



**What we Learned from the FAA
TITLE VI AUDIT OF OUR
CIVIL RIGHTS COMPLIANCE PROGRAM**

MYRTLE BEACH INTERNATIONAL AIRPORT

Title VI Coordinator: Denise Hagemeyer

Title VI Airport Liaison: Tracy Custard

GOT AUDIT NOTICE? WHAT NOW??

- ▶ 1. PANIC
- ▶ 2. ONLY KIDDING! 
- ▶ 3. ORGANIZE, ORGANIZE, ORGANIZE!!!
- ▶ 4. GO STEP BY STEP THROUGH LETTER FROM FAA OUTLINING WHAT IS NEEDED FOR ADVANCE REVIEW.
- ▶ 5. GOT A TITLE VI COORDINATOR? THAT'S GOOD! IF AIRPORT IS PART OF GOVERNMENT ENTITY, CONSIDER A LIAISON
- ▶ 6. OTHER STAFF SHOULD BE MADE AVAILABLE TO ASSIST COORDINATOR IN PREPARATION FOR AUDIT

Got Title VI Plan?

- ▶ Make sure that you are familiar with your Airport's Title VI Plan. Review it and be ready to discuss it.
- ▶ Make sure that your plan covers everything.
- ▶ Does it cover Limited English Proficiency issues? Does it go over the Four Factors?
- ▶ Does your plan discuss how to determine if Environmental Justice is a factor?
- ▶ Does your plan set out specific FAA requirements when a complaint is received?

LEP issues needed in Plan

www.LEP.gov

- ▶ LEP INDIVIDUAL – A PERSON WHO DOES NOT SPEAK ENGLISH AS THEIR PRIMARY LANGUAGE AND HAS A LIMITED ABILITY TO READ, WRITE, SPEAK OR UNDERSTAND ENGLISH.
- ▶ OBLIGATION TO ACCOMMODATE LEP PERSONS TO THE EXTENT POSSIBLE.

FOUR FACTOR ANALYSIS must be in Plan

- › Factor 1: Numbers of LEPs eligible to be served
- › Define your service area
- › Determine total service area population
- › Determine LEP populations eligible to be served in your service area
- › Outreach to LEPS to determine literacy skills of LEP Populations and if LEPs are underserved due to language barriers

Four Factor Analysis

- ▶ Factor 2: Frequency with which LEPs come into contact with your program
- ▶ Outreach to LEPS to determine how they access your program
- ▶ Review of staff experience with LEPS
- ▶ Inventory and assess at what points can LEPS access your program

Four Factor Analysis

- Factor 3: The nature and importance of services and programs to LEPs lives
- Outreach to LEPS to determine how they are using your program: trip purpose; are there barriers to access
- Review of staff experience with LEPS

Four Factor Analysis

- ▶ Factor 4: Resources available for LEP Outreach and Costs of outreach
- ▶ [FTA C4702.1B, Chapter III-8]
- ▶ What strategies are suggested in your Public Participation Plan? How much will these cost? What measures are in place to determine when a strategy should be used? Do you have an outreach budget?
- ▶ What resources are available to you for outreach?

Horry County

WHEN YOU NEED AN INTERPRETER:

1. **DIAL:** [866-874-3972](tel:866-874-3972)
2. **PROVIDE:** your 6-digit Client ID [916003](#)
3. **INDICATE:** the language you need or press
 - 1 for Spanish
 - 2 for all other languages and state the name of the language you need
 - 0 for assistance if you don't know what language you need
4. **PROVIDE:** Additional information, if required
[ENTER PIN #1325](#)
5. **CONNECT:** to an interpreter who will provide his/her name and ID number which you can document for reference. Summarize what you wish to accomplish and give any special instructions.

If you have a dual handset phone: Lift handset and press the "Red" interpreter button, then follow the prompts. Once connected to an interpreter, give the second handset to the limited English proficient individual.

When calling or receiving a call from a limited English proficient individual: Use the conference feature on your phone to make a 3-way call, and follow the instructions above to connect to an interpreter.

IMPORTANT INFORMATION:

INTERPRETER IDENTIFICATION - Interpreters identify themselves by name and ID number. Feel free to note this information for future reference if your organization requires it for their records or to comply with regulatory requirements.

WORKING WITH AN INTERPRETER – At the beginning of the call, briefly tell the interpreter the nature of the call. Speak directly to the limited English proficient individual, not to the interpreter, and pause at the end of a complete thought. Please note, to ensure accuracy, your interpreter may sometimes ask for clarification or repetition.

CUSTOMER SERVICE– To provide feedback, commend an interpreter, or report any service concerns, call 1-800-752-6096 or go to www.languagein.com, and click on the "Customer Service" tab, then select Voice of the Customer and complete the form.

Got ADA plan?

- ▶ Need to have plan that provides that disabled individuals are not to be discriminated against.
- ▶ Must provide process by which public may request “Reasonable Accommodation” to help them access programs, services, facilities
- ▶ Should have forms that public is able to access



Committed to Excellence
 1301 Second Avenue
 Human Resources Department
 Conway, SC 29528-0296
 Phone: (843) 915-7354
 Fax: (843) 915-6230
 E-mail: hagemeid@horrycounty.org

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) 915-7354.**

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 _____

Steps for Audit

- ▶ 1. Meet to determine appropriate level and identity of staff needed to help compile and document items requested by FAA
- ▶ 2. If you find items or areas that have inadvertently not been completed or addressed, make specific immediate plans to remedy these items so that you are able to show good faith.
- ▶ 3. Make an INDEXED BINDER for the Audit process. Start with your Title VI Plan in the front and the letter and instructions from the FAA regarding the audit next.
- ▶

Monitoring Post Contract Award

1. Do you have monitoring mechanisms in place to ensure that work committed to DBEs at contract award or subsequently is actually awarded to DBEs to whom the work was committed? (§ 26.37(b)) Yes No
2. Do you have monitoring mechanisms in place to verify that work committed to DBEs at contract award or subsequently is actually performed by the DBEs to whom the work was committed and that those DBEs are managing their work and utilizing their own work forces, equipment, and materials? (§ 26.37) Yes No
3. In the case of post-award terminations, pre-award deletions or substitutions of DBE firms, do you have mechanisms in place to allow you to verify that the DBE has been notified AND given time to respond before approving the termination/ substitution as well as verify the documented good cause that compels the termination before approving a termination/substitution? (§ 26.37(f)) Yes No
4. In situations where a DBE contract goal has been established and a DBE subcontractor is terminated or fails to complete its work on the contract, do you require the prime contractor to make good faith efforts to find another DBE subcontractor to substitute for the original DBE to perform at least the same amount of work or to the extent needed to meet the established contract goal? (§ 26.37) Yes No
5. Do you conduct regular site visits to verify that business names on equipment and vehicles are not covered with paint or magnetic signs as well as verify who employs the workers on site. Do you have written certification of this process? (§ 26.37) Yes No
6. Do you have monitoring mechanisms in place that provide for a running tally of actual DBE attainments (e.g., payments actually made to DBE firms), including a means of comparing these attainments to commitments? (§ 26.37) Yes No
7. Do you randomly verify who orders and pays for the necessary supplies being used by the DBE subcontractor? (§ 26.37) Yes No
8. Do you have prompt payment mechanisms in place to ensure retainage is returned to all subcontractors upon substantial completion of their work on the project? (§ 26.39) Yes No
9. Do you have a monitoring mechanism in place to verify that prime contractors pay all subcontractors within 30 days of receipt of payment? (49 CFR 26.29 (a)) Yes No
10. Do you conduct compliance reviews, audits and/or assessments of all program participants (e.g., contractors, subcontractors, suppliers)? (§ 26.37(a)) Yes No

DBE Participation Reporting

1. Do you count the DBE firm's value of work toward contract goals only if the DBE performs a Commercially Useful Function (CUF)? (§ 26.55(c)) Yes No
2. Do you allow a DBE firms participation to count toward the DBE goal if the firm was not certified at the time it executed the contract with the Prime contractor? (§ 26.55(f)) Yes No
3. Do you ensure that the contractor has actually paid its DBEs and is in compliance with all program requirements before determining whether a contractor met its DBE goal? (§ 26.55(h)) Yes No
4. If a DBE firm's certification eligibility is removed during performance of a subcontract, do you deduct that subcontract amount from the Airport's overall goal? (§ 26.55(g)) Yes No
5. In the case where a DBE wins a prime contract through customary competitive procurement procedures or is awarded a subcontract on a prime contract that does not carry a DBE goal, do you count the DBE participation as Race-neutral? (§ 26.55(a)) Yes No
6. Were you required to submit a Uniform Report of DBE Awards/Commitment and Payments for federal FY 2014? (§ 26.11) Yes No
7. Have you achieved your annual goal each year in the past three years? (§ 26.47(c)) Yes No
8. In any years that you did not meet the DBE goal, did you analyze the reasons why the goal was not achieved and established specific steps to correct the problem? (§ 26.47(c)) Yes No

Still not monitoring sig in general

any of the work

DBE report

any

more reports

Project specific

all covered by the contract
 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

Showing log is general but on call
 days to respond to work out

mix of special cases

we will do more on this if you'll not stop trying to put in document to report to prime

part of the work

already need credit

30 days

business goals receipt

PART 2 - Please provide copies of the following documents:

(Please check appropriate box and use the space provided in Part 3 to further explain any "No Records" and/or "Not Required" responses.)

| | | | |
|--|--|------------------------------------|---------------------------------------|
| A. Airport organization chart, showing DBELO's position. | <input checked="" type="checkbox"/> Attached | <input type="checkbox"/> No Record | <input type="checkbox"/> Not Required |
| B. Records showing approval and/or rejection of DBE firms' terminations/substitution. | <input checked="" type="checkbox"/> Attached | <input type="checkbox"/> No Record | <input type="checkbox"/> Not Required |
| C. Records documenting monitoring of contracts with DBE participation. | <input checked="" type="checkbox"/> Attached | <input type="checkbox"/> No Record | <input type="checkbox"/> Not Required |
| D. Sample forms used to monitor monthly DBE participation. | <input checked="" type="checkbox"/> Attached | <input type="checkbox"/> No Record | <input type="checkbox"/> Not Required |
| E. Records documenting work site visits. | <input checked="" type="checkbox"/> Attached | <input type="checkbox"/> No Record | <input type="checkbox"/> Not Required |
| F. Copy of airport's approved DBE Plan & Triennial Goal. | <input checked="" type="checkbox"/> Attached | <input type="checkbox"/> No Record | <input type="checkbox"/> Not Required |
| G. Records documenting Good Faith Effort reviews. | <input checked="" type="checkbox"/> Attached | <input type="checkbox"/> No Record | <input type="checkbox"/> Not Required |
| H. Copy of accomplishment reports for the most recent three years. | <input checked="" type="checkbox"/> Attached | <input type="checkbox"/> No Record | <input type="checkbox"/> Not Required |
| I. List of all active FAA funded projects. | <input checked="" type="checkbox"/> Attached | <input type="checkbox"/> No Record | <input type="checkbox"/> Not Required |
| J. List of active FAA funded projects that have DBE participation, identifying DBE goal and actual contract percentage achieved to date. | <input checked="" type="checkbox"/> Attached | <input type="checkbox"/> No Record | <input type="checkbox"/> Not Required |
| K. Copy of a recent executed FAA funded contract. | <input checked="" type="checkbox"/> Attached | <input type="checkbox"/> No Record | <input type="checkbox"/> Not Required |
| L. Copy of a recent executed contract that includes a DBE goal requirement. | <input checked="" type="checkbox"/> Attached | <input type="checkbox"/> No Record | <input type="checkbox"/> Not Required |
| M. Copy of a recent executed DBE sub-contract agreement you reviewed. | <input checked="" type="checkbox"/> Attached | <input type="checkbox"/> No Record | <input type="checkbox"/> Not Required |

PART 3 - Comments/Clarifications:

(Please use this section to provide additional information and explanations to your responses in Parts 1 & 2, attach additional sheets if necessary)

When clarifying
get full contract
signatures, must
clearance.

Steps for Audit

- ▶ 4. Separate indexed section for documents requested by FAA PRIOR to site visit
- ▶ 5. Separate indexed section for documents to be made available DURING site visit
- ▶ 6. Compile and index list of staff to be interviewed, per FAA instructions, along with contact information
- ▶ 7. Index trainings/powerpoints provided to staff
- ▶ 8. Index Complaint forms or Encounter forms that may be in use

List of Interviewees

1. Pat Apone, Director of Airports
2. Denise Hagemeyer, Human Resources Legalist (Title VI Coordinator)
3. April Johnston, Airport Project Manager (Title VI Liaison)
4. Kirk Lovell, Marketing Director
5. Allegiant Airlines (air carrier)
Sprint Airlines (air carrier)
6. Nacho Hippo (concessionaire)
Hudson News (concessionaire)
7. U-Save (ground transportation provider)
Thrifty Car (ground transportation provider)
8. Tim Jackson, FBO Manager
Huffman Helicopter (tour operator)

NOTE: The timing and duration for the on-site interviews is included in the site visit schedule. Information about the interviewees identified for the on-site interviews will be conveyed to the Title VI Coordinator/ Liaison prior to the site visit to schedule the interviews with the identified individuals.

List of Contracts to be Reviewed

FBO(s):

1. Myrtle Beach Aviation
2. Huffman Helicopter

Air Carriers:

1. Allegiant Airlines
2. Sprint Airlines
3. US Airways
4. Delta Airlines
5. Porter Airlines
6. WestJet Airlines

Concessionaires:

1. Nacho Hippo (Foods)
2. Hudson News (gift shop)
3. Hudson News/Airport Management (gift shop)
4. MSE Branded Foods (Five concessions are under one contract)

Ground Transportation Providers:

1. U-Save (rental car)
2. Thrifty Car (rental car)
3. Easy Way Limo
4. Sunway Charters

Construction:

1. Package O –Signage & Wayfinding (Tyson Sign Co)
2. ITAP Ramp and Taxiway – Construction (Heritage Hauling)
3. Fuel Farm Rehabilitation (MDM Services, Inc)
4. TCEP Access Control & Camera System (Johnson Controls, Inc.)

Services:

1. MYR-TCEP- BHS CM (Adobe Palms)
2. MYR-ALP Update (CHA)
3. MYR-HYW-CRE-5J9-SWPPP's & MYR Stormwater Sampling (Terracon Consultants, Inc.)
4. MYR-HYW- Hangar Design Services (Mead & Hunt)

Do you see any issues in your facility?

- ▶ Are the FAA required notices posted in conspicuous locations?
- ▶ Are Title VI brochures available at public information centers?
- ▶ If you have language services, do your employees who interact with public know how to use them?
- ▶ Do you see any obvious access issues in your facility that may present an obstacle to disabled individuals?
- ▶ Does staff know what to do when complaint is received?

Office of Civil Rights Title VI Program

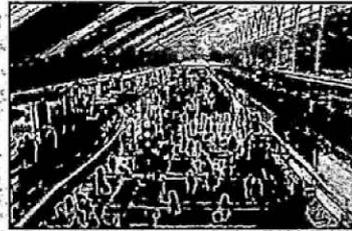
The Title VI Airport Nondiscrimination Compliance Program is complex & imposes on all of us, a special responsibility to ensure that it is administered in a fair, equitable & effective manner.

This brochure focuses on three areas:

- (1) Title VI Program
- (2) Limited English Proficiency
- (3) Environmental Justice

As we move forward, we must remember that the program is based on the premise that airports are required to ensure nondiscrimination within their area of responsibility. In addition to ensuring the civil rights of the flying public, these protections also extend to tenants, individuals who are Limited English Proficient (LEP) & minority & low-income populations impacted by Environmental Justice (EJ) issues:

Additionally, the FAA Office of Civil Rights investigates & renders decisions on Title VI complaints, conducts National Title VI Training Conferences at various locations nationwide, & provides training to airport sponsors & staff Title VI, LEP & EJ.



FAA Office of Civil Rights Contact Information

Title VI Airport
Nondiscrimination Compliance Program
718-553-3295

Federal Aviation Administration
Eastern Region Headquarters, AEA-9
1 Aviation Plaza
Jamaica, New York 11434

Office of Civil Rights Headquarters
202-267-8087

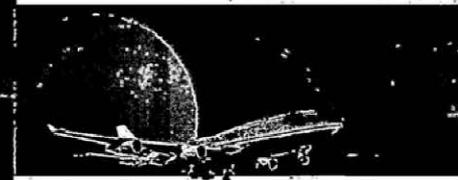
Federal Aviation Administration
Office of Civil Rights
ACR-1, Room 1030
800 Independence Ave, SW
Washington, DC: 20591

NOTE: All links in this brochure can be accessed by choosing the appropriate topic from the FAA Office of Civil Rights website at http://www.faa.gov/about/office_org/headquarters_offices/acr/com_civ_support/



U.S. Department
of Transportation
Federal Aviation
Administration

Title VI Airport Nondiscrimination Compliance



ACHIEVING SAFETY THROUGH DIVERSITY

FEDERAL AVIATION ADMINISTRATION
Office of Civil Rights



Preliminary and Final Report

Whew! We made it Through!

1. Compliance Review Summary of Required Action and Recommended Best Practices will be received.
2. Start a new binder for Audit Required Actions. Assign tasks to appropriate personnel to complete.
3. Set realistic deadlines for completion of tasks after conferring with staff involved.
4. Coordinator should be responsible to compile all documentation that best practices have been complied with.
5. Set realistic deadlines for completion of tasks after conferring with staff involved.

Table of Required Action(s) and Recommended Best Practice(s) as of July 31, 2014

*Items in blue are to be completed by Airport Sponsor (including the "as of date" above).
As items are closed, provide an updated table to Cherry Smith at cherry.smith@faa.gov upon completion.*

| Reference | Requirement | Finding | Required Action(s) | Recommended Best Practice(s) | Estimated Closure Date for each action (date only) | Actual Closure Date for each action (date only) |
|-----------|-------------|---------|--------------------|------------------------------|--|---|
|-----------|-------------|---------|--------------------|------------------------------|--|---|

Compliance Review Summary Table of Required Action(s) and Recommended Best Practice(s) as of July 31, 2014

*Items in blue are to be completed by Airport Sponsor (including the "as of date" above).
As items are closed, provide an updated table to Cherry Smith at cherry.smith@faa.gov upon completion.*

| Reference | Requirement | Finding | Required Action(s) | Recommended Best Practice(s) | Estimated Closure Date for each action (date only) | Actual Closure Date for each action (date only) |
|-----------|---|------------------------------------|---|------------------------------|---|---|
| 1 | 49 CFR 21.9(b)

49 CFR 21, Appendix C(b)(3) | Records and Reports for Compliance | MYR has Title VI discrimination complaint procedures identified in their Title VI plan. These procedures incorporate what steps the Title VI Coordinator and Title VI Liaison are to take when a complaint is received, as well as where a passenger can file a complaint. A compliant form is in the Title VI plan but not posted on the MYR website.

Most tenants were not aware that they should notify the airport sponsor if they receive a Title VI complaint. | None | 1. MYR should consider posting their Title VI complaint form and external Title VI complaint process on their website.

2. MYR should provide tenants with procedures for handling discrimination complaints. | |

NOTE: Identify action(s) taken by the airport for each required action and recommended best practice. Identify the date the action was completed. If item response references a link, mentions a document or indicates something has been posted (e.g. "Unlawful Discrimination" posters) – provide the URL, a copy of the document (if a large document the cover page, table of contents and relevant page(s) at a minimum) and pictures of where the item was posted.

ACTION ITEMS TITLE VI AUDIT

DENISE

1. DEVELOP TRAINING FOR TENANTS AND EMPLOYEES
2. AMENDMENT TO AEP PLAN TO INCLUDE PROCEDURES USED TO INFORM LEP IN SEC C

APRIL

1. CONTRACTS HAVING NONDISCRIM CLAUSE-- APRIL WILL CONTACT RYAN BETCHER TO VERIFY THAT STANDARD CAB CONTRACTS HAVE CHANGED
2. RYAN NEEDS TO HAVE THE CURRENT CONTRACTS AMENDED
3. APRIL WILL GET THE TRAINING TO THE TENANTS VIA THE TENANTS MEETING, WITH WRITTEN MEMO THAT REQUESTS THAT THE TRAINING BE DELIVERED ON OR BEFORE 12/31/14 FOR EXISTING EMPLOYEES
4. FOLLOW UP WITH KIRK TO ADD TITLE VI COMPLAINT FORM AND PROCEDURES ON WEBSITE NEW TAB?

PLAN FOR DELIVERING TRAINING TO EMPLOYEES. APRIL WILL DELIVER TRAINING TO EMPLOYEES.

Ongoing RESPONSIBILITIES to comply with Title VI to get ready for NEXT Audit!

- ▶ IDENTIFY FEDERALLY FUNDED PROJECTS AND ENSURE THAT TITLE VI ISSUES ARE COMPLIED WITH
- ▶ DETAIL EFFORTS IN PLANNING AND BIDDING PROCESS TO ENSURE THAT DBE, LEP AND ENVIRONMENTAL JUSTICE FACTORS ARE CONSIDERED THAT OUTREACH OCCURS
- ▶ DOCUMENT CONTACTS AND ENCOUNTERS WITH LEP or disadvantaged population (have a form!)
- ▶ ENSURE THAT CONTRACT LANGUAGE HAS REQUIRED TITLE VI ASSURANCE LANGUAGE
- ▶ MONITOR CONTRACTORS FOR COMPLIANCE

**LIMITED ENGLISH PROFICIENCY & ADA
ENCOUNTER FORM**

| Report Information | |
|------------------------------------|--|
| Name (of Person filling out form): | Kelli Snyder |
| Employer/Position: | HCDA/Network Technician |
| Date: | 10/15/2015 |
| Encounter Information | |
| Name (if known): | Unknown |
| Date of Encounter: | 10/15/2015 |
| Description of Encounter: | The communications center called and asked for me to assist a Spanish speaking Spirit passenger at info booth 1. |
| Action Taken (if any): | I interpreted for passenger and the Spirit agents until the situation was resolved. |
| Further Assistance Required? | Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |

Kelli Snyder
Signature

10/15/2015
Date

Please return form to:

Coordinator: Denise Hagemeyer hagemeld@horrycounty.org (843) 915-7354

Ongoing RESPONSIBILITIES to comply with Title VI to get ready for NEXT Audit!

1. RECEIVE AND ACT ON COMPLAINTS/ SEND TO FAA—Keep a log
2. ENSURE THAT RESPONSIBLE STAFF RECEIVE TRAINING
3. ENSURE THAT ASSIGNED STAFF ADDRESS ASSIGNED ISSUES THROUGHOUT YEAR
AND UNDERSTAND TASKS
4. CONDUCT ENVIRONMENTAL JUSTICE ANALYSIS FOR PROJECTS
5. REVIEW CONTRACTS (PRE & POST AWARD) FOR COMPLIANCE
6. Create Binder to show ways Airport is compliant

South Carolina Airports DBE *fly-In*



Myrtle Beach International Airport, Charleston International Airport, Columbia Metropolitan Airport, Greenville-Spartanburg International Airport, and SCDOT are teaming up to host a series of events across the state to provide small, minority and women owned businesses the information they need to compete for airport business.

The fourth and final event of 2016 will be hosted by:

Myrtle Beach International Airport
Thursday June 23, 2016
9:00 am – 12:30 pm
at the
Horry-Georgetown Technical College Conference Center
In the Thomas Maeser Auditorium
950 Crabtree Lane
Myrtle Beach, SC 29577



Event is limited to 180 participants. Registration is required. Register now via QR Code.

