAS INVOLVED. BE SURE TO INCLUDE HOW OTHER PERSONS WERE TREATED DIFFERENTLY THAN YOU. ATTACH ANY

APPENDIX E

ADA CITIZEN REQUEST FOR ACCOMMODATION

DATE _____

Person Submitting Request _____

Address _____

Telephone _____

Request is made on behalf of myself Yes _____ No _____

If Request is made on behalf of another person, please provide the name of the person on whose behalf the Request is submitted _____

Address _____

Telephone _____

Individuals with disabilities who wish to participate in County programs, services, or activities and who need an accommodation in order to do so are invited to present their Requests for Accommodation to the County by completing this Request for Accommodation form or by calling (843) 563-0242.

Please indicate the Type of Accommodation you are Requesting Below:

- Community Services

Name of Activity or Service _____

Date(s) of Activity or Service _____

Location _____

- Board/Commission Meeting

Description of Meeting _____

Date _____ Location _____

- Access to County Department or Public Hearing

Department or Hearing Description _____

Date _____ Location _____

Please describe the nature of the specific Accommodation you are Requesting. If you perceive multiple options that would satisfy your Request, please indicate all possible options.

Signature of Person Completing Request

Individuals with questions concerning Requests for Reasonable Accommodation may contact
Dorchester County at (843) 563-0242.

201 Johnston Street
St. George, SC 2947

APPENDIX F

CIVIL RIGHTS GRANT ASSURANCE FOR AIRPORT

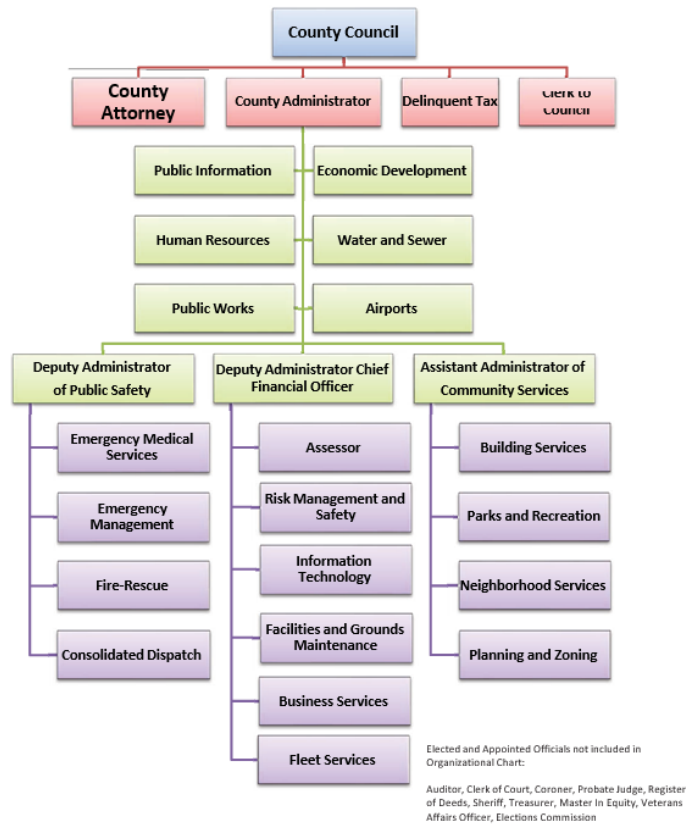
This Appendix contains the general grant assurance which is incorporated in all grant agreements between Dorchester County Airport and the FAA:

Civil Rights. The sponsor will comply with such rules as are promulgated to assure that no person shall, on the grounds of race, creed, color, national origin, sex, age or disability by excluded from participating in any activity conducted with or benefiting from funds received by this grant. This assurance obligated the sponsor for the period during which Federal financial assistance is extended to the program, except where the Federal assistance is to provide, or is in the form of personal or real property or interest therein or structures or improvements thereon, in which case, the assurance obligates the Airport or transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits or (b) the period during which the sponsor retains ownership or possession of the property.

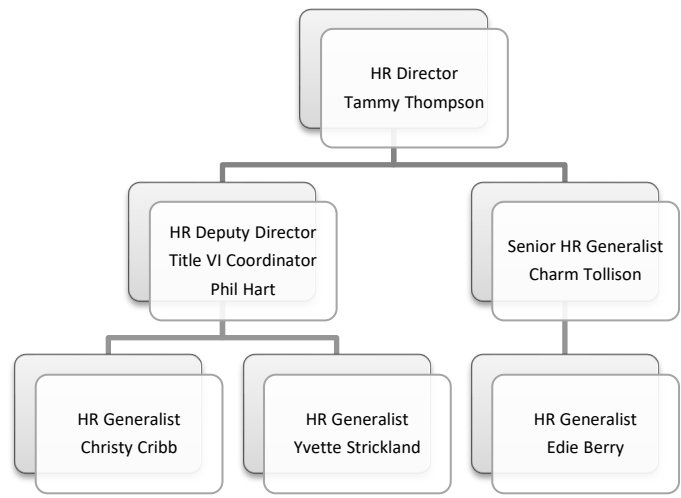
APPENDIX G

ORGANIZATIONAL CHARTS

Organizational Chart



Organization Chart with Placement of Title VI Coordinator



APPENDIX H

U.S. CENSUS BUREAU CHARTS FOR DORCHESTER COUNTY

United States Census Bureau	Dorchester County, South Carolina
PEOPLE	162,809
<hr/>	
	162,809
Population estimates base, April 1, 2010, (V2019)	136,144
Population, percent change - April 1, 2010 (estimates base) to July 1, 2019, (V2019)	19.6%
Population, Census, April 1, 2020	161,540
Population, Census, April 1, 2010	136,555
Age and Sex	
Persons under 5 years, percent	▲ 6.0%
Persons under 18 years, percent	▲ 24.2%
Persons 65 years and over, percent	▲ 14.5%
Female persons, percent	▲ 51.4%
Race and Hispanic Origin	
White alone, percent	▲ 68.6%
Black or African American alone, percent (a)	▲ 25.6%
American Indian and Alaska Native alone, percent (a)	▲ 0.7%
Asian alone, percent (a)	▲ 2.1%
Native Hawaiian and Other Pacific Islander alone, percent (a)	▲ 0.2%
Two or More Races, percent	▲ 2.9%
Hispanic or Latino, percent (b)	▲ 5.8%
White alone, not Hispanic or Latino, percent	▲ 63.9%
Population Characteristics	
Veterans, 2015-2019	16,112
Foreign born persons, percent, 2015-2019	5.0%
Housing	
Housing units, July 1, 2019, (V2019)	62,360
Owner-occupied housing unit rate, 2015-2019	71.7%
Median value of owner-occupied housing units, 2015-2019	\$198,800
Median selected monthly owner costs -with a mortgage, 2015-2019	\$1,465
Median selected monthly owner costs -without a mortgage, 2015-2019	\$452
Median gross rent, 2015-2019	\$1,099
Building permits, 2020	1,364
Families & Living Arrangements	
Households, 2015-2019	55,351
Persons per household, 2015-2019	2.83
Living in same house 1 year ago, percent of persons age 1 year+, 2015-2019	85.1%
Language other than English spoken at home, percent of persons age 5 years+, 2015-2019	6.3%
Computer and Internet Use	
Households with a computer, percent, 2015-2019	91.7%
Households with a broadband Internet subscription, percent, 2015-2019	80.8%
Education	
High school graduate or higher, percent of persons age 25 years+, 2015-2019	89.7%
Bachelor's degree or higher, percent of persons age 25 years+, 2015-2019	28.2%
Health	
With a disability, under age 65 years, percent, 2015-2019	9.2%
Persons without health insurance, under age 65 years, percent	▲ 11.7%
Economy	
In civilian labor force, total, percent of population age 16 years+, 2015-2019	63.4%
In civilian labor force, female, percent of population age 16 years+, 2015-2019	59.2%
Total accommodation and food services sales, 2012 (\$1,000) (c)	132,411

Total health care and social assistance receipts/revenue, 2012 (\$1,000) (c)	271,019
Total manufacturers shipments, 2012 (\$1,000) (c)	2,026,405
Total retail sales, 2012 (\$1,000) (c)	973,162
Total retail sales per capita, 2012 (c)	\$6,829
Transportation	
Mean travel time to work (minutes), workers age 16 years+, 2015-2019	31.0
Income & Poverty	
Median household income (in 2019 dollars), 2015-2019	\$63,080
Per capita income in past 12 months (in 2019 dollars), 2015-2019	\$29,853
Persons in poverty, percent	▲ 9.3%

BUSINESSES

Businesses	
Total employer establishments, 2019	2,478
Total employment, 2019	32,400
Total annual payroll, 2019 (\$1,000)	1,266,412
Total employment, percent change, 2018-2019	5.8%
Total nonemployer establishments, 2018	11,070
All firms, 2012	9,713
Men-owned firms, 2012	5,220
Women-owned firms, 2012	3,613
Minority-owned firms, 2012	2,535
Nonminority-owned firms, 2012	6,923
Veteran-owned firms, 2012	1,353
Nonveteran-owned firms, 2012	7,874


GEOGRAPHY

Geography	
Population per square mile, 2010	238.2
Land area in square miles, 2010	573.23
FIPS Code	45035

About datasets used in this table

Value Notes

▲ Estimates are not comparable to other geographic levels due to methodology differences that may exist between different data sources.

Some estimates presented here come from sample data, and thus have sampling errors that may render some apparent differences between geographies statistically indistinguishable. Click the Quick Info  icon to the row in TABLE view to learn about sampling error.

The vintage year (e.g., V2019) refers to the final year of the series (2010 thru 2019). Different vintage years of estimates are not comparable.

Fact Notes

- (a) Includes persons reporting only one race
- (c) Economic Census - Puerto Rico data are not comparable to U.S. Economic Census data
- (b) Hispanics may be of any race, so also are included in applicable race categories

Value Flags

- Either no or too few sample observations were available to compute an estimate, or a ratio of medians cannot be calculated because one or both of the median estimates falls in the lowest or upper int open ended distribution.
- F Fewer than 25 firms
- D Suppressed to avoid disclosure of confidential information
- N Data for this geographic area cannot be displayed because the number of sample cases is too small.
- FN Footnote on this item in place of data
- X Not applicable
- S Suppressed; does not meet publication standards
- NA Not available
- Z Value greater than zero but less than half unit of measure shown

QuickFacts data are derived from: Population Estimates, American Community Survey, Census of Population and Housing, Current Population Survey, Small Area Health Insurance Estimates, Small Area Income and P Estimates, State and County Housing Unit Estimates, County Business Patterns, Nonemployer Statistics, Economic Census, Survey of Business Owners, Building Permits.

CONNECT WITH US



Accessibility | Information Quality | FOIA | Data Protection and Privacy Policy | U.S. Department of Commerce

Table: ACSST5Y2019.S1601

	92.8											
	Total		Percent		Percent of specified language speakers							
					Speak English only or speak English "very well"		Percent speak English only or speak English "very well"		Speak English less than "very well"		Percent speak English less than "very well"	
Label	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Population 5 years and over	148,683	±88	(X)	(X)	144,934	±813	97.5%	±0.5	3,749	±797	2.5%	±0.5
Speak only English	139,271	±964	93.7%	±0.6	(X)	(X)	(X)	(X)	(X)	(X)	(X)	(X)
Speak a language other than English	9,412	±961	6.3%	±0.6	5,663	±735	60.2%	±6.5	3,749	±797	39.8%	±6.5
SPEAK A LANGUAGE OTHER THAN ENGLISH												
Spanish	5,281	±729	3.6%	±0.5	3,028	±512	57.3%	±7.5	2,253	±550	42.7%	±7.5
5 to 17 years old	1,373	±231	0.9%	±0.2	1,064	±254	77.5%	±13.2	309	±188	22.5%	±13.2
18 to 64 years old	3,616	±584	2.4%	±0.4	1,854	±385	51.3%	±8.7	1,762	±464	48.7%	±8.7
65 years old and over	292	±138	0.2%	±0.1	110	±69	37.7%	±23.0	182	±120	62.3%	±23.0
Other Indo-European languages	2,198	±583	1.5%	±0.4	1,759	±468	80.0%	±5.3	439	±172	20.0%	±5.3
5 to 17 years old	346	±214	0.2%	±0.1	331	±217	95.7%	±9.4	15	±26	4.3%	±9.4
18 to 64 years old	1,541	±413	1.0%	±0.3	1,201	±302	77.9%	±6.5	340	±155	22.1%	±6.5
65 years old and over	311	±143	0.2%	±0.1	227	±115	73.0%	±21.1	84	±80	27.0%	±21.1
Asian and Pacific Island languages	1,805	±441	1.2%	±0.3	755	±235	41.8%	±13.4	1,050	±417	58.2%	±13.4
5 to 17 years old	383	±161	0.3%	±0.1	200	±103	52.2%	±23.4	183	±132	47.8%	±23.4
18 to 64 years old	1,163	±329	0.8%	±0.2	434	±180	37.3%	±16.7	729	±333	62.7%	±16.7
65 years old and over	259	±88	0.2%	±0.1	121	±80	46.7%	±25.1	138	±76	53.3%	±25.1
Other languages	128	±97	0.1%	±0.1	121	±98	94.5%	±14.4	7	±14	5.5%	±14.4
5 to 17 years old	5	±8	0.0%	±0.1	5	±8	100.0%	±100.0	0	±30	0.0%	±100.0
18 to 64 years old	123	±96	0.1%	±0.1	116	±98	94.3%	±15.9	7	±14	5.7%	±15.9
65 years old and over	0	±30	0.0%	±0.1	0	±30	-	**	0	±30	-	**
CITIZENS 18 YEARS AND OVER												
All citizens 18 years old and over	115,357	±682	(X)	(X)	114,112	±756	98.9%	±0.2	1,245	±284	1.1%	±0.2
Speak only English	110,990	±856	96.2%	±0.5	(X)	(X)	(X)	(X)	(X)	(X)	(X)	(X)
Speak a language other than English	4,367	±576	3.8%	±0.5	3,122	±515	71.5%	±5.8	1,245	±284	28.5%	±5.8
Spanish	2,377	±476	2.1%	±0.4	1,616	±377	68.0%	±8.5	761	±260	32.0%	±8.5
Other languages	1,990	±371	1.7%	±0.3	1,506	±329	75.7%	±6.9	484	±150	24.3%	±6.9

STANDARD DOT TITLE VI ASSURANCES

Dorchester County (hereinafter 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 the **FEDERAL HIGHWAY ADMINISTRATION (FHWA) or FEDERAL AVIATION ADMINISTRATION (FAA)** 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 Non-discrimination 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 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 under any program or activity," for which the Recipient receives Federal financial assistance from the Department of Transportation, including the **FEDERAL HIGHWAY ADMINISTRATION (FHWA) or FEDERAL AVIATION ADMINISTRATION (FAA)** .

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination 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 non-discrimination 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 programs:

1. The Recipient agrees that each "activity", "facility", or "program", as defined in §§21.23(b) and 21.23(e) of 49 C.F.R. §21 will be (with regard to an "activity") facilitated, or will be (with regard to a facility (operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and, the Regulations.
2. That 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 programs and activities and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"Dorchester County, in accordance with 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 in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon, or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition or real property or an interest in real property, the Assurance will extend to the rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - (a) for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - (b) for the construction or use of, or access to, space on, over or under real property acquired, or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal

financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:

- (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - (b) the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.



THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under any program or activity and is binding on it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest and other participants. The person or persons whose signatures appear below are authorized to sign this Assurance on behalf of the Recipient.

Name of Recipient

by

Signature of Authorized Official

Dated

APPENDIX A

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

- (1) Compliance with Regulations:** The contractor (Hereinafter includes consultants) will comply with the Acts and the Regulations relative to nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Highway Administration (FHWA), and Federal Aviation Administration (FAA), as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
- (2) Non-discrimination:** 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 Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR part 21. This includes FHWA or FAA specific program requirement.
- (3) Solicitations for Subcontractors, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin. This includes FHWA or FAA specific program requirements.
- (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 Dorchester County, **the FEDERAL HIGHWAY ADMINISTRATION (FHWA), or the FEDERAL AVIATION ADMINISTRATION (FAA)** to be pertinent to ascertain compliance with such Acts, Regulations, 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 County, FHWA or the FAA, as appropriate, and will set forth what efforts it has made to obtain the information.
- (5) Sanctions for Noncompliance:** In the event of the contractor's noncompliance with the Non-discrimination provisions of this contract, the County will impose such contract sanctions as it or **the FEDERAL HIGHWAY ADMINISTRATION (FHWA), or the FEDERAL AVIATION ADMINISTRATION (FAA)** may determine to be appropriate, including, but not limited to:

 - (a) withholding of payments to the contractor under the contract until the contractor complies, and/or

(b) cancellation, termination or suspension of the contract, in whole or in part.

(6) Incorporation of Provisions: The contractor will include the provisions of paragraphs one (1) through six (6) 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 subcontractor procurement as the County, **the FEDERAL HIGHWAY ADMINISTRATION (FHWA), or the FEDERAL AVIATION ADMINISTRATION (FAA)** 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 with a subcontractor, or supplier because of such direction, the contractor may request the County to enter into any litigation to protect the interests of the County. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

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

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that Dorchester County will accept Title to the lands and maintain the project constructed thereon, in accordance with the appropriate legislative authority, the Regulations for the Administration of its programs and activities, and the policies and procedures prescribed by **the FEDERAL HIGHWAY ADMINISTRATION or the FEDERAL TRANSIT ADMINISTRATION** of the U.S. Department of Transportation in accordance with 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, Non-discrimination 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 SCDOT 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 Dorchester County 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 Dorchester County, its successors and assigns.

The County, in consideration or 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 County will use the lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, SubTitle A, Office of the Secretary, Part 21, Nondiscrimination in federally assisted programs of the 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 non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and the above described land and facilities will thereon revert to 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 purposes of Title VI of the Civil Rights Act of 1964.

APPENDIX C

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

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

- A. The (grantee, licensee, 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 said 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 other 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 a breach of any of the above Non-discrimination covenants, Dorchester County will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said land and the facilities thereon, and hold the same as if said [licenses, lease, permit, etc.] had never been made or issued.*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, Dorchester County will have the right to enter or reenter said lands and facilities thereon, and the above described lands and facilities will thereupon revert to and vest in and become the absolute property of Dorchester County and its assigns.*

* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

APPENDIX D

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

The following clauses will be included in all deeds, licenses, leases, permits, or similar instruments entered into by Dorchester County pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, 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) 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,
 - (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, 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, and
 - (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, Dorchester County will have the right to terminate the (license, permit, etc., as appropriate) and 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 Non-discrimination covenants, Dorchester County will have the right to enter or reenter said lands and facilities thereon, and the above described lands and facilities will thereupon revert to and vest in and become the absolute property of Dorchester County and its assigns.*

* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI.

APPENDIX E

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

Pertinent Non-Discrimination Authorities:

- Title VI of the 1964 Civil Rights Act (42 U.S.C. 2§000 *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;
- The 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, (42 U.S.C. §47123), as amended, (prohibits discrimination on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (P.L. 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 CFR Parts 37 and 38;
- The Federal Aviation Administration’s Non-discrimination statute (49 U.S.C. §47123) (prohibits discrimination on the basis of race, color, national origin, and sex);

- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures nondiscrimination 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, recipients must take reasonable steps to ensure that LEP persons have meaningful access to programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendment of 1972, as amended, which prohibits discrimination on the basis of sex in education programs or activities (20 U.S.C. 1681 *et seq.*).