



City of Myrtle Beach Title VI Plan

Introduction

Title VI of the 1964 Civil Rights Act require that any federally-funded planning, programming, and project implementation activities be free of discrimination. The City of Myrtle Beach incorporates the American with Disabilities Act (ADA) regulations into its plans.

The City of Myrtle Beach recognizes these non-discrimination requirements as applying to both the planning as well as the individual implementation of all projects it participates in. Title VI compliance requires the inclusion of both data collection and analytic methods to assess the impacts of its projects on protected groups, and access to and level of public involvement. This plan summarizes the City of Myrtle Beach's intended efforts to implement Title VI requirements into its programs.

Non-Discrimination Policy Statement

The City of Myrtle Beach complies with Title VI of the Civil Rights Act of 1964 and all related statutes and regulations in all of its programs and activities.

The City of Myrtle Beach operates without regard to race, color, religion, because of or on the basis of sex, including because of or on the basis of pregnancy, childbirth, or related medical conditions, including, but not limited to, lactation, sexual orientation, gender identity, age, national origin, or disability. The City of Myrtle Beach meetings are held in public locations with accessibility to all, and materials are provided in accessible formats or in languages other than English upon request within reasonable advance notice.

Any person who believes they have been discriminated against by the City of Myrtle Beach or any of its sub-recipients or contractors may file a written complaint with the City and/or the South Carolina Human Affairs Commission. All complaints will be promptly investigated by the City Manager and/or his/her designee.

As both the recipient and programming agency for certain types of federal funding, the City of Myrtle Beach has the responsibility to follow federal nondiscrimination laws and policies as well as assist with the compliance of recipients of the federal funds that are provided through its programs, services, and processes. The Civil Rights Act of 1964, as well as several Presidential Executive Orders, outline these responsibilities. Applicable federal requirements include:

- Civil Rights Act of 1964
- Civil Rights Restoration Act of 1987
- Section 504 of the Rehabilitation Act of 1973
- Americans with Disabilities Act of 1990
- Age Discrimination Act of 1975

- Uniform Relocation Act of 1970
- Executive Orders 12898 and 13166

Non-Discrimination Measures

The City of Myrtle Beach has or pledges to have policies and procedures in place to promote open access to its programs, services, and processes and/or allow participation to all interested parties. These efforts include but are not limited to the following:

Staff Training

Designated City staff will be trained on the responsibilities to follow federal non-discrimination laws.

Meeting Locations and Times

The City of Myrtle Beach strives to hold public meetings at locations that are convenient and located in close proximity to available public transit. Public meetings are held at various times and televised and/or streamed live online to facilitate most traditional working schedules. Meeting locations are also accessible according to the provisions of the Americans with Disabilities Act (ADA)

Limited English Proficiency (LEP) Plan

The City of Myrtle Beach has reviewed and will formulate a Limited English Proficiency (LEP) Plan that allows individuals with limited English proficiency to receive information in their native language with reasonable advanced notice.

Agendas

The City of Myrtle Beach's public meeting agendas are made public in accordance with applicable laws and translations are available upon request.

Website

The City of Myrtle Beach's website will provide a link to all program summary materials.

Public Notice

Public notices and advertisements to public meetings with translation is available upon request.

Posted Public Notice

A notice has been produced and will be posted in public view wherever agendas for upcoming public meetings are also posted; as well as in the applicable buildings and spaces where the public are frequently present in full view of the public. The notice states that the City of Myrtle Beach complies with Title VI and provides direction to the Title VI Coordinator and the website for the complaint form and process.

Procurement Policies

The City of Myrtle Beach procurement policies and contracts will contain provisions for outreach and nondiscrimination language whenever possible.

Nondiscrimination Process and Log

The City of Myrtle Beach has developed a discrimination complaint process and will have it posted on the web site. Additionally, the City of Myrtle Beach will keep a log to track discrimination-related investigations, lawsuits, and complaints.

Organizational Responsibilities

City Manager

The City Manager's Office is responsible for ensuring the City's compliance with Title VI Requirements, including, but not limited, to monitoring City programs, preparing required reports and undertaking such other responsibilities as required by 23 Code of Federal Regulation (CFR) 200 and 49 CFR 21. To ensure compliance the City Manager will appoint a Title VI/Section 504 Coordinator, and Department Directors will designate one or more Department Liaisons within their respective departments.

Title VI/Section 504 Coordinator

The Director of Human Resources and Organizational Development is the Title VI/Section 504 Coordinator and responsible for the overall management of the Title VI Program, under the direct supervision of the City Manager. The Title VI/Section 504 Coordinator's responsibilities are:

1. Process complaints regarding compliance with this Title VI Plan that are received by the City. Coordinate with Department Liaisons to compile statistical data related to race, color, national origin, sex, age, disability, sexual orientation, and income of participants in, and beneficiaries of, federally funded programs to ensure compliance with the Title VI Requirements.
2. Review City programs, services or projects receiving federal funds in coordination with Department Liaisons to ensure compliance with Title VI Requirements.
3. Conduct training programs related to Title VI Requirements for City staff who are responsible for Title VI compliance.
4. Make recommendations to the City Manager on ways to achieve compliance with Title VI Requirements.
5. Coordinate with the Public Information Office to develop information regarding this Title VI Plan for dissemination to the general public and, where appropriate, use department outreach meetings (ie: Neighborhood Watch) to ensure dissemination of the information to affected populations.
6. Identify deficiencies in compliance with the Title VI Requirements, and make recommendations to the City Manager for remedial actions to be taken to promptly resolve such deficiencies.

7. Coordinate with the Human Rights Commission regarding Title VI compliance needs and complaint resolution.
8. Ensure that individuals obtain meaningful access to the public awareness/involvement process.
9. Annually prepare a Title VI Plan Report that documents progress, accomplishments, impediments and goals in fulfilling this Title VI Plan.

Department Liaisons

Department Liaisons are responsible for the day-to-day administration of the Title VI Program within their departments. The Title VI/Section 504 Coordinator shall keep on file an accurate and updated list of all Department Liaisons. Department Liaisons' responsibilities are:

1. Ensure compliance, program monitoring, reporting, and education regarding the Title VI Requirements within their respective departments.
2. Meet regularly with the Title VI/Section 504 Coordinator to discuss issues regarding Title VI implementation and monitoring within the City.
3. Collect statistical data regarding participants in and beneficiaries of federally funded programs, such as relocatees, affected parties, and impacted communities (race, color, national origin, sex, age, disability, sexual orientation, and income).
4. Prepare annual reports regarding department compliance with Title VI and make recommendations on ways to achieve better compliance with the Title VI Requirements.
5. Conduct post-grant approval reviews of City programs and applicants (ie: program and service location, design and relocation, and persons seeking contracts with the City), for compliance with the Title VI Requirements.
6. Conduct and participate in department meetings to review impacts of programs and projects designed to enhance compliance with Title VI.
7. Attend Human Rights Commission meetings no less than annually to discuss programs and services provided by department and identify opportunities to enhance compliance.
8. Develop mechanisms to identify the population of parties who may be placed at a disadvantage within the community and modify services to mitigate disadvantage.
9. Ensure that all meetings and hearings are accessible to all affected parties within the community served.

Departmental responsibilities

Each Department Head is responsible for Title VI compliance for individual projects. Compliance activities include, but are not limited to:

1. Ensuring that all aspects of the programs, services, and/or project's planning process and operations comply with the Title VI Requirements.
2. Ensuring that affected parties have meaningful access to a program, service, and/or project's planning processes.
3. Assisting the Title VI/Section 504 Coordinator in gathering and organizing data for the Annual Title VI Plan Report.
4. Reviewing the Department's work programs, policies, and other directives to ensure compliance with the Title VI Requirements.
5. Verifying the level of participation of affected parties at public outreach meetings.

Organizational Commitment to Title VI

Elimination of discrimination

The City will continue its practice of identifying discrimination based on race, color, religion, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity and source of income, and where such discrimination is found to exist, implementing programs or practices to eliminate the discrimination. Programs include, but are not limited to, hiring staff and contractors, providing translations, and conducting public outreach and involvement in City programs, services and/or projects.

Public dissemination of information

The Title VI/Section 504 Coordinator shall assist City staff in the creation and dissemination of Title VI Program information to City employees, contractors, affected parties, and the general public. Public dissemination efforts may include: posting public statements setting forth the City's non-discrimination policy; inclusion of Title VI Assurances in City contracts and grants; and publishing a Title VI Policy Statement in the media reaching general circulation in the City at least once annually; posting a Title VI Policy Statement in vicinity of proposed City projects; and including a Title VI Policy Statement in announcements of hearings and meetings; and providing notice of City Proposed Projects to minority communities.

Title VI assurances in contracts and grants

The Contracts and Procurement Division is responsible for the City's general contracting, consultant selection, negotiation, and administration of contracts for the City. The Contracts and Procurement Division will ensure that all federally funded contracts administered by the City contain Title VI Assurances. In the event that the City distributes federal funds to another entity through grants or other agreements, the Department Liaison administering the grant or agreement will ensure that such grants and agreements contain the Title VI Assurances. The Department's project administrator or grant administrator will monitor the performance of the contract or grant for compliance. The Title VI/Section 504 Coordinator and Department Liaisons will coordinate

efforts to ensure that the requirements of Title VI are met throughout the entire contracting and grant performance process.

Data collection

Statistical data on affected parties will be compiled by each Department Liaison. The data compilation process will be reviewed regularly by the Title VI/Section 504 Coordinator and the Department Liaisons to ensure the data is sufficient to meet the requirements of this Title VI Plan.

Training program

Annual training will be made available to Department Liaisons and other City staff responsible for the implementation of the Title VI Requirements. Training will provide comprehensive information on the Title VI Requirements and its application to specific programs or operations; assistance on the identification of Title VI issues; and an overview of the complaint process.

Title VI program reviews

Each Department will conduct an annual Title VI Plan review to assess the Department's effectiveness in ensuring compliance with the Title VI Requirements. The Title VI Program review will be overseen by the Title VI/Section 504 Coordinator with the assistance of the Department Liaison, and will include an evaluation of administrative procedures and staffing; review of operational guidelines for City staff, contractors and sub-recipients; and assessment of resources available to ensure compliance with the Title VI Requirements.

Department Title VI reports

Department Liaisons shall annually prepare a Department Report to be submitted to the Title VI/Section 504 Coordinator on or before July 30th of each year. The Department Report will be based on the data compiled by the Department Liaison and the Title VI Program Review. The Department Report shall include an executive summary; a list of programs subject to the Title VI Requirements; a summary of any complaints of violations of the Title VI requirements and how each complaint was resolved; a summary of the statistical data compiled by the Department Liaison; a summary of Title VI training provided; and a general assessment of the Title VI compliance by the Department.

Title VI/Section 504 Coordinator Title VI Plan Report

The Title VI/Section 504 Coordinator shall annually prepare a comprehensive Title VI Plan Report, and forward it to the City Manager on or before August 15th of each year. The Title VI Plan Report will be based on the Department Title VI reports, and shall contain an assessment of the accomplishments during the preceding year; a list of recommended changes to the programs subject to the Title VI Requirements; and a list of recommended goals and objectives for the upcoming year.

Preventive and remedial efforts

The City will actively seek to prevent Title VI deficiencies or irregularities, and to remedy requirements. In taking such action, the Department Liaison will work with the Title VI/Section 504 Coordinator to create an action plan within 90 days of the date the need for preventive or remedial action is identified by City staff. A copy of the action plan will be provided to the Department Head and the City Manager and retained by the Title VI/Section 504 Coordinator. When the Department Liaison reasonably believes a staff member, contractor or sub-recipient has violated a Title VI Requirement, the Department Liaison will follow the following process:

1. The Title VI/Section 504 Coordinator and the Department Liaison will meet with the staff member, contractor or subcontractor to conduct an initial review of the facts supporting a finding that a violation of the Title VI Requirements has occurred or is occurring.
2. If, after the initial review, the Title VI/Section 504 Coordinator and the Department Liaison concludes that a staff member has violated the Title VI Requirements, disciplinary or corrective action, up to and/or including termination, will be taken. Disciplinary actions will be based upon the facts of the violation. If termination is not pursued, the staff member may, based on the severity of the infraction be required to participate in training related to Title VI and may, based on the severity of the fraction be placed on a 180-day probationary period for the violation. Any such training and probationary period will be coordinated by the Department Liaison and the Title VI/Section 504 Coordinator.
3. If, after the initial review, the Title VI Section 504 Coordinator and the Department Liaison concludes that a contractor or sub-recipient violated the Title VI Requirements, the contractor or sub-recipient will be given a reasonable time, not to exceed 90 days from the date notice is provided to voluntarily correct noncompliance.
4. The City will seek to obtain the cooperation of the contractor or sub-recipient in correcting non-compliance, and will offer to provide technical assistance needed by the contractor or sub-recipient to obtain voluntary compliance with the Title VI Requirements.
5. A follow-up review will be conducted within 180 days of the date notice is provided to the contractor or sub-recipient to ensure that the violation of the Title VI Requirements has been corrected. If after the review, the contractor or sub-recipient has failed to correct the violation, the City Manager may take appropriate action (e.g., withhold funds, cancel contract) required to comply with the City's obligation under the federal funding regulations.
6. When a contractor or sub-recipient has failed or has refused to comply with Title VI Requirements within the 180-day period after the initial review, the City Manager will terminate the contract with the contractor or sub-recipient.

Title VI Complaint Process

Any person who believes that he or she, either individually, as a member of any specific class of persons, or in connection with any minority contractor, has been subjected to unequal treatment or discrimination in his or her receipt of services from the City on the grounds of race, color, national

origin, sex, age, sexual orientation, gender identity, disability, or income, may file a Title VI Complaint with the Title VI/Section 504 Coordinator.

The City of Myrtle Beach will maintain a Title VI complaint log and provide a Title VI Complaint Form at public meetings, and on the City's website as well as at its main office locations. Designated City staff will be trained on the federal Title VI requirements and how to assist any member of the public who would like to file a Title VI complaint.

The Title VI complaint process described below applies to the City of Myrtle Beach and its programs, as well to contractors funded by the City of Myrtle Beach. These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 as they relate to any program or activity administered by the City. In addition to these procedures, complainants reserve the right to file formal complaints with other state or federal agencies or take legal action for complaints alleging discrimination.

Required procedures for Title VI Complaints filed against the City of Myrtle Beach:

1. Any person, specific class of persons, or entity that believes they have been subjected to discrimination on a City-related activity or program as prohibited by the legal provisions of Title VI on the basis of race, color, national origin, sex, age, sexual orientation, gender identity, disability, or income can file a formal complaint with the Title VI/Section 504 Coordinator. A copy of the Complaint Form may be accessed electronically at www.cityofmyrtlebeach.com. Forms may also be submitted to the Title VI/Section 504 Coordinator:
City of Myrtle Beach Title VI Coordinator
ATTN: Angela L. Kegler
P.O. Box 2468
Myrtle Beach, South Carolina 29578
Phone: 843-918-1113
Email: akegler@cityofmyrtlebeach.com
2. The complaint must be filed within 180 days of the alleged discrimination, and include the date the alleged discrimination became known to the complainant or the last date of the incident.
3. Complaints should be in writing, signed, and may be filed by mail, fax, in person, or e-mail. However, the complainant may call the City's Title VI/Section 504 Coordinator and provide the allegations by telephone for transcription. Once transcribed, the City will send the written complaint to the complainant for correction and signature.
4. A complaint should contain at least the following information:
 - a. A written explanation of what has happened;
 - b. A way to contact the complainant;
 - c. The basis of the complaint (e.g., race, color, national origin);

- d. The identification of a specific person/people and the respondent (e.g., agency/organization) alleged to have discriminated;
 - e. Sufficient information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity that receives federal funding;
 - f. The date(s) of the alleged discriminatory act(s).
5. Upon receipt of a completed complaint, the City will forward all Title VI complaints to the City Manager and the Human Rights Commission within 72 hours for review and potential investigation.
6. If the City Manager and/or the Human Rights Commission determines a Title VI complaint should be investigated by the South Carolina Human Affairs Commission, the Title VI/Section 504 Coordinator will provide information regarding the complaint to the South Carolina Human Affairs Commission.
7. The disposition of all Title VI complaints will be undertaken by the Human Rights Commission through either (1) informal resolution or (2) issuance of a Letter of Finding of compliance or noncompliance with Title VI. A copy of the Letter of Finding will be sent to the City Manager and the Title VI/Section 504 Coordinator.
8. The complainant may also file a discrimination related complaint on a City program or activity directly with the Human Rights Commission by contacting them at:
Human Rights Commission
P.O. Box 2468
Myrtle Beach, SC 29578
(843) 918-1130

Public Involvement

The City of Myrtle Beach welcomes full and fair participation for all potentially-affected community members in its commitment to comply with Title VI requirements. Identifying these community members requires close coordination between the development and implementation of the public involvement effort and the data collection and analysis phases of the planning process, all of which are subject to Title VI provisions. To promote and help foster public participation, staff in each program, service and project area will work to ensure that information is readily accessible and make certain that the people likely to be affected by and/or interested in a specific program, service, or project are identified and made aware of opportunities to participate.