

SECTION 504 SELF - EVALUATION 24 CFR PART 8

INTRODUCTION

The following is a checklist of general requirements that recipients should consider in their self-evaluation efforts under Section 504 of the Rehabilitation Act of 1973, as amended. It should be used in conjunction with the United States Department of Housing and Urban Development (HUD)'s regulations at 24 CFR Part 8.

This checklist is designed to serve as a working guidance tool to help recipients focus on key issues that could affect the accessibility of their programs and practices. In developing answers to the questions, a recipient will be preparing most of the information that Section 504 requires. Use of the checklist should also assist a recipient in pinpointing areas where action is likely to be required to achieve compliance with Section 504. It should be emphasized, however, that this checklist is for reference purposes, and is not intended as a substitute for individual judgment or analysis of the pertinent regulations issued pursuant to Section 504. Any information in this checklist cannot be used as a sole basis for determining compliance with Section 504.

The government wide regulations do not prescribe a specific form. This self-evaluation was compiled from material by the Thompson Publishing Group *Section 504 Compliance Handbook*, the Department of Justice Civil Rights Division Technical Assistance Guide (TAG), report on *Section 504 Self-Evaluation* of U.S Department of Housing and Urban Development conducted programs and activities, and other HUD Region IV state checklists.

24 CFR - 8.51 Self-evaluation

(a) Each recipient shall, within one year of July 11, 1988, and after consultation with interested persons, including individuals with handicaps or organizations representing individuals with handicaps:

(1) Evaluate its current policies and practices to determine whether, in whole or in part, they do not or may not meet the requirements of this part; (2) Modify any policies and practices that do not meet the requirements of this part; and (3) Take appropriate corrective steps to remedy the discrimination revealed by the self-evaluation.

(b) A recipient that employs fifteen or more persons shall, for at least three years following completion of the evaluation required under paragraph (a)(1) of this section, maintain on file, make available for public inspection, and provide to the responsible civil rights official, upon request: (1) A list of the interested persons consulted; (2) a description of areas examined and any problems identified; and (3) a description of any modifications made and of any remedial steps taken.

INSTRUCTIONS

Completing the Evaluation:

The questions in the evaluation are a *guide* to ensure Section 504 compliance. Answer each question with Yes, No, N/A, a description, list, or explanation. If a question does not apply to your local government, then write "N/A" next to the question and explain. Some questions require identification of modification to policies and practices will be undertaken or what corrective action will be taken to remedy any discrimination found. In some cases, questions will require that additional information be supplied to complete the evaluation process. Please be sure to attach the local government grievance procedure and current nondiscrimination policy (e.g. *excerpts* from Human Resources personnel policies). **The survey itself does not need to be adopted, but the grievance procedure and nondiscrimination policy do.**

Submitting Documents to the State:

It is recommended to not have the survey as grant number or program specific so it can be used for multiple grants for the local government. If a survey is indicated as grant number or program specific, it is only applicable for that specific grant. Should a local government have multiple grants, one (1) hardcopy of the survey needs to be submitted to Division of Water Infrastructure (DWI) for each grant file. It is recommended to reevaluate the survey every few years (such as 3 three years).

Technical Assistance: There is no prior approval of the completed survey by Compliance Specialist. Should the local government need technical assistance it is recommended to email lmamarca.vargas@ncdenr.gov with questions or contact your Grant Representative.

**SECTION 504 SELF - EVALUATION
24 CFR PART 8**

I. RECIPIENT INFORMATION

CDBG Recipient/Grantee Name: Town of Whitakers

CDBG Recipient/Grantee Mailing Address: PO Box 727, Whitakers, NC 27891

CDBG Recipient/Grantee Physical Address (if different from mailing): 302 NW Railroad St.
Whitakers, NC 27891

Name of local government staff person responsible for Self-Evaluation and coordinating Section 504 Compliance: Linda Bonnette

Title: Town Administrator

Department: Administration

Email: Lmbonn59@gmail.com

Phone Number: 252-437-4011

Date Survey/Evaluation Completed: NOVEMBER 5, 2019

II. PROGRAM POLICY

This section evaluates the program local government policies and their effect on individuals with disabilities. Please respond to the following questions by checking the appropriate box and providing additional information where requested. In some instances, more than one box will be checked.

Describe briefly the local government programs and services, including their purpose, scope, activities, and participants:

Whitakers, as a Local Government, is a Municipal Corporation of the State of North Carolina – amongst other things, it provides Municipal police service, Municipal water & sewer service, recreation, planning and zoning activities, along with Customer Service representatives. It owns and maintains a Municipal building, one recreation facility, public works maintenance shop and water distribution and sewer collection facilities and municipal vehicles.

1. How does your agency incorporate provisions to ensure equal opportunity for individuals with disabilities into its policy and program initiatives?

- Guidelines highlight equal opportunity for persons with disabilities under important information, review criteria, and/or

- Equal Opportunity issues are discussed with policy and/or service groups
- Office undertakes specific effort to enhance equal opportunity for people with disabilities, by:
Newspaper notices/ads, periodic public service announcements, public notices, Section 504 Self Evaluation, posters, and advertising ADA Grievance Procedures.
- Equal Opportunity for people with disabilities is a consideration when the office conducts special initiatives such as research, studies, symposia and/or future planning efforts (Please specify)
Equal Opportunity is made part of advertisements for Municipal Contracts as well as for Municipal Employment and related services.

2. Does your agency provide opportunities when developing or amending its policies for qualified people with disabilities to participate as:

- Staff
Specify efforts: Employment ads are disability sensitive-referencing municipalities Section 504 consciousness. Will place topic on Town Council agenda for future Town Board discussion regarding any additional needs as the case may be.
- Consultants/Panelists

Specify efforts: Consultant ads are disability sensitive-referencing municipalities Section 504 consciousness.

- Other

Specify efforts: Administrative facilities, town recreational facility, and Volunteer Fire Dept., along with other facilities, generically are ADA friendly.

3. How does your agency support any needed accommodations for visitors, staff, or other meeting participants who may have disabilities (e.g., certified sign language or oral interpreter, a reader or taping printed material)?

- ✓ Funds are set aside in the agency's administration budget for use by all offices inclusive of ADA needs
- ✓ Access accommodation as line-item in the office's budget The Town's CDBG-I Grant, #18-I-3040, to the extent applicable. The grant has requirements which have or will be met, which were not in place prior to same.
- ✓ Other (Specify): Signing or other interpreters, written materials and recordings, printed and posted notifications. Depending upon demand, i.e. attendance, the Town would consider investigating the procurement of microphone adapters and headphones to facilitate the hearing impaired at board meetings, etc. Possibly, it will be addressed in the 2020-21 Municipal Budget.

4. Is your agency able to modify its programs/activities, if necessary, to provide reasonable accommodations to individuals (staff or the public) with disabilities?

YES (Specify efforts): Access to a majority, if not all, of the municipal and public facilities, where required and affordable, are reasonably ADA accessible and town administration makes accommodations upon request. Town will consider modification where programs or activities (where affordable) when necessary. The Town will endeavor to learn more about accommodations.

NO (Comments): _____

5. Is agency staff aware that programs/activities may have to be modified in order to accommodate individuals with disabilities?

YES (Specify efforts): Municipal records reflect cognizance of the need to facilitate the requirements of people with disabilities. The municipal building and playground were designed and built to accommodate people with special needs.

NO (Comments): _____

6. Does your agency notify individuals with disabilities that they may request reasonable accommodations, including modification of office policies? If so, please identify how such notification is provided, and to whom (public or staff)?

YES (Specify efforts): Advertised public hearing notices state that both Town Boards and the Town staff will accommodate persons with disabilities by providing accessibility to those who may be handicapped or disabled. Municipal business area sidewalks, as limited as they may be, have some ADA compliant ramps, but recognize that more are needed. Town staff has been instructed, at least informally, to help individuals with disabilities when they come across such individuals while pursuing town business.

NO (Comments): _____

7. Are there any instances where your agency has been unable to modify a policy because such modification would either fundamentally alter the nature of the program, or result in an undue financial or administrative burden?

YES (Specify efforts): _____

NO (Comments): Town administration is not aware of any instances.

8. Is access for people with disabilities a consideration when your agency undertakes special policy related efforts?

YES (Specify efforts): Municipal park facility, as well as municipally owned facilities of public assemblage are examples of such consideration and effort.

NO (Comments): _____

9. Do you have staff members who serve on an emergency evacuation committee to assist visitors and staff with disabilities?

YES – Under current administration, town has a committee for local emergency management coordination with both counties (Edgecombe & Nash Counties). It includes town administrator, public works supervisor, and police department with volunteer fire dept. on stand-by. Shelters are coordinated with both Edgecombe & Nash Counties EM and Red Cross.

NO (Comments): _____

10. Do staff members receive training in emergency evacuation?

YES

NO (Comments): Current Town Administration is not aware of any such training. Town Administrator plans to contact Edgecombe and Nash Counties EM Coordinators for

additional instructions on emergency evacuation procedures. Town police department was available for evacuations if necessary, during Hurricane Florence.

11. Please complete the chart below, using the following instructions:

- a. Identify all of the policies and practices from your completed program policy section that do not or may not meet the requirements of Section 504, and may create barriers for individuals for individuals with disabilities:
- b. List all proposed actions or actions that have been or will be taken by your Agency to modify your policies/practices to ensure compliance with Section 504
- c. Has the proposed action/action been identified as a financial and administrative burden? If so, how the conclusions were reached and list any alternative actions that may be taken that do not constitute a financial and administrative burden.
- d. List target dates for which action may be taken by your Agency to modify your policies/practices

Barrier Identified	Proposed Actions/Modification to Remove Barrier	Could the action result in an undue financial/admin. burden or alter the nature of the Program/Activity (if yes, please identify how the conclusion was reached and list any alternative actions)	Target date of action
Town Park and Improvements	Substantially ADA compliant	Original park was built with accessibility funded by Town funds and NC Parks and Recreation Trust Funds; deterioration has occurred over years & portions of sidewalks need replacement and ramp installed for swing set.	FY 2019-2020 or FY 2020-21
Other Municipal facilities	To extent required and feasible-ADA compliance requirements are met	Most are already compliant, but will fund any new and requested improvements as part of the annual budget to the extent affordable	On-going
Sidewalks	Curb cuts for existing sidewalk areas to be visited contingent upon funding availability	NCDOT had been contacted for downtown sidewalks inspections on state roads to have accessible ramps at corners installed where needed. Town Hall sidewalks already have ramps.	FY 2019-20

III. PROGRAM ACCESS

1. Describe the analysis of all programs and activities and all aid, benefits and services to determine the degree to which they are accessible to qualified handicapped persons: The Town has tried its best to accommodate persons with disabilities where requested. The Town's

recreation facility has, to date, enjoyed NC PARTF funding, which requires ADA Compliance, but repairs and updated adjustments are needed. Previous CDBG grant funding, to the extent that it is other than water and sewer lines, has provided accessibility in housing rehab where needed.

2. Describe methods that have been used to involve handicapped persons (or organizations representing handicapped persons) in the development of activities designed to achieve program accessibility: The Town does not have a formal outreach program for involving handicapped persons; however, it has welcomed the inclusion of handicapped persons when the opportunity arises. The town is small (700-750 pop.) and has some disabled individuals ranging from dementia, various levels of physical disabilities, and mental illnesses. Income surveys from the 2018 CDBG-I application effort shows that there are 37 individuals who are listed as disabled within the CDBG-I Project Area. Many are known to be unable to serve in any capacity. The 504 Grievance Procedure was adopted by the Town Board and will be implemented by staff and consultant.

3. Are there boards, councils or similar bodies on which program participants sit?

YES- List steps to ensure equal opportunities for selection to, and participation in, such boards by persons with disabilities: At present, no persons have volunteered to serve on a board or committee. The Town will endeavor to request a volunteer disabled person to serve on the Citizen Advisory Committee from the CDBG-I Project Area.

NO – Please explain: _____

4. Does the local government notify participants, applicants, beneficiaries, employees, unions of professional organizations, and the general public (posted notices, newspaper ads, office memoranda, etc.) that the grantee does not discriminate on the basis of disability in its federally assisted programs and activities?

YES- Briefly describe the methods used to notify the public about non-discrimination policies: Legal ads, signage, posters, Town staff, projects funded with public funds, i.e. CDBG-I and, after further education, the Town will endeavor to disseminate information through its town newsletter.

NO- Modification or corrective action: _____

IV. PUBLIC OUTREACH

A. COMMUNICATION AND NOTIFICATION

1. Does the recipient engage in any meetings or oral presentations, printed materials, advertisements, or other methods to recruit program participants, or otherwise inform persons or the program's existence?

YES-Describe briefly the activities involved and the materials used. Public functions, public hearings, Municipal contracts, legal and non-legal ads, newspapers, posters, and signage.

NO

2. Has the local government taken appropriate steps to ensure effective communication with applicants, program participants, and members of the public by providing auxiliary aids where necessary so that individuals with speech, vision, or hearing impairments can have the opportunity to participate in, and enjoy the benefits of local government programs and activities?

YES- Proceed to Question 3 NO- Modification or corrective action:

3. Describe approaches and special procedures adopted to ensure effective communications with project beneficiaries and/or members of the general public with disabilities, especially those vision, speech, and hearing impairments (Methods include, but are not limited to: provision or auxiliary aids or presentation or materials in alternative formats qualified sign language and oral interpreters, readers, or the use of taped, large print, closed-captioned video, and Braille materials.) The Town has already included mention of assistance to those with impairments in its notices for CDBG-I activities and meetings. As in limited language situations, the town will seek interpreters or necessary devices when given sufficient notice.
4. Describe how the local government advertises to the public availability of auxiliary aids and services for effective communication to participate in the local government programs and services. Public hearings, legal and non-legal ads, programmatic signs & notices, UCPCOG Workforce Development (which covers the Town of Whitakers), public functions.
5. Describe how the local government will ensure that meetings, hearings, and conferences will be accessible for individuals with communication disabilities. Public notices provide, in part, "anyone requiring special assistance should contact Town Administrator or Town Clerk ahead of scheduled meeting".
6. Describe how an individual with a disability may request assistance and express their preference for auxiliary aids and services from the local government. Phone, orally in person, relative or friend request, texting, faxing, email.
7. Describe how the local government will provide auxiliary aids or services on request. To the extent practical & feasible accommodate reasonable requests.

8. List steps to ensure inclusion or a notice of the recipient's compliance with Section 504 in all materials and advertisements. The Town, in its Public Hearing Notices, Requests for Quotations, Requests for Bid Proposals, and CDBG-I Grant Related Contracts, states that the Funding for this Grant is from the Federal Government under the Community Development Block Grant Program, and that those benefiting financially or materially and any other way, are required to act in accordance and subject to Section 504.

9. Has the local government installed a reader, developed Braille materials, audio recordings or other similar services and devices for persons with impaired vision?

YES

NO- Modification or corrective action: The town is small and has no known demand for such devices. With its limited budget and financial difficulties, which is also why these devices have not been purchased to date. Will discuss, after educational ADA workshop, at a Town Board meeting prior to adoption of FY 2020-21 municipal budget and possibly the rental of such devices on an as needed basis.

10. Does the recipient provide services or information to the general public over the telephone?

YES- Is a teletypewriter (TTY - also referred to as a Telecommunication Device for the Deaf - TDD) or other equally effective system available so that public entities can communicate with individuals with hearing or speech impairments?

NO- List steps to ensure effective communications with individuals with hearing or speech impairments. This can include providing a TTY or relying on a third-party relay service. The Justice Department encourages public entities that have extensive phone contact with the public to have TTYs to assure more immediate access.

11. What is the TTY/TDD number listed in directories and disseminated information?
1-800-735-2962

12. Is signage concerning the location of TTY-equipped pay phones or portable TTYs available?

YES NO- Modification or corrective action:

13. Are all 911 emergency response centers equipped with TTYs or other equally effective technology to make the service accessible to individuals with hearing or speech impairments? Separate, seven-digit phone numbers and/or reliance on a third-party relay service is not an acceptable alternative for making 911 services accessible.

YES NO- Modification or corrective action:

14. Is signage at inaccessible entrances directing people with disabilities to an accessible entrance or a location with information about an accessible entrance?

YES NO- Modification or corrective action:

15. What steps, if any, have been taken to ensure that all of the programs' web site(s) are accessible? The Town has recently investigated a website designer (Relize) that proposed to improve the Town's website to be ADA compliant. The FY 2019-20 budget was initially not able to afford the design upgrade offered by vendor (Relize), but town administration will seek opportunities to implement the proposal.
16. List all local government activities where a sign language and/or oral interpreter, readers, and assistive listening devices might be needed to ensure that persons with hearing and visual impairments can fully participate in the program or activity (e.g. securing services in expeditious manner, department responsible for ensuring such services, policy source and date, date policy distributed to staff). No history of past need is known. Town administration will discuss at 2020-21 budget workshops after ADA oriented workshop.

B. INFORMATION DISSEMINATION

1. Can copies of written materials be reasonably obtained by individuals with disabilities?

YES NO

2. Have disability groups been included in the dissemination process?

YES NO

(None are known to exist in town at the time this document was completed)

3. Does the local government use all available print and broadcast media to ensure that all individuals with disabilities receive appropriate notification?

YES NO

4. Does the local government disseminate information to all agencies or organizations that deal with persons with disabilities in the local government service jurisdiction?

YES NO

5. Does all of the information disseminated by the local government include current non-discrimination policies?

YES NO

NO to any questions above - Modification or corrective action:

C. PRINTED MATERIALS

1. Are written materials including posters with non-discrimination notices placed in physically accessible locations?
 YES NO
2. Can small print of posted announcements be read from a wheelchair?
 YES NO
3. Are all words in printed materials clearly legible?
 YES NO
4. Would color blind individuals be able to distinguish all contents in printed materials?
 YES NO
5. Are representations of disabled individuals free of patronizing stereotypes?
 YES NO
6. Do graphics in printed material permit easy reading of the contents?
 YES NO
7. Is all necessary program information included in printed material?
 YES NO
8. Are procedures for providing program access to disabled individuals stated clearly?
 YES NO
9. Do all appropriate local government documents include policy statements about non-discrimination on the basis of disabilities?
 YES NO
10. Are the Section 504 contact person's name, address, and phone number listed in printed material?
 YES NO

NO to any questions above - Modification or corrective action:

V. PROGRAM ELIGIBILITY/ADMISSION CRITERIA

1. Are there any limitations on the number of qualified persons with disabilities who may participate in or be admitted to the program?

YES- List steps to be taken to eliminate the limitations. NO

2. Has the local government examined all policies pertaining to program eligibility and admission criteria to determine if they had the purpose or effect of excluding or limiting the participation of individuals with disabilities in local government's programs and activities?

YES NO- Modification or corrective action:

3. Has the local government, in examining its polices on program eligibility and admission criteria, paid particular attention to those incorporating or establishing: (1) physical or mental fitness or performance requirements; (2) safety standards; (3) testing requirements; (4) educational requirements; (5) work experience requirements; (6) income level requirements (7) credit rating requirements; (8) requirements based on disability; (9) requirements that prohibit participation because of disability; and (10) insurability requirements?

YES NO- Modification or corrective action:

4. Has the local government altered or eliminated policies that have the direct or indirect effect of excluding or limiting the participation of individuals with disabilities in local government's programs and activities?

YES- List any policies that have been altered or eliminated.

NO- Modification or corrective action:

N/A- Explain (e.g. no such policies found in review), then proceed to Question 6.

5. Has the local government communicated the policy changes to staff members and the public?

YES NO- Modification or corrective action:

6. Are any criteria or tests used in the admission process?

YES - Proceed to Question 7

NO- Proceed to Question 8

7. List all criteria (e.g., good health, residency requirements, letters of recommendation) and tests (including the skill, level of achievement, or other factors being tested, whether they are written or oral tests and the method of administration) used in the admissions process, that have or could have a disproportionately adverse impact on program applicants with disabilities. Discuss briefly the potential negative impact for each and indicate how they relate to the program. Discuss alternative criteria or tests that will be used to ensure nondiscrimination. The use of a criterion or test may have to be suspended as long as this does not result in an undue hardship or fundamental alteration to the program.
8. List steps to be taken to make potential program participants, including those with hearing and vision impairments and learning disabilities, aware of alternative testing/criteria and interview processes.

Will advise on a case-to-case basis and provide assistance to extent possible on an as-needed basis.

9. List steps to provide admission forms in alternative formats.

Will advise on a case-to-case basis and provide assistance to extent possible on an as-needed basis.

10. List steps to ensure that applicants are not asked pre-admission inquiries as to the nature and extent of a disability, and that no forms or other written materials make mandatory inquiries related to disability.

See attached Town Employee's Employment Application.

VI. PROGRAM PARTICIPATION

1. Are post-admission inquiries made regarding disability status to make accommodations for persons with disabilities?

- YES - List steps to ensure that information is gathered voluntarily, not used to adversely affect any person with a disability and kept confidential.
- NO

2. Is there an orientation for new participants?

- YES- Describe briefly the orientation and materials used, and list steps to ensure effective communications and usable materials in alternative formats for all participants.
- NO

3. Review all written materials, tools, equipment or other aids or devices used for the program. Do any need modification?

- YES - List steps such as the provision of auxiliary aids and equipment modification to ensure that program materials and equipment are accessible and usable.
 NO

4. Would any steps pose an undue financial or administrative burden?

- YES- List alternative methods of providing accessibility that would not impose an undue financial or administrative burden.
 NO

5. Are any of the following services or benefits provided to program participants? (Check all that apply. If none provided, proceed to Question 6.)

- | | |
|---|--|
| <input type="checkbox"/> Transportation services | <input type="checkbox"/> Employment services |
| <input type="checkbox"/> Health services and insurance/benefits | <input type="checkbox"/> Food services |
| <input type="checkbox"/> Housing | <input type="checkbox"/> Financial aid |
| <input type="checkbox"/> Counseling services | <input type="checkbox"/> Social, recreational or athletic activities |

List steps to ensure that:

- The service/benefit is equally effective for and usable by persons with disabilities
- The administration of the service/benefit will be free from discrimination based on disability
- Communications will reach all persons, including those with hearing and sight impairments
- Effective application procedures to receive the services exist for persons with disabilities, including those with hearing and vision impairments.

6. List steps to ensure that information concerning program schedules and activities are effectively communicated to all program participants, including those with impaired vision, speech, and hearing.

Case by case basis depending on the nature and extent of impairment.

VII. EMPLOYMENT POLICY AND PRACTICE

A. GENERAL

1. Describe and discuss safeguards that have been used to ensure that all employment decisions are made without discrimination on the basis of handicap, and that such decisions do not limit, segregate or classify applicants or employees based on handicap in a way that adversely affects their opportunities or status.

The Town's Personnel Policy for the Town of Whitakers, in Article V, Sections 1 and 2, states the Town's EEO Policy will not discriminate and all town personnel responsible for its implementation. Town staff will receive training on Title VII from resources provided from the NC League of Municipalities within the current fiscal year.

2. Describe procedures that have been established to make certain that there are no formal relationships regarding employment (e.g. those with labor unions, employment agencies, and so forth) that have the effect of discriminating against qualified persons with disabilities.

The Town's Personnel Policy for the Town of Whitakers, Article V, Section 1 and 2 states that the Town will not discriminate on the basis of age, race...or disabilities and "applicants with disabilities shall be given equal consideration with other applicants"....

3. Does the local government have 15 or more employees (full or part-time)?

YES NO

4. Do the local government's hiring and promotion practices prohibit discrimination against otherwise qualified handicapped individuals (not a separate policy)?

YES- Proceed to Question 5. (Article V of Municipal Personnel Policy and the employee training described above.)

NO - Modification or corrective action:

5. Analyze the following aspects of employment and describe any alterations to make certain that no discrimination based on disability exists, including discrimination that occurs due to an inaccessible facility:
- Recruiting and advertising
 - Processing applications
 - Interviewing and orientation
 - Hiring, upgrading, promotion, award of tenure, demotion, transfer, layoff, termination, right of return from layoff and rehiring
 - Rates of pay or any other form of compensation and changes in compensation
 - Job assignments, job classifications, organizational structures, position descriptions, lines of progression and seniority lists
 - Leaves of absence, sick leave or any other leave
 - Fringe benefits (opportunities for and financial support of training opportunities, conferences, health and insurance benefits) available by virtue of employment, regardless of whether they are administered by the recipient
 - Selection and financial support for training, including apprenticeship, professional meetings, conferences and other related activities, and selection for leaves of absence to pursue training
 - Employer-sponsored activities, including social and recreational programs

- Any other term, condition or privilege of employment

To the extent applicable, the Employment Application, North Carolina General Statutes, the Town of Whitakers' Personnel Policy and Town Ordinances address all statements above.

B. EMPLOYMENT CRITERIA

1. Does the local government administer tests which accurately reflect the applicant's or employee's job skills or aptitude rather than the applicant's or employee's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test is designed to measure)?

YES- Please answer Question 2.

NO- Modification or corrective action:

N/A Explain (e.g. no such test/criteria used), then proceed to Next Section: *Pre-Employment Inquiries.*

2. What employment tests or criteria are used for judging potential employees and describe procedures to ensure that these criteria or tests do not discriminate against persons with disabilities, unless they are shown to be consistent with job necessity?

Testing is consistent with job necessity. In accordance with North Carolina law enforcement officer requirements, the Police Department administers a physical and psychological examination for suitability as a condition of employment for all law enforcement officers. In addition, the Sanitation and Street Department requires a Commercial Driver's License (CDL) based on federal requirements for driving trash truck and other large vehicles. All testing for CDL drivers is a Federal requirement and a condition of employment

3. If the local government uses an employment test or other criteria for selection that screens out or tends to screen out individuals with disabilities, can the local government show that the test score or other selection criteria is job related?

YES- Please answer Question 4.

NO- Modification or corrective action:

N/A Explain (e.g. no such test/criteria used), then proceed to Next Section: *Pre-Employment Inquiries.*

4. Describe methods to identify the job-related characteristics of tests and criteria used in employment decisions, since job-related tests are permitted even if they screen out persons with disabilities.

The methods of identifying the job-related characteristics such as testing law enforcement officers and CDL drivers as described above given are required by North Carolina Criminal Justice Standards, Federal Department of Transportation

requirements. We comply with all applicable State and Federal laws when extending conditional testing requirements to candidates.

C. PRE-EMPLOYMENT INQUIRIES

1. Describe steps to ensure that no pre-employment inquiries are made as to whether an applicant is a person with a disability or as to the nature or severity of a disability. Is the local government aware that it cannot make a pre-employment inquiry or conduct a medical examination of an applicant to determine whether the individual is a person with disability unless the local government is undertaking affirmative action efforts or conditioning an offer of employment on the results of a medical examination given to all prospective employees in the same job category?

- YES- Proceed to Question 2. (See attached Employment Application)
 NO- Modification or corrective action:

2. Does your organization conduct or require any medical examinations after making conditional offers of employment? Has the local government informed job applicants that an employment offer may be conditioned on the results of a medical examination if all entering employees in a job category must take an examination regardless of disability, and the examination accurately reflects the employee's job skills?

- YES- Proceed to Question 3.
 NO- Modification or corrective action:

3. Has the information obtained by the local government concerning the medical condition or history of job applicants been collected and maintained on separate forms and accorded confidentially as medical records?

- YES - Describe procedures to ensure that (a) all entering employees in that position are subject to medical exams, (b) all offers of employment are conditional based on the results of the exams, (c) the medical results gathered are not used in a discriminatory manner, and (d) all information gathered is kept confidential.
- NO- Modification or corrective action: All job application information is confidential and is treated as confidential – both medical and non-medical. All applicants applying for police positions are subject to medical exams. The Town is developing a job offer letter that clearly outlines conditions of employment. Medical results are not used in a discriminatory manner because results are based on necessity of job standards and in compliance with laws for Department of Transportation and North Carolina Criminal Justice Standards.

4. Review job application forms and interview questions to ensure that applicants are not asked about the existence of or nature or severity of a disability. Inquiries about the candidate's ability to perform job functions are permitted. Ensure that applicants are not asked about their relationship or association with an individual with a disability. List any

job forms and questions that were amended. No inquiries are asked or made unless a position, as described above, requires testing or examination based on necessity of the job standards. The Town is reviewing its employment application for updated general improvements.

5. Review existing job descriptions for each job position in your organization. Determine the essential and marginal functions of job positions in the organization and identify what job accommodations can be made, when necessary, for an applicant or employee. List any job descriptions that were amended. Job description review has been conducted and all essential functions are listed in job description for most positions; however, several need updating or improvements and will be corrected by end of current fiscal year ending June 30, 2020. The Town is under 15 employees and Title II does not require such local governments to provide for reasonable accommodations because it is an undue hardship due to the size of our employment base.
6. Describe any training or other measures taken to ensure that employees and supervisors do not subject individuals with disabilities to discrimination because insensitivity or lack of knowledge. Training specific to ADA and discrimination of any kind will be provided to employees during this and subsequent fiscal years.
7. When the local government is undertaking affirmative action efforts, voluntary or otherwise, and inviting applicants for employment to indicate whether and to what extent they are disabled, does the local government meet the following conditions:
 - a) State clearly either orally or in writing that the requested information is intended for the local government's affirmative action efforts?
 YES NO
 - b) State clearly that the information is being requested on a voluntary basis, that it will be kept confidential and that refusal to give the information will not subject the applicant or employee to any adverse treatment?
 YES NO

NO to any questions above - Modifications or corrective action: The Town is developing a supplemental form with an explanation for affirmative action effort which will be attached to all job applications. Scheduled to be completed in 2019.

VIII. OUTSIDE PERSONS AND ORGANIZATIONS

1. List below all outside persons and organizations that are involved in the provision of any aid, benefit or service for the program as discussed in **Sections II through IX**. Include secondary recipients in your discussion. NC Dept. of Environmental Quality/Water Infrastructure Authority Grant/Loan Programs and NC Parks and Recreation Trust Fund (PARTF) requirements and funding.

2. List steps to inform those listed in Question Number One of the organization's commitment to nondiscrimination on the basis or disability. The Town pledged its good faith by signing documents both during application and grant administration processes to not discrimination on the basis of disability. Projects with Federal &/or State funding require ADA Compliance. NC PARTF projects require ADA Compliance.
3. List those persons or organizations from Question Number One that receive significant assistance from the organization in the provision of aids, benefits or services to program participants. For example, list organizations which rent or otherwise use your facilities; that depend on your organization for informing its participants of the aid, benefit or service; that have employees of your organization spending time to assist in or coordinate the provision of the aid, benefit or service; and so forth.

The funding(s) listed in Question #1 above require citizen advisory committees and public participation, who are informed of any aids, benefits or services to program participants. In addition, Town employees are informed and contractors, who perform required services or construction under these funding(s), are informed and required to be of assistance whenever possible.

4. List steps to ensure that persons or organizations listed in Question Number Three do not discriminate on the basis of disability in the provision of any aid benefit or service to your program participants. Such steps may include changes in the program, facility alterations, and/or changes in or discontinuation of the relationship. All contractors and sub-contractors involved in the state and federally funded projects are subject to US Department of Labor, HUD, and IRS monitoring as well as any other applicable federal and state laws to ensure compliance. The Town, its employees, and program participants are also bound by the signed program agreement to promote accommodations and to not discriminate, e.g. grievance procedures, personnel policy enforcement, notices and signs offering assistance, and public education notices and initiatives.

IX. USE OF CONTRACTORS

1. List contractors that are used by the agency to conduct programs or activities on behalf of the agency. Any and all contractors and sub-contractors on state and federally funded projects. The Town, in conjunction with the Upper Coastal Plain Council of Government, when administering Town grants, monitors compliance as required by funding agency.
2. Describe steps that have been taken to ensure that agency procurement officials understand Section 504 requirements as they apply to contractors. The 504 requirements are part of state and federally funded pre-bid and pre-construction meetings, bid documents, the bid itself, and resulting contracts. Said contracts are monitored by Town and grant administer for compliance prior to payment for services.

3. Provide language included in agency contracts to ensure that contractors are aware of their obligations to take steps to facilitate the participation of individuals with handicaps in programs and activities they operate on behalf of the agency. See reference inserted in all written CDBG-I related contracts (Schedule A).
4. Indicate the appropriate policy source to include information about Section 504 requirements as they apply to contractors. 24 CFR Part 8
5. Give a date that the policy was established and distributed to staff and give a citation for the policy. The Code of Federal Regulations Section referred to in number 4 above is part of the Federal Regulation governing Federal Government contracts and is binding upon the Town of Whitakers from its inception of partaking of Federal funding when the Town signed the CDBG-I grant contract on April 13, 2019.

X. GRIEVANCE PROCEDURES

1. What procedures have been established to ensure that at least one person has been designated to coordinate compliance with Section 504? The adoption of a Grievance Procedure in accordance with the Americans with Disabilities Act, most recently dated June 6, 2019, identifies the Town Administrator as the person to coordinate complaints.

2. Have there been obvious difficulties or complaints about the local government services from individuals with disabilities?

YES – Proceed to Question 3

NO- Proceed to Question 4.

3. Describe how resolution of complaints and steps to resolve concerns/complaints is documented?

4. What written procedures have been established to ensure that appropriate initial and continuing steps to notify participants, beneficiaries, applicants, etc. that the local government does not discriminate on the basis of handicap (24 CFR 8.54)? See Section X Grievance Procedures #1 above

5. Does the local government have a written grievance procedure/policy for handling the prompt and equitable resolution of any complaints of discrimination based on disability?

YES- **ATTACH** a copy of the current local government policy which should include the date the policy was established, the date the policy was distributed to staff, and the citation for the policy. 504 Grievance Procedures (approved June 6, 2019) listed among CDBG-I Compliance Forms/Policies submitted to NCDEQ/Div. of Water Infrastructure.

NO- Modification or corrective action:

6. Has the local government adopted procedures that incorporate due process standards and allow for prompt resolution of any complaints or alleged discrimination based on disabilities (24 CFR 8.53)?

YES - ATTACH a copy of your current grievance procedures and the name of the person or unit responsible for receiving and processing complaints.

NO- Modification or corrective action:

7. Has the local government notified staff and program participants about the grievance procedures?

YES NO- Modification or corrective action:

8. Is the grievance procedure and/or nondiscrimination policy published in the newspaper at least once a grant cycle (or once a year)?

YES (Will be published in November 2019.)

NO- Modification or corrective action:

9. Does the grievance procedure inform individuals of their rights to file a complaint with a state or federal agency and include the agency's addresses? Yes

HUD PORTAL SECTION 504:

http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/disabilities/sect504faq