



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

PATRICK L. MCCRORY
GOVERNOR

ANTHONY J. TATA
SECRETARY

October 22, 2013

HIGH PRIORITY

Mr. Larry T. Williams, Chairman, Transportation Advisory Committee
c/o Frederick Haith, Transportation Engineer
Winston-Salem Urban Area Metropolitan Planning Organization (MPO)
101 N. Main Street
Winston-Salem, NC 27101

**RE: Title VI Compliance Report
Report# TVI-S01018-13**

Dear Mr. Williams:

As a result of the Title VI Compliance Review of the Winston-Salem Urban Area MPO, conducted on August 20, 2013 by the North Carolina Department of Transportation (NCDOT), deficiencies have been identified in your organization's Title VI Nondiscrimination Program. In accordance with 49 CFR 21 and 23 CFR 200, your organization assumes a deficiency status until satisfactory correction of deficiencies has been demonstrated in the following areas; refer to the detailed **Summary of Findings and Corrective Actions** attached.

Review Area: Program Administration
Training
Limited English Proficiency

US Department of Transportation (USDOT), Federal Highway Administration (FHWA) nondiscrimination requirements are applicable to your organization and provide that when deficiencies exist, it is necessary that you make a commitment in writing to correct such deficiencies before you may be found in compliance. **This commitment includes specific actions required to correct each deficiency and anticipated dates of completion for such actions.** The time period allotted shall be no longer than the minimum period necessary to effect the necessary correction, **not to exceed 90 days from the date of conciliation.** You are specifically advised that making this commitment will not alone preclude a **final determination of non-compliance** upon a finding that you have failed to demonstrate a good faith effort to voluntarily achieve compliance.

If your written commitment is accepted and it is subsequently found that you have failed to comply with its provisions, you will be advised of this determination and formal sanction proceedings may be instituted immediately. If you indicate either directly or by inaction that you do not wish to show cause why enforcement proceedings should not be initiated, this agency will commence enforcement proceedings under 49 CFR 21, et al., through appropriate channels. Attached is the **Conciliation Agreement** as part of the aforementioned Summary of Findings.

MAILING ADDRESS:
NC DEPARTMENT OF TRANSPORTATION
OFFICE OF CIVIL RIGHTS
1511 MAIL SERVICE CENTER
RALEIGH, NC 27699-1511

TELEPHONE: 919-508-1808
TOLL FREE: 1-800-522-0453
FAX: 919-508-1814

LOCATION:
TRANSPORTATION TECHNOLOGY CENTER
104 FAYETTEVILLE STREET
2ND FLOOR
RALEIGH, NC 27601

WWW.NCDOT.ORG

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If you disagree with the findings in the report, please notify our office immediately. Based on the findings and corrective actions outlined, you must within 15 calendar days, 1) review and agree to the attached plan describing how you will achieve compliance; or 2) provide sufficient reasons and justification for NCDOT to reconsider its findings and recommendations. You must also, upon receipt of this letter, provide our office with a date and time to hold a compliance conference with you during the 15-day period to discuss due dates for the corrective actions outlined in the plan.

Please be informed that NCDOT compliance determinations are subject to review by the FHWA Civil Rights for concurrence and sufficiency to achieve compliance.

We encourage you to take whatever action is necessary to resolve this matter and are ready to assist you in achieving compliance. Any questions concerning this notice should be addressed to Shantray Dickens, Title VI Specialist at 919-508-1896.

Sincerely,

A handwritten signature in black ink, appearing to read "Sharon Lipscomb". The signature is fluid and cursive, with a small horizontal line above the "i" in "Lipscomb".

Sharon Lipscomb
External Civil Rights Manager

Attachments (2)

cc: J. Trent Rawley, Director, Office of Civil Rights
Mike Bruff, Branch Manager, Transportation Planning Branch
Lynise DeVance, Civil Rights Program Manager, FHWA

SUMMARY OF FINDINGS AND CORRECTIVE ACTIONS

WINSTON-SALEM URBAN AREA METROPOLITAN PLANNING ORGANIZATION (MPO)

ND = NOT DEFICIENT GFE = GOOD FAITH EFFORT D = DEFICIENT N/A = NOT APPLICABLE

REVIEW AREA	ND	GFE	D	N/A	DESCRIPTION OF DEFICIENCIES	CORRECTIVE ACTIONS / ADVISORY COMMENTS (AC)	DUE DATE(S)
Program Administration	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<ol style="list-style-type: none"> Did not demonstrate that Title VI administrative obligations (e.g., program assessments, corrective actions, documentation, reporting) are routinely discussed with staff or other officials (TAC/TCC). Discrimination complaint procedures do not include the City Attorney's role, and references to NCDOT's "Title VI Section" remain. The Title VI Coordinator's responsibilities on the UPWP are too broad. 	<ol style="list-style-type: none"> Meet periodically to discuss the status of Title VI implementation and compliance. Document the meetings. Update the MPO's complaints procedures, adding the City Attorney's role within the process, and how the MPO will handle complaints against member jurisdictions and others that need to be forwarded to NCDOT-OCR. Lastly, replace all instances of "the Title VI Section" with "the MPO." Break down (itemize) this assignment: "Title VI/EJ Planning: Incorporate into Transportation Planning Process," listing the specific tasks involved. <p>AC-1: The MPO should note in its procedures that, as a federal-aid recipient, Title VI obligations apply to all projects and activities, regardless of the funding source.</p>	<ol style="list-style-type: none"> February 20, 2014 January 24, 2014 January 1, 2014
Information and Reports	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<p>AC-2: Please be advised that the requirement to have a Title VI Implementation Plan and a process to assess (review) and report to NCDOT on Title VI compliance efforts is a major component of both the MPO's and NCDOT's Title VI program obligations; thus, the MPO must begin working with NCDOT-OCR on the development of its Implementation Plan, and a schedule (and process) to report on Title VI activities, challenges, and accomplishments.</p>	N/A
Training	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<ol style="list-style-type: none"> Has not been trained or provided training on how to effectively implement the Title VI Program. 	<ol style="list-style-type: none"> Develop a Title VI training schedule for the MPO as a whole (e.g., Title VI Coordinator, members, i.e., TAC/TCC). Attend any Civil Rights training offered by NCDOT, FHWA, or FTA. Contact NCDOT OCR for assistance, as needed. 	<ol style="list-style-type: none"> November 26, 2013
Contractors and Sub-recipients	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<p>AC-3: The MPO is advised that while not physically incorporating Appendix A of the Title VI Assurances into all contracts and agreements is a major deficiency that could,</p>	N/A

						<p>alone, make this entire area deficient, the corrective action of adding Appendix A to all active and future contracts is simple. This can realistically be achieved in much less time than 90 days, which is preferable.</p> <p>AC-4: Communicating with member agencies to ensure MPO-wide Title VI awareness and reporting is critical to the MPO's compliance. A process for other members to report any Title VI efforts and issues to the Title VI Coordinator will need to be developed.</p>	
Public Involvement and Outreach	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<p>AC-5: FHWA endorses the use of Citizens Advisory Committees (CAC) during planning, including minority CACs, as a means to minority participation. Consider these options to obtain meaningful public involvement in MPO decision-making.</p>	N/A
Data Collection	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<p>AC-6: Despite receiving an ND rating in this area, MPO committee members (TAC, TCC, etc.) are required to self-identify race/ethnicity and gender for record-keeping and reporting purposes. Visual observation is permissible only if a member declines to self-identify, which members should be made aware of. Please add a note next to any names where visual observation was used.</p>	N/A
Limited English Proficiency	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<ol style="list-style-type: none"> 1. Provided a copy of the City's LEP Plan at the on-site meeting and WSTA's LEP Plan during the 2011 Title VI Desk Audit, but no evidence of four-factor analyses conducted for the MPO area only. 2. Did not provide information on other language groups other than Spanish that it serves. 	<ol style="list-style-type: none"> 1. Conduct a four-factor analysis for the entire MPO planning area (unless WSTA's area is identical to the MPO's), and consider the four factors on individual projects. Consequently, the MPO will need to develop its own approved language assistance plan or procedures. 2. Provide evidence that the MPO has identified all LEP language groups (and concentrations) within its planning boundaries, other than just Spanish speakers. 	<ol style="list-style-type: none"> 1. February 1, 2014 2. February 1, 2014
ADA/Section 504	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<p>AC-7: Determine which member jurisdictions should have an ADA Transition Plan. These findings should be documented for later reporting and use.</p>	N/A

CONCILIATION AGREEMENT BETWEEN THE SUB-RECIPIENT AND NCDOT

This Agreement is between the **Winston-Salem Metropolitan Planning Organization** and the North Carolina Department of Transportation (NCDOT). The **Winston-Salem MPO** hereby agrees, as a condition of its status as a federal-aid recipient and/or sub-recipient of the NCDOT, to take steps necessary to correct deficiencies found by the NCDOT Office of Civil Rights (OCR) within a reasonable time period, not to exceed **90 days** after the effective date of this agreement. This agreement shall serve as the **Winston-Salem MPO's** written corrective action plan pursuant to 23 CFR 200, and evidence of NCDOT's obligation to secure voluntary compliance by its sub-recipients with Title VI of the Civil Rights Act of 1964 and 49 CFR 21.

The NCDOT OCR will provide the technical assistance and guidance needed to aid the sub-recipient during this process. In the event that the sub-recipient fails or refuses to comply with the terms of this agreement, the NCDOT may use other means authorized by law to bring about compliance.

This Agreement shall remain in full force and effect until the **Winston-Salem MPO** has demonstrated satisfactory performance of the remedial actions prescribed by NCDOT.

This Agreement is hereby executed by and between the NCDOT and the **Winston-Salem MPO**, subject to approval by the Federal Highway Administration.

Date

Signature / Title (Executive Official / Title VI Coordinator)

Date

Sharon M. Lipscomb, Manager, OCR External Services Section

Winston-Salem Metropolitan Planning Organization

Title VI Compliance Review Report
October 22, 2013

Prepared For

United States Department of Transportation
Federal Highway Administration
North Carolina Division Office

Prepared By

North Carolina Department of Transportation
Office of Civil Rights
External Services Section



I. General Information

Organization Name: Winston-Salem Urban Area Metropolitan Planning Organization
101 N. Main Street
Winston-Salem, NC 27101

Lead Planning Agency: City of Winston-Salem

Executive Official: Larry T. Williams, Chairman, Transportation Advisory Committee
Title VI Coordinator: Frederick Haith, Transportation Engineer

Report Prepared by: Shantray D. Dickens, Title VI Specialist
North Carolina Department of Transportation
Office of Civil Rights
External Services Section
1511 Mail Service Center
Raleigh, NC 27699

Reporting Period: Federal Fiscal Year (FFY) 2013
Report Number: TVI-S01018-13

On-site Review Date(s): August 20, 2013

Compliance Reviewer(s): Shantray Dickens, Lead Reviewer

II. Jurisdiction and Authorities

Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) states that “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” As a recipient of funds from the United States Department of Transportation (US DOT), including the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA), all operations of the North Carolina Department of Transportation (NCDOT) and its sub-recipients are covered by and must comply with Title VI. Other related statutes, regulations and orders pertinent to the Title VI/Nondiscrimination Program include:

- 49 CFR 21: Nondiscrimination in Federally-Assisted Programs of the Department of Transportation
- 23 CFR 200: Title VI Program and Related Statutes-Implementation and Review Procedures
- The Civil Rights Restoration Act of 1987
- Section 504 of the Rehabilitation Act of 1973 (Disability)
- Federal-Aid Highway Act of 1968, as amended: (23 USC 140, 324)
- Age Discrimination Act of 1975 (Age)
- The 1973 Federal-Aid Highway Act (Sex)
- FTA Circular 4702.1B: Title VI Requirements and Guidelines for Federal Transit Administration (FTA) Recipients
- FTA Circular 4703.1: Environmental Justice Policy Guidance For Federal Transit Administration Recipients
- DOT Order 5610.2A: Department of Transportation Actions to Address Environmental Justice in Minority Populations and Low-Income Populations
- FHWA Order 6640.23A: FHWA Actions to Address Environmental Justice in Minority Populations and Low-Income Populations
- Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations
- Executive Order 13166: Improving Access to Services for Persons with Limited English Proficiency
- Policy Guidance Concerning Recipient's Responsibilities to Limited English Proficient (LEP) Persons

III. Purpose and Objective

The NCDOT Office of Civil Rights (OCR) External Services Section has the responsibility to conduct Title VI compliance reviews of Metropolitan Planning Organizations (MPO) to assure compliance with Title VI program requirements, as set forth in 49 Code of Federal Regulations 21 (CFR); 23 CFR 200; and FTA Circular 4702.1B. The purpose of a compliance review is to discuss a recipient’s Title VI requirements, and determine if they are being implemented effectively. In keeping with the Federal guidelines above, NCDOT determined that a compliance review of the Winston-Salem Urban Area MPO was necessary.

The objectives of this compliance review were to determine if deficiencies exist in the MPO’s implementation of its Title VI program requirements; to determine if the MPO is providing services, benefits, and activities without regard to race, color, national origin, sex, age, or disability; and to determine if the MPO evaluates the benefits and burdens of its decisions on traditionally underserved populations (e.g., low-income, children, minorities, the elderly, LEP, disabled). Thus, this review also sought to confirm whether the MPO is putting the items developed during its 2011 desk audit review to use. Finally, this process will provide the MPO with opportunities to remedy any deficiencies through appropriate corrective action, technical assistance, and training.

IV. Background Information

In FFY 2011, the OCR conducted a desk audit review on the Winston-Salem MPO and requested Title VI program documents be submitted for review. Documents requested during the desk audit review process included: Title VI Policy Statement; Public Involvement Plan; LEP Plan; Signed Title VI Assurances; Notice to the Public; and Title VI Complaint

Procedures and Log. The desk audit review was conducted to determine if the MPO had the necessary documents in place to administer a Title VI program. The desk audit also determined the level of technical assistance that was required to assist each MPO with setting up its Title VI program. Additionally, the OCR External Services Section offered Title VI training to the MPOs at the Annual North Carolina Association of MPO Conference held in Winston-Salem on May 15, 2013. The training included information on the compliance review process and all of the areas covered during this review (Questionnaire).

V. Compliance Review Methodology

The FFY 2013 MPO review cycle included on-site Title VI compliance reviews of six MPOs. Prior to each on-site meeting, the Winston-Salem MPO was contacted by telephone to alert the MPO of the impending review, and to secure a date for the meeting. An email was then sent to the MPO containing a notification letter formally beginning the review process and a Title VI Questionnaire (attached) for the MPO to complete and return. After a careful review of the questionnaire and accompanying documentary support, an on-site compliance review was held with the MPO on August 20, 2013, to discuss the MPO's submittal. Documents requested during the review process included translated materials, the MPO's organizational chart, ADA Transition Plan, records that demonstrate monitoring activities, annotated lists of appointed groups, the MPO's complaints log, and other records that demonstrate an active Title VI program. **The next compliance review of the Winston-Salem MPO is scheduled for FFY 2017.**

This report issues a determination of **Deficiencies** or **No Deficiencies** based on a combination of compliance factors and significant observations considered in Section VII. The attached summary of findings illustrates the reviewer's overall conclusion in each review area, where **ND** (green) or "not deficient," means the satisfactory implementation of all requirements in an area; **GFE** (yellow) or "good faith effort," indicates that the organization took some action but did not fully satisfy the requirements; and **D** means "deficient," which is a failure to meet or show a good faith effort to meet the requirements. Since a good faith effort does not indicate **full** compliance or implementation, a **GFE** could become a **D** over time if unimproved. The summary of findings also provides corrective actions for findings of **D** and advisory comments for **GFE** and in some cases **ND**. All deficiencies identified must be corrected within **90 days**. Advisory comments can be corrected within or outside the 90 day corrective action period. **Note:** A review area could receive an overall rating of **D** on the summary of findings even if more of the compliance factors in that area received a "Yes," taking other significant observations and factors into consideration.

A determination of **Deficiencies** in this report places your organization in a "deficiency status." Satisfactory completion of all corrective actions within 90 days will move your organization to an **in compliance** status, while unsatisfactory performance will result in a finding of **noncompliance**.

VI. On-Site Review

The attendees during the on-site visit were as follows:

NAME	TITLE	ORGANIZATION
Greg Errett	Transportation Planning Manager	Winston-Salem MPO
Toneq McCullough	Director of Transportation	Winston-Salem DOT
Frederick Haith	Transportation Engineer	Winston-Salem MPO
Wendy Miller	Principal Planner	Winston-Salem MPO
Kaori Fujisawa	Transit Project Manager	Winston-Salem MPO
Shantray Dickens	Title VI Specialist	NCDOT – OCR

VII. Compliance Review Checklist

The responses in the compliance review checklist below were determined based on responses to the questionnaire, the on-site meeting, and a review of the documentation provided by the Winston-Salem MPO.

Compliance Review Checklist			
YES	NO	N/A	COMPLIANCE FACTORS
			Program Administration
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Has the Title VI Coordinator been given the authority to effectively administer the MPO's Title VI Program?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are Title VI duties included in the Coordinator's <i>primary</i> job description or staff assignments?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the MPO ensure that decision-making and programs are sensitive to the needs of minorities and other traditionally underserved populations (<i>e.g., minorities, disabled, low-income, elderly, children, LEP</i>)?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the MPO ever seek guidance from external agencies like NCDOT, FHWA and FTA, regarding its Federal nondiscrimination obligations?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the MPO have internal discussions or meetings about its nondiscrimination program or obligations?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Did the MPO demonstrate that its Title VI Nondiscrimination obligations are being fully integrated into its operations?
			Information and Reports
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the MPO disseminate information pertaining to the Title VI program internally and publicly?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the MPO produce or submit reports to federal or state agencies regarding its Title VI compliance efforts?
			Training
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Has the Title VI Coordinator received any civil rights training in the last <i>three</i> years?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the MPO have a civil rights training plan or schedule?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the MPO provide civil rights training to its staff, sub-recipients, or contractors?
			Contractors and Sub-recipients
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Are Title VI Assurances physically incorporated into all contracts and agreements?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the MPO contract with women and minority owned businesses?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the MPO monitor its contractors (and sub-recipients, if applicable) to determine if they are in compliance with their nondiscrimination obligations?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the MPO maintain records and reports to validate its monitoring activities?
			Public Involvement and Outreach
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the MPO's Public Involvement Plan include information and procedures on how to ensure that members of the public understand the rights afforded to them under Title VI and other nondiscrimination authorities?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the MPO's Public Involvement Plan include information and procedures on how to reach traditionally underserved populations?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the MPO have a process to ensure adequate representation of traditionally underserved populations on appointed groups such as planning commissions and Citizens Advisory Committees?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Has the MPO at least demonstrated a good faith effort to achieve inclusive public involvement?

			Data Collection
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the MPO collect and analyze data on participants and beneficiaries of its programs and services for the purpose of monitoring whether program funds are reaching traditionally underserved groups?
			Limited English Proficiency (LEP)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the MPO have an approved Language Assistance Plan or procedures for persons with Limited English Proficiency (LEP)?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the MPO conduct four-factor analyses, as required by USDOT LEP guidelines?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the MPO translate documents into languages other than English?
			ADA/Section 504
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the MPO consider and incorporate the needs of persons with disabilities in planning, programming, and facilities?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the MPO provide reasonable accommodations to disabled applicants, employees and participants of public meetings?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the MPO have a process for notifying members of the public that meeting locations and formats are accessible to persons with disabilities?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the MPO or Lead Planning Agency have an ADA Transition Plan?

Other Significant Observations and Factors:

Program Administration

- The MPO's Unified Planning Work Program (UPWP) lists as its Title VI Coordinator's duties, "Title VI/EJ Planning: Incorporate into Transportation Planning Process." Specific details for this assignment were not offered. When asked about attaching Title VI duties to a position instead of a person so that the Title VI Coordinator is always whatever individual occupies that position (e.g., "Transportation Engineer"), MPO officials insisted that something like that would be impossible for them to do.
- During the on-site, officials said any conversations they would have about Title VI would occur on a project-by-project basis to prepare for meetings and outreach, and following audits like OCR's 2011 desk audit.
- According to MPO officials, any discrimination complaints would be investigated by Winston-Salem's City Attorney. When asked how this aligns with the Title VI complaint procedures developed by the MPO in 2011 which do not mention the City Attorney, MPO officials said the Attorney would follow the MPO's complaints procedures. How the MPO's complaint procedures apply to other member jurisdictions was not discussed during the on-site. Some NCDOT "Title VI Section" references were not removed in the MPO's complaints procedures.
- The Title VI Coordinator indicated that for Title VI, he focuses specifically on projects that receive federal funds. As a federal-aid recipient, the MPO's nondiscrimination obligations apply to all of its projects and activities, regardless of funding source.

Information and Reports

- Implementation Plans were not discussed during the on-site meeting. MPOs are required to have an Implementation Plan and to periodically report on Title VI compliance efforts to NCDOT (primary recipient), according to FHWA Civil Rights. FTA requires a documented Title VI Program, which includes many of the components of an Implementation Plan.

Contractors and Sub-recipients

- The MPO includes a Title VI Nondiscrimination paragraph in its contracts, but not Appendix A of the Title VI Assurances. MPO officials pointed out that they were only following NCDOT's instructions, and questioned NCDOT officials not knowing better.

Public Involvement and Outreach

- The MPO emphasized taking public involvement to harder to reach communities like LEP groups. The MPO's 2012 Public Participation Policy confirms this view, and provides some instruction for achieving this goal.
- Examples of the MPO's public outreach successes include door-to-door outreach in a LEP-heavy area, canvassing neighborhoods to confirm where groups are located, radio ads, and a public awareness campaign where MPO staff produced and acted in a commercial that played before movie trailers at the local movie theater.

Data Collection

- According to MPO officials, the City of Winston-Salem has an application for collecting demographic information on those serving on committees, but the MPO acknowledged adding the demographic information it reported through visual observation. Selections for committees were also said to be based primarily on participants taking the initiative to participate.

Limited English Proficiency (LEP)

- The MPO submitted a copy of Winston-Salem’s LEP Plan, which covers all City agencies. During its 2011 Title VI Desk Audit, a copy of the Winston-Salem Transit Authority’s (WSTA) LEP Plan was proffered. While the MPO demonstrated excellence in translating flyers and other information into Spanish, the MPO did not provide evidence of four-factor analyses conducted for its planning area(s), or information on other language groups it might also be serving.

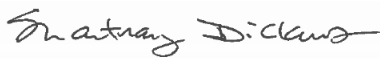
ADA/Section 504

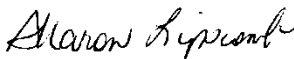
- MPO officials indicated that the City of Winston-Salem had an ADA Transition Plan in the 1990s, which is currently under revision. Whether any other member jurisdictions also have ADA Transition Plans was not discussed during the on-site.

Conclusions and Recommendations (Summary of Findings attached)

The Winston-Salem MPO was able to demonstrate a good faith effort (GFE) to comply with Title VI in most areas assessed during this review; but, the MPO remains deficient in several areas, most notably lacking in training and conducting four-factor analyses. However, the MPO should be commended for its efforts in other areas. The MPO excelled in public outreach, demonstrated by proactive strategies to involve Spanish-speaking groups in decision-making; in data collection and analysis, where the Title VI Coordinator explained overlaying projects on demographic maps to track the reach of funds; and in monitoring contractors, through wage interviews conducted locally and complying with City DBE goals in addition to federal contract goals. NCDOT will work with the MPO moving forward to improve its implementation, documentation and reporting efforts, and to correct all deficiencies identified during this review.

NCDOT's Compliance Determination	<input type="checkbox"/> NO DEFICIENCIES	<input checked="" type="checkbox"/> DEFICIENCIES
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Title VI Specialist: Shantray D. Dickens Date: 10-22-13	Signature: 
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Manager, External Services Section: Sharon M. Lipscomb Date: 10-22-13	Signature: 
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Concurrence: Federal Highway Administration	<input type="checkbox"/> CONCUR	<input type="checkbox"/> DOES NOT CONCUR
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Civil Rights Program Manager, FHWA, NC: Lynise DeVance Date:	Signature:
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