

HUNTSVILLE –MADISON COUNTY AIRPORT AUTHORITY NON-DISCRIMINATION PROGRAM

I. POLICY STATEMENT

THE HUNTSVILLE-MADISON COUNTY AIRPORT AUTHORITY (sometimes referred to as the “Airport Authority”) assures that no person on the grounds of race, color, national origin, sex, creed, religion, or age will be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program activity, or service of Airport Authority, in accordance with Title VI of the Civil Rights Act of 1964, 42 USC §2000d et seq. (“Title VI”), the Civil Rights Restoration Act of 1987, PL 100.259 (“CRAA”), Section 520 of the Airport and Airway Improvement Act of, 49 U.S.C. §47123 (“Section 520”), and the Age Discrimination Act of 1975, 42 U.S.C. §6101 et seq. (“ADEA”)(collectively, “Title VI”).

THE HUNTSVILLE-MADISON COUNTY AIRPORT AUTHORITY further assures that, as provided by Section 504 of the Rehabilitation Act, 29 USC §794 et seq.; 49 CFR Part 27 (“Section 504”) and the Americans with Disabilities Act of 1990 (“ADA”) (collectively, “ADA”), Airport Authority will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities .

THE HUNTSVILLE-MADISON COUNTY AIRPORT AUTHORITY further assures that every effort will be made to ensure non-discrimination in all of its programs and activities, whether those programs are federally funded or not. If communities may be significantly and adversely impacted by programs or activities of the Airport Authority, reasonable efforts will be made to involve community leaders and interested parties in the decision making process. Except in those programs where affirmative action is administered by Airport Authority (i.e., the Disadvantaged Business Enterprise (“DBE”) Program and Airport Concession Disadvantaged Business Enterprise (“ACDBE”) Program), awards of contracts, concessions, and leases are made without regard to race, color, national origin, sex, creed, religion, age or disability.

THE HUNTSVILLE-MADISON COUNTY AIRPORT AUTHORITY requires non-discrimination clauses from each tenant, contractor, and concessionaire providing an activity, service or facility at the Airport under a lease, contract or concession with Airport Authority. Airport Authority also requires that such tenants, contractors, and concessionaires require non-discrimination clauses from their subcontractors.

Amy Nation, as the Civil Rights Coordinator, is responsible for initiating and monitoring Title VI and ADA activities, preparing required reports, and complying with other responsibilities as required by 49 CFR Part 21 and 49 CFR Part 27.

II. ADMINISTRATION

The Civil Rights Coordinator is responsible for initiating and monitoring Title VI and ADA activities, preparing required reports, and complying with Title VI and ADA requirements.

In addition, the Civil Rights Coordinator is responsible for coordinating Title VI and ADA information, data, and notices related to federally-assisted programs. This includes the dissemination of Title VI and ADA information to Airport Authority's employees, tenants, concessionaires, and contractors and the posting of the FAA unlawful discrimination notice at the Airport. Airport Authority's Non-Discrimination Program also requires that applicable civil rights provisions, Title VI assurances, and non-discrimination clauses be included in contracts, leases, and concession agreements.

III. CIVIL RIGHTS COORDINATOR RESPONSIBILITIES

The Civil Rights Coordinator shall endeavor to:

- Receive, record, and forward a copy of Title VI complaints and ADA/504 complaints to the appropriate agency of the Department of Transportation ("Agency") within fifteen (15) days of receipt.
- Provide the Agency with an explanation of attempts made to resolve complaints pursuant to 49 CFR Part 21, Appendix C(b)(3).
- Annually review the Non-Discrimination Program and disseminate information to its employees, tenants, concessionaires, and contractors as needed.
- Respond to requests by the Agency for data, records, and program updates to determine Title VI and ADA compliance.
- Coordinate with program liaisons to collect and make available racial and ethnic data showing the extent to which minority groups are beneficiaries of or impacted by Airport programs. 49 CFR Part 21.9(b) and (c).
- Provide a copy of 49 CFR Part 21 and 49 CFR Part 27 for inspection to requesting parties during normal working hours. A copy of 49 CFR Part 21 can be found at this link: <https://www.ecfr.gov/current/title-49/subtitle-A/part-21>. A copy of 49 CFR Part 27 can be found at this link: <https://www.ecfr.gov/current/title-49/subtitle-A/part-27>.

IV. GRANT ASSURANCES AND CONTRACT PROVISIONS

The Huntsville-Madison County Airport Authority, upon application for a grant to purchase land or to implement an airport or noise program involving construction, executes the standard DOT Title VI Assurances.

Airport Authority endeavors to include civil rights provisions, Title VI assurances, and non-discrimination clauses, as applicable and as required, in Airport contracts, agreements, instruments, solicitations (including as set forth in the advisory document issued by FAA and entitled "Contract Provision Guidelines for Obligated Sponsors and Airport Improvement Program Projects, as may be amended).

V. MINORITY BUSINESS NOTIFICATION

Airport Authority's construction and/or concession award processes are not based on race, color, national origin, sex, creed, religion, age, or disability. Information on the award process and documentation for specific bid decisions is kept with the Chief Operating Officer and/or Civil Rights Coordinator as appropriate.

Bids for federally funded airport construction projects and for airport concessions are solicited from area minority businesses. These solicitations may include the following avenues: local minority and general newspapers, trade journals, websites, email transmissions, and professional service directories. Some of the bid notification sources include: Huntsville Madison County African American Chamber of Commerce, *Speakin' Out News*, and Airport Authority's DBE Directory.

VI. ADA/504 POLICIES AND PROCEDURES

Effective Communication: Airport Authority will generally, upon request, provide appropriate aids and services as required for effective communication with qualified persons with disabilities to participate in Airport Authority's programs, services, and activities, including documents/signage in Braille, and other ways of making information and communications, which are the responsibility of the Airport, accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: Airport Authority will endeavor to make reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy its programs, services and activities.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity at the Airport, should contact the Civil Rights Coordinator as soon as possible but no later than 48 hours before the scheduled event. Airport Authority will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible

to persons who use wheelchairs. However, the ADA does not require Airport Authority to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden. Complaints that a program, service, or activity at the Airport is not accessible to persons with disabilities should be directed to the Civil Rights Coordinator in accordance with Airport Authority's Discrimination Complaint Procedures as described herein.

Self-Assessment: Airport Authority will complete a new or updated self-assessment with respect to the ADA every three (3) years. The self-assessment will evaluate the Airport Authority's programs and activities to identify barriers that prevent persons with disabilities from access, including an evaluation of policies and procedures. The self-assessment will be conducted under the direction of the Civil Rights Coordinator, who will utilize staff resources and/or outside consultants as necessary. The Civil Rights Coordinator may utilize a relevant checklist or self-evaluation tool to complete the assessment. The self-assessment will include an evaluation of ground transportation provider operations at the airport. Based upon the results of the self-assessment, Airport Authority will create a plan and timeline to address any noted deficiencies. As needed, Airport Authority employees, concessionaires, lessees and tenants will be made aware of the findings of the self-assessment and any corrective or affirmative action needed, including but not limited to training and accommodations/modifications at the Airport. Records related to the self-assessment will be retained for at least three (3) years.

VII. DISCRIMINATION COMPLAINT PROCEDURES

Any written Title VI or ADA complaints received by Airport Authority's personnel are to be forwarded to the Civil Rights Coordinator. The Coordinator maintains a record of the complaint(s), conducts a preliminary review, and attempts to resolve the matter. The Civil Rights Coordinator forwards a copy of the complaint and a status of resolution efforts to date to the Agency, as applicable, within fifteen (15) days of receipt. Reasonable efforts will be made to complete an investigation within sixty (60) days.

Airport Authority's complaint procedure will be publicized on Airport Authority's website, made available to members of the public upon request, and disseminated to Airport Authority's employees, contractors, concessionaires, lessees and tenants. Airport Authority's complaint and investigation procedures are more particularly described in Exhibit "A" attached hereto.

The Airport Authority complaint procedure is more particularly described as follows:

SCOPE. These procedures are for complaints of discrimination, other than employment discrimination, to Airport Authority. They apply to discrimination by Airport Authority employees, contractors, concessionaires, lessees, or tenants based upon race, color, national origin, sex, creed, religion, age or disability, including but not necessarily limited to complaints under Title VI of the Civil Rights Act of 1964, 42 USC §2000d et seq. ("Title VI"), the Civil Rights Restoration Act of 1987, PL 100.259 ("CRAA"), Section 520 of the Airport and Airway Improvement Act of 1982, 49 U.S.C.

§47123 (“Section 520”), and the Age Discrimination Act of 1975, 42 U.S.C. §6101 et seq. (“ADEA”) (collectively, “Title VI”) and complaints under Section 504 of the Rehabilitation Act and the Americans with Disabilities Act of 1990 (collectively, “ADA”). They cover federally funded programs and activities administered by the Airport Authority.

COMPLAINTS. Any person who feels that he or she has been subjected to discrimination on the basis of race, color, national origin, sex, creed, religion, age or disability has the right to file a complaint with Airport Authority. These procedures do not deny or limit the right of a complainant to file a formal complaint with an outside agency, such as the Department of Transportation, Federal Aviation Administration (FAA), or Federal Transit Administration (FTA)(as applicable, the “Agency”), or to seek private legal counsel regarding discrimination. Information on filing a complaint with the appropriate agency may be obtained from the Civil Rights Coordinator.

Complaints must be filed within ninety (90) days after the discriminatory event, must be in writing, and must be delivered to:

Amy Nation
Civil Rights Coordinator
Huntsville-Madison County Airport Authority
1000 Glenn Hearn Blvd, Box 20008
Huntsville, Alabama 35824
Telephone: (256) 772-9395

WRITTEN COMPLAINTS REQUIRED. If a verbal complaint is received, the complainant should be given a copy of these Airport Authority’s Discrimination Complaint Procedures and instructed to submit a written complaint within ninety (90) days of the discriminatory event. Accommodation (such as personal interviews or tape recording of the complaint) will be provided upon request to individuals unable to file a written complaint due to a disability.

INITIAL RECEIPT OF WRITTEN COMPLAINT. The Civil Rights Coordinator will log in a complaint and promptly send copies of the complaint to Airport Authority’s Chief Operating Officer and Chief Executive Officer of .

CONTACT WITH COMPLAINANT. The Civil Rights Coordinator will endeavor to meet with and speak to the complainant to clarify the issues, obtain any additional information needed, and determine if informal resolution might be possible.

ASSIGNMENT OF INVESTIGATOR. The Civil Rights Coordinator will promptly begin the investigation or designate an investigator.

AGENCY NOTIFICATION. A copy of complaints alleging a Title VI or ADA violation by Airport Authority employees, contractors, concessionaires, lessees, or tenants, relative to Airport Authority’s aviation activities, services, or other benefits, will

be forwarded to the Agency within fifteen (15) days of receipt of the complaint. In addition to forwarding the complaint, the Civil Rights Coordinator will include a statement describing any actions taken to resolve the matter and the status thereof to the Agency.

COOPERATION WITH AGENCY. The Civil Rights Coordinator will promptly investigate all discrimination complaints, including those referred to the Agency. In investigating a complaint that has been referred to the Agency, the Civil Rights Coordinator will endeavor to avoid interfering with the Agency's investigation, will cooperate with the Agency when possible, and will share factual information with the Agency.

PROMPT INVESTIGATION. The Title VI Coordinator will make reasonable efforts to complete discrimination complaint investigations within sixty (60) calendar days after the complaint is received, though some investigations may take longer.

CONSULTATION WITH LEGAL COUNSEL. The Civil Rights Coordinator will have an opportunity to consult with Airport Authority's legal counsel regarding the investigation and the report.

PROMPT RESOLUTION OF DISPUTES. The Civil Rights Coordinator will quickly and fairly resolve disputes with complainants, or with employees, contractors, concessionaires, lessees, tenants, or other persons, through informal negotiations and/or other dispute resolution methods.

AVOIDING FUTURE DISCRIMINATION. In addition to taking action with respect to any specific instances of discrimination, Airport Authority will endeavor to identify and implement measures to reduce the chances of similar discrimination in the future.

INTIMIDATION AND RETALIATION PROHIBITED. Airport Authority will not intimidate or retaliate against a person who has filed a complaint alleging discrimination.

INVESTIGATION REPORT. After completing the investigation, the Civil Rights Coordinator will prepare a written report.

RECORDS RETENTION. Complaints will be kept on file for a minimum of one (1) year and records, including summaries of such complaints, will be kept a minimum of five (5) years.

COPIES TO DOT/FAA/FTA. Copies of each Title VI or ADA complaint, a summary of the final investigation report, any response, and Airport Authority's transmittal letter to the complainant and the respondent will be sent to the Agency.

FORWARDING REPORT AND RESPONSE TO COMPLAINANT. At the completion of the investigation, the complainant and the respondent will receive a letter of findings and determination of the investigation and any applicable resolution. The

letter transmitting the findings and any applicable resolution will describe the complainant's appeal rights. If necessary, the report will be provided in a format accessible to the complainant, such as large print or audio tape. Copies of each discrimination complaint, a summary of the investigation report, any response, and Airport Authority's transmittal letter to the complainant will be sent to the Agency.

APPEAL AND FINAL ADMINISTRATIVE ACTION. If the complainant disagrees with the written response or conclusion, the complainant may file an appeal in writing no later than thirty (30) days from receipt of the Civil Rights Coordinator's decision to the Airport Authority's Chief Operating Officer at 1000 Glenn Hearn Blvd SW, Huntsville, AL 35824. The written appeal must contain all arguments, evidence, and documents supporting the basis for the appeal. The Chief Operating Officer will issue a final written decision in response to the appeal.

VIII. EMPLOYEE INSTRUCTION

New employees shall be advised of Airport Authority's Non-Discrimination Program, including the process for forwarding complaints to the Civil Rights Coordinator.

IX. TRAINING

Airport Authority will provide training to its contractors, concessionaires, lessees, and tenants on Airport Authority's Non-Discrimination Program. Training will include instruction on properly forwarding all discrimination complaints to the Civil Rights Coordinator. Refresher information will be provided on a periodic basis.

X. NOTICE

Airport Authority displays the FAA unlawful discrimination notice in public areas of the Airport and upon request makes available a copy of 49 C.F.R. Part 21 and 49 C.F.R. Part 27. Airport Authority ensures that the posted notices are visible and maintained. Airport Authority will also include its Discrimination Complaint Procedures and requests for reasonable accommodation/modification procedures on its website.

Airport Authority will endeavor to provide notice of public hearings and opportunities to comment on proposed airport projects which impact the community. Such notices may be advertised in general and minority newspapers and/or other media as appropriate. Airport Authority may contact leaders in the affected communities directly and solicit their participation. Airport Authority maintains records of all such notices and the efforts made to reach the affected community. Accommodations for those with limited English proficiency, persons with a disability, persons who are blind/vision impaired, and persons who are deaf/hearing impaired will be made upon request.

XI. REPORTS AND FORMS

Airport Authority will make available to any requesting party, at its office during regular business hours and on its website, forms for filing Title VI and ADA complaints and requests for reasonable accommodation/modification.

XII. LIMITED ENGLISH PROFICIENCY (LEP) POLICY EXECUTIVE ORDER 13166

Policy Statement: The purpose of this policy is to establish effective guidelines, consistent with Title VI of the Civil Rights Act of 1964 and Executive Order 13166, for Airport Authority personnel to follow when providing services to, or interacting with, individuals who have Limited English Proficiency (LEP).

It is the policy of Airport Authority to provide meaningful access for LEP persons to all Airport programs. Airport Authority shall endeavor to provide language assistance services to LEP individuals, including those who request such language assistance at the Airport.

With regard to community statistics, the following are languages in which LEP may exist:

Languages Spoken at Home (5 Years and Older) –
State of Alabama (U.S. Census Bureau; American Community Survey - 2019)

LANGUAGE SPOKEN AT HOME	Estimate	Percent
Population 5 years and over	4616588	100%
English only	4361203	94.5%
Language other than English	255385	5.5%
Speak English less than "very well"	101624	2.2%
Spanish	165933	3.6%
Speak English less than "very well"	71510	1.5%
Other Indo-European languages	37873	0.8%
Speak English less than "very well"	8253	0.2%
Asian and Pacific Islander languages	42704	0.9%
Speak English less than "very well"	18818	0.4%
Other languages	8875	0.2%
Speak English less than "very well"	3043	0.1%

As stated in DOT Notice 2001-8696 (FR22ja01-233), transportation is considered an essential service to participation in modern society. Therefore, Airport Authority shall endeavor to develop and tailor its plan to provide language and translation services, as needed, to individuals with LEP, in order that they may have access to activities administered at the Airport. Such services may include:

- a) Performing self-assessments to identify language services needed at the Airport, including understanding how LEP individuals interact with Airport Authority; identifying and assessing LEP communities; providing language assistance services as necessary; training staff on policies and procedures; providing notice of language assistance services; and monitoring, evaluating and updating its language access plans and procedures.
- b) Providing written notices in identified languages, when appropriate, on how to receive translated written materials and/or to arrange for a translator at a public meeting.
- c) Creating public notices and broadcasts with information regarding translation services where such services are needed due to an impact on the LEP community.
- d) Gathering and maintaining information about translation, interpretation, and related services in the area surrounding the Airport for day to day concerns.
- e) Providing written translation of materials as needed.
- f) Conducting surveys of staff to determine the need for language assistance services.
- g) Observing and evaluating interactions with LEP individuals at the Airport.
- h) Soliciting feedback from community-based organizations and other stakeholders about Airport Authority's effectiveness and performance in ensuring meaningful access for LEP individuals.
- i) Keeping current on community demographics.
- j) Considering new resources for ensuring improved access for LEP individuals.
- k) Monitoring how Airport Authority responds to any complaints or suggestions by LEP individuals, community members or employees regarding language assistance services provided.
- l) Monitoring the frequency with which LEP individuals contact the Airport Authority in connection with the use of the Airport Authority's programs or services. For example, the "Contact Us" form on the website will ask individuals to inform the Airport Authority if they have limited English proficiency. Airport Authority will periodically

review the number of LEP individuals contacting the Airport Authority in connection with the use of the Airport Authority’s programs and services to address the need for LEP services.

XIII. COMMUNITY STATISTICS

Several regulations related to Title VI of the Civil Rights Act of 1964 require federal grant recipients to gather and maintain information on community demographics. Community statistics in the State of Alabama from the Census Bureau (American Community Service 2019) are as follows:

<u>POPULATION STATISTICS</u>	<u>Number</u>	<u>Percentage</u>
ONE RACE		
Total population	4903185	100%
White	3409415	69.5%
Black or African American	1364474	27.8%
American Indian and Alaska Native	53674	1.1%
Asian	87434	1.8%
Native Hawaiian and Other Pacific Islander	5386	0.1%
Some other race	81472	1.7%
HISPANIC OR LATINO AND RACE		
Total population	4903185	100%
Hispanic or Latino (of any race)	219296	4.5%
Mexican	124329	2.5%
Puerto Rican	22045	0.4%
Cuban	6682	0.1%
Other Hispanic or Latino	66240	1.4%
Not Hispanic or Latino	4683889	95.5%
White alone	3192955	65.1%
Black or African American alone	1312821	26.8%
American Indian and Alaska Native alone	19364	0.4%
Asian alone	65215	1.3%
Native Hawaiian and Other Pacific Islander alone	1520	0.0%
Some other race alone	9623	0.2%
TWO OR MORE RACES		
Two races including Some other race	82391	1.7%
Two races excluding Some other race, and Three or more races	2245	0.0%
	80146	1.6%

Low Income Communities: A low income area is an identifiable group of persons living in a geographic proximity whose median household income is at or below the Department of Health and Human Services poverty guidelines.

Household Income Information, (city-data.com), Madison County, AL area
 Median Household Income: \$63,111

Median House Value:	\$192,500
Median Contract Rent:	\$706
Unemployment:	3.3%
Residents below the Poverty Level:	12.1%
Median Resident Age:	38.5

This information was updated through the following media:

U.S. Census Bureau Information
 American Community Survey (U.S. Census Bureau)
 City-Data.Com

XIV. GENERAL REPORTING REQUIREMENTS

The Huntsville-Madison County Airport Authority has and will maintain information on active lawsuits and complaints filed against it alleging discrimination on the basis of race, color, national origin, sex, creed, religion, age, or disability with respect to services, programs or other benefits provided at the Airport. Airport Authority will also maintain information related to civil rights compliance reviews conducted by local, state, and federal agencies over the preceding three (3) years.

Airport Authority will endeavor to maintain information related to its use of federal assistance on projects at the Airport. Included in this information is data related to the direct impact of the project on the community, if any, such as anticipated relocation of minority citizens and businesses, loss of community business or household income, significant increase in traffic, city congestion, and loss of public parking areas.

XV. PROGRAM SPECIFIC REQUIREMENTS

The internal review process for service and capital program decisions shall endeavor to carry out the Huntsville-Madison County Airport Authority’s policy that no person on the grounds of race, color, national origin, sex, creed, religion, age or disability shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The internal review process for service and capital program decisions, as they relate to Title VI and ADA, will be the responsibility of Airport Authority’s Civil Rights Coordinator, the Chief Operating Officer, and the Chief Executive Officer. These individuals will discuss Title VI and ADA compliance decisions concerning improvement programs (i.e., construction) with the Airport Authority’s Senior Manager of Design and Construction.

As part Airport Authority’s implementation of this Non-Discrimination Program, pursuant to its internal review process for service and capital program decisions, Airport Authority endeavors to implement nondiscriminatory decisions and policies, including setting goals for performance of work and/or services by DBEs. In addition, construction contracts, leases, and concession agreements contain federal provisions requiring

contractors, lessees, tenants, and concessionaires to perform in accordance with the General Civil Rights Provisions and DOT Standard Title VI Assurances and Non-Discrimination Clauses, as applicable.

Airport Authority does not anticipate significant changes in the services and benefits provided to the community at the Airport. Any changes in services and/or benefits that are implemented at the Airport are anticipated to provide positive impacts to the entire community on an economic and/or safety level.