



# **TITLE VI PLAN**

**Opportunity Foundation, Inc.**

**612 East Broadway**

**Williston, ND 58801**

**Telephone 701-774-8593**

## Table of Contents

PLAN SUMMARY .....	3
MEANINGFUL ACCESS: FOUR-FACTOR ANALYSIS .....	3
LANGUAGE ASSISTANCE .....	4
STAFF TRAINING .....	5
TRANSLATION OF DOCUMENTS.....	5
MONITORING.....	5
DISSEMINATION OF OPPORTUNITY FOUNDATION LEP PLAN.....	6
PROGRAM ADMINISTRATION .....	6
MONITOR AND REVIEW .....	8
TITLE VI COMPLAINT PROCESS.....	10
DEMOGRAPHIC INFORMATION .....	13
TITLE VI COMPLAINT FORM.....	Attachment A
LIST OF INVESTIGATIONS, LAWSUITS AND COMPLAINTS .....	Attachment B
STATEMENT OF NON-DISCRIMINATION .....	Attachment C

## TITLE VI AND NONDISCRIMINATION POLICY STATEMENT

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin in all federally assisted programs. Section 601 of Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d *et seq.*, and its implementing regulations provide that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that receives Federal financial assistance.

Opportunity Foundation, Inc. (OFI) is a non-profit agency which provides residential and day supports to people who are developmentally and intellectually disabled. It is the policy of OFI to ensure compliance with Title VI of the Civil Rights Act of 1964 and all related statutes or regulations in all programs and activities.

I, as Executive Director of OFI, am personally committed to and support taking all steps to ensure that no person or groups of persons shall, on the grounds of race, color, or national origin\*, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by OFI.

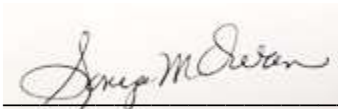
The Staff Development Director is appointed as the Title VI Liaison Officer and is granted the authority to administer and monitor the Title VI and Nondiscrimination Program as promulgated under Title VI of the Civil Rights Act of 1964 and any subsequent legislation. The Title VI Liaison Officer will provide assistance as needed.

Further, I delegate Title VI responsibilities to the Representative Payee, Human Resource Director, Program Coordinators and Quality Assurance Staff and charge them with the responsibilities to develop and implement procedures and guidelines to adequately monitor and administer their programs.

OFI recognizes the need for and provides Title VI training for OFI personnel.

Anyone who believes that he or she has been discriminated against should contact the OFI Title VI Liaison Officer at 701-774-8593, Ext 112.

\*Title VI of the Civil Rights Act of 1964 governs race, color, and national origin.



---

Sonya M. Owan  
Opportunity Foundation, Inc.  
Executive Director

7/28/2016  
Date

## PLAN SUMMARY

Opportunity Foundation, Inc. (OFI) has developed this **Limited English Proficiency Plan** to help identify reasonable steps for providing language assistance to individuals with Limited English Proficiency (LEP) who wish to access services provided. As defined Executive Order 13166, LEP individuals are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English. This plan outlines how to identify a person who may need language assistance, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP individuals that assistance is available.

In order to prepare this plan, OFI used the four-factor LEP analysis which considers the following factors:

1. The number or proportion of LEP individuals in the service area who may be served by OFI.
2. The frequency with which LEP individuals come in contact with OFI services.
3. The nature and importance of services provided by OFI to the LEP population.
4. The resources available to OFI for LEP outreach, as well as costs associated with that outreach. A summary of the results of the four-factor analysis is in the following section.

### MEANINGFUL ACCESS: FOUR-FACTOR ANALYSIS

#### **1. The number or proportion of LEP individuals in the service area who may be served or are likely to require transit services.**

OFI staff reviewed the 2007-2011 American Community Survey 5-Year Estimates for North Dakota and determined that 33,158 individuals, in North Dakota (5.3% of the population) speak a language other than English. Of those 9,137 individuals have limited English proficiency; that is; they speak English less than “very well” or “not at all.” This is only 1.46% of the overall population in North Dakota. In North Dakota, of those individuals with Limited English Proficiency, 0.30% speaks German, 0.25% speaks Spanish, 0.16% speaks African languages, 0.13% speaks Chinese, 0.10% speaks Serbo-Croatian, 0.06% speaks Japanese, 0.06% speaks Vietnamese, 0.05% speaks Russian, 0.05% speaks Scandinavian, 0.04% speaks Arabic, 0.03% speaks French (Patois, Cajun), 0.03% speaks other Native North American languages, 0.03% speaks Tagalog, 0.02% speaks other Asian Languages, 0.02% speaks other Indic languages, 0.02% speaks Korean, 0.02% speaks other Pacific Island languages, 0.02% speaks other Slavic languages, 0.02% speaks Polish, 0.01% speaks other Indo-European languages, 0.01% speaks other and unspecified languages, 0.007% speaks Gujarati, and 0.004% speaks French Creole, 0.004% speaks Mon-Khmer, Cambodian, 0.004% speaks Persian, 0.004% Portuguese or Portuguese Creole, 0.003% Hungarian, 0.003% speaks Italian, 0.003% speaks Laotian, 0.003% speaks Thai, 0.003% speaks Urdu, 0.001% speaks Hebrew, 0.002% speaks Greek, 0.001% speaks Hindi, 0.001% speaks Yiddish. OFI will utilize LSS telephone translation service which provides immediate interpreter services.

#### **2. The frequency with which LEP individuals come in contact with residential and day support services.**

OFI staff reviewed the frequency with which non-profit agencies have, or could have, contact with LEP individuals. This includes documenting phone inquiries or office visits. OFI will utilize Lutheran Social Services 3H Interpreter Service when needed.

*No telephone calls through OFI were reported.*

### **3. The nature and importance of services provided by OFI to the LEP population.**

There is not a large geographic concentration of any type of LEP individuals in the North Dakota. The overwhelming majority of the population, 94.7%, speaks only English. As a result, there are only a few social, service, or professional and leadership organizations within North Dakota that focus on outreach to LEP individuals. *Opportunity Foundation considered the importance of immediate and long-term effects of a delay in written translations. Immediate oral interpretation will be provided through Lutheran Social Services 3H Interpreter Service. Written translation can be done immediately using translate.google.com*

### **4. The resources available to OFI for LEP outreach, as well as costs associated with that outreach.**

Opportunity Foundation staff reviewed its available resources that could be used for providing LEP assistance for oral interpretation and written translation. *OFI will utilize LSS 3H Interpretive Service to provide immediate interpreter service at no cost to LEP individuals. We will also utilize Internet Language interpretation websites such as translate.google.com for written translation at no cost to the LEP individual.*

*OFI provides notice to the people we provide services to of the availability to request accommodations for language assistance. All requests for translation are considered based on the possible impacts and known LEP population.*

## **LANGUAGE ASSISTANCE**

A person who does not speak English as their primary language or who has a limited ability to read, write, speak or understand English may be a Limited English Proficient person and may be entitled to language assistance with respect to residential and day services. Language assistance can include interpretation, which means oral or spoken transfer of a message from one language into another language and/or translation, which means the written transfer of a message from one language into another language.

How OFI staff may identify an LEP person who needs language assistance:

- Post notice of LEP Plan and the availability of interpretation or translation services free of charge.
- OFI staff *who has encountered LEP* will be informally surveyed periodically on their experience concerning any contacts with LEP individuals during the previous year.
- When people apply for services, it will be known if the person has the ability to speak and understand English and this will enable OFI to help identify the need for future translation and interpretation.

### **Language Assistance Measures**

Although there are a very low percentage of LEP individuals in the State of North Dakota, that is, individuals who speak English less than “very well” or “not at all”, OFI will strive to offer the following measures:

1. OFI staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating in English.
2. The following resources will be available to accommodate LEP individuals:

- Language interpretation (Spanish) by OFI Staff
- Telephone Interpreter Services through Lutheran Social Services
- Translate.google.com for written translation

### **STAFF TRAINING**

The following training is provided to all staff:

- Information on the Title VI Policy and LEP responsibilities.
- Description of language assistance services offered to the public.
- Documentation of language assistance requests.
- Title VI Complaint Process.

### **TRANSLATION OF DOCUMENTS**

OFI has an outreach process. OFI has a Request for Accommodation procedure. OFI has translation services available. OFI places a notice of accommodation in meeting notices and agendas. OFI considers requests as follows:

- OFI Staff Development Director will assess requests for translation of documents based on the possible impacts and known LEP population.

### **MONITORING**

**Monitoring and Updating the LEP Plan** – OFI Staff Development Director will update the LEP Plan as required. At a minimum, the plan will be reviewed and updated when data from the 2020 U.S. Census is available, or when it is clear that higher concentrations of LEP individuals are present in North Dakota. Updates will include the following:

- The number of documented LEP person contacts encountered annually.
- How the needs of LEP individuals have been addressed.
- Determination of the current LEP population in the service area.
- Determination as to whether the need for translation services has changed.
- Determine whether local language assistance programs have been effective and sufficient to meet the need.
- Determine whether the OFI's financial resources are sufficient to fund language assistance resources needed.
- Determine whether the OFI fully complies with the goals of this LEP Plan.
- Determine whether complaints have been received concerning the agency's failure to meet the needs of LEP individuals.

## DISSEMINATION OF OFI LEP PLAN

- LEP Plan will be sent via SComm through Therap to all staff.
- LEP Plan will be given to clients who receive supports through OFI.
- Site meeting agendas will state that a Request for Accommodation is available to make documents available in various languages.
- LEP Plan and how to access language services will be posted on OFI's website.

## PROGRAM ADMINISTRATION

OFI's Executive Director, HR Manager, and Staff Development Director shall be responsible for coordinating the overall administration of the Title VI and Nondiscrimination Program, plan, and assurances. The Staff Development Director will be responsible for the program's day-to-day administration. The Staff Development Director works directly with all employees in each of OFI's locations.

### A. Data Collection

Data collection ensures that residential and day programs effectively meet the needs of "all persons" without discrimination; i.e., disproportionately benefiting or harming one group over another is a violation of Title VI. Timely and accurate data allows for better decision-making and provides support to the decisions made. Statistical data on race, color, national origin, *limited English proficiency*, and when feasible, based on the U.S. Department of Health and Human Services Poverty Guidelines definition of low income, of participants in and beneficiaries of OFI services, e.g., relocates, impacted citizens, and affected communities will be collected and maintained by OFI. Each of the Title VI program area, as appropriate, will maintain data to be incorporated in the Title VI Annual Update. The data gathering process will be reviewed regularly to ensure sufficiency of the data in meeting the requirements of the Title VI program administration.

### B. Public Involvement

Staff Development Director disseminates the Title VI and Nondiscrimination Program internally, via SComm through Therap, to employees, and in written form to clients as well as in other formats as requested. Public dissemination of other Title VI information will include posting the Title VI and Nondiscrimination Policy Statement, Forms and Instructions in all facilities. This information is also available on OFI's website.

OFI actively encourages agencies who are, or who represent, minorities; people with low income; and people with limited English proficiency to participate.

### C. Complaints

If any individual believes that she/he or any other program beneficiaries have been subjected to unequal treatment or discrimination in their receipt of benefits and/or services, or on the grounds of race, color,

national origin, or *limited English proficiency*, she/he may exercise their right to file a complaint with the Grievance Officer at OFI. All complaints will be recorded on a Complaint Log.

OFI has had no complaints or lawsuits filed under Title VI for Residential and Day Programs. In the event of a complaint or lawsuit being filed within OFI, a log will be maintained to include the following information: date complaint/lawsuit was filed; summary of allegation (s); current status; and actions taken by the recipient in response or final findings related to investigation/complaint/lawsuit. This list shall be included in the Title VI Program submitted to the Regional Protection & Advocacy Project every three years. See Attachment B.

#### **D. Monitor and Review**

OFI monitors Title VI compliance by conducting annual program reviews. OFI has developed a process to conduct Title VI reviews of program areas and subrecipients to determine the effectiveness of program activities at all levels.

#### **E. Training Program**

Clients and their guardians can access training by OFI's Human Resource Manager or Staff Development Director. The training provides comprehensive information on Title VI and related nondiscrimination provisions, its application to program operations, identification of Title VI issues, and resolution of complaints. All training regarding Title VI will be documented by the training topic, date, time, hours, location, and participants.

#### **F. Limited English Proficiency Plan**

Limited English Proficiency is a term used to describe individuals who are not proficient in the English language. According to the US Census, North Dakota is home to a small number of individuals who are not proficient in the English language. Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, August 2000, is directed at implementation of protections afforded by Title VI of the Civil Rights Act of 1964. OFI is committed to affording individuals affected by OFI activity(s) with meaningful access to programs and services through the development and implementation of OFI's Limited English Proficiency Plan.

#### **G. Environmental Justice**

A 1994 Presidential Executive Order directed every federal agency to make environmental justice part of its mission by identifying and addressing the effects of all programs, policies, and activities on "minority populations and low-income populations." In order to comply with this order, OFI must appropriately address the concerns of individuals potentially affected by our activities. Those individuals must appropriately be involved in the development of services that fit harmoniously within their communities without sacrificing safety or mobility.

#### **H. Title VI Plan Update, Accomplishments, and Goals**

The Title VI Liaison Officer will be responsible for coordination and preparation of the Title VI Program Update, including a report on goals and accomplishments for the preceding year, and goals for the coming year. Title VI Specialists will be responsible to prepare and submit annual reports for clients including Title VI responsibilities, operational guidelines, goals and annual accomplishments for the past year, and goals for the coming year.



## MONITOR AND REVIEW

### **A. Program Areas**

Title VI Specialists will coordinate efforts to ensure equal participation in their services in addition to their day-to-day monitoring. Program area reviews are required to be conducted annually for OFI.

### **B. Subrecipient Reviews**

Title VI Specialists will conduct Title VI compliance reviews of their program area subrecipients. OFI's web page gives access to information and sample forms regarding developing their Title VI and Nondiscrimination Programs.

Reviews will be conducted with recipients of federal funds. OFI provides guidance and training to recipients in the development of their Title VI Program. The Title VI Review Schedule recipient Report documents the status of the reviews conducted during the reporting period and is included in the annual update.

### **C. Determination of Site or Location of Facilities**

Title 49 CFR Section 21.9(b)(3) states, "In determining the site or location of facilities, a recipient or applicant may not make selections with the purpose or effect of excluding persons from, denying them the benefits of, or subjecting them to discrimination under any program to which this regulation applies, on the grounds of race, color, or national origin; or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of the Act or this part." Title 49 CFR part 21, Appendix C, Section (3)(iv) provides, "The location of projects requiring land acquisition and the displacement of persons from their residences and businesses may not be determined on the basis of race, color, or national origin."

No OFI facilities were built that required land acquisition or displacement of persons from their residences or businesses that would fit into the intent of this requirement. However, should OFI intend to build a facility that does not require a NEPA process, OFI will complete a Title VI equity analysis. This analysis must perform outreach to people potentially impacted by the proposed location of the facility. The Title VI equity analysis will compare the equity impacts of various location alternatives, and the analysis will occur before the selection of the preferred site.

If the recipient determines that the location of the project will result in a disparate impact based on race, color or national origin, the recipient may only locate the project in that location if there is substantial legitimate justification for locating the project there and where there are no alternative locations that would have a less disparate impact on the basis of race, color, or national origin. The recipient must show how both tests are met and must consider and analyze alternatives to determine whether those alternatives would have less of a disparate impact based on race, color, or national origin, and then implement the least discriminatory alternative.

### **D. Operational Guidelines**

All OFI directives, policies, procedures, and operational guidelines provided to clients, and internal programs are reviewed annually to ensure the required Title VI provisions, state law, and related requirements are included, where applicable, by the Title VI Specialist.

### **E. Remedial Action**

OFI actively pursues the prevention of Title VI deficiencies and violations and takes the necessary steps to ensure compliance with all program requirements within OFI. When irregularities occur in the administration of the federal program operation, corrective action will be taken to resolve Title VI issues. When conducting Title VI compliance reviews on its clients, OFI employees will define a

remedial action and provide it to the client within a period not to exceed 90 days.

## **F. Review Selection and Procedures**

### **1. OFI**

- a) All sites will have a yearly compliance review.
- b) If deficiencies are found during the review, the site manager shall be given a scheduled number of days to fix the deficiencies.
- c) Conducted by Quality Assurance Staff.
- d) The review procedures for all residential and day support sites are as follows:
  - (1) Send written notice of review date
    - (a) Provide list for production of documents
  - (2) Send Notice of Compliance, or
  - (3) Send Deficiency Notice with corrective actions
    - (a) Including a reasonable time not to exceed 90 days after receipt of deficiency notice, to voluntarily correct deficiencies; and possible sanctions.
- e) Failure of recipient to comply within the allotted time frame
  - (1) Notice of Non-compliance identifying specific details of deficiencies
- f) Title VI Review Schedules will be maintained documenting the required information as follows:
  - (1) Date Review Notice sent
  - (2) Date Review Conducted
  - (3) Date of Notice of Compliance
  - (4) Date of Notice of Deficiency, if any
    - (a) Date of follow-up review meeting with recipient
    - (b) Date of Notice of Non-compliance
- g) Date of Last Review

## TITLE VI COMPLAINT PROCESS

### A. Scope of Title VI Complaints

The scope of Title VI covers all OFI Programs. Adverse impacts resulting in Title VI complaints can arise from many sources.

Complaints can originate from individuals alleging inability to obtain residential, day or other support services.

### B. Formal Title VI Complaint Procedure

OFI's Title VI Policy, as outlined in its Title VI and Nondiscrimination Program, assures that no person or groups of persons shall, on the grounds of race, color, national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by OFI.

OFI uses the following detailed, internal procedures for prompt processing of all Title VI complaints received under Title VI. These procedures include but are not limited to:

1. Any person or groups of persons who believe they have been aggrieved by an unlawful discriminatory practice under Title VI may individually, or through a legally authorized representative, make and sign a complaint and file the complaint with OFI Title VI Liaison Officer. Allegations received do not have to use the key words "complaint," "civil rights," "discrimination," or their near equivalents. It is sufficient if such allegations imply any form of unequal treatment in OFI's programs for it to be considered and processed as an allegation of a discriminatory practice.
2. The complaint must be filed, in writing, no later than 180 calendar days after the date of the alleged discrimination.
3. The complaint may also be filed with the Office of the ND Protection & Advocacy Project (P&A). The complaint must be filed, in writing, no later than 180 calendar days after the date of the alleged discrimination.
4. Upon receipt of a Title VI complaint, the Title VI Liaison Officer immediately advises the OFI Executive Director of the complaint. The Director confers with the appropriate employees and the Title VI Liaison Officer to determine a course of action. Possible courses of action may include but are not limited to:
  - a) Title VI complaints filed against OFI are referred to P&A.
  - b) A copy of the complaint, together with a copy of OFI's report of the investigation and recommendations, are forwarded to P&A within 60 days of the date the complaint was received by OFI.
5. The Executive Director reviews and determines the appropriate action regarding every complaint. OFI will recommend, to P&A, not to proceed with or continue a complaint investigation if:
  - a) The complaint is, on its face, without merit.
  - b) The same allegations and issues of the complaint have been addressed in a recently closed investigation.
  - c) The complainant's or injured party's refusal to cooperate (including refusal to give permission to disclose

his or her identity) has made it impossible to investigate further.

6. If an investigation is to be initiated, the OFI Executive Director designates a specific OFI QA staff whom the investigation team will report to in order to facilitate communication with the Director. The QA Staff will confer with the Title VI Liaison Officer who will apprise the Executive Director of the team's progress throughout the investigation.
7. The team leader determines the timeframe in which the investigation should be completed based on the date the complaint was filed. The entire investigation process, including the submission of the report of the investigation and recommendations to P&A is to be carried out in a period not to exceed sixty (60) calendar days from the date the original complaint was received by OFI.
8. The Title VI Liaison Officer acknowledges receipt of the allegation(s) within ten (10) working days. The complainant is notified of the proposed action to be taken to process the allegation(s). The notification letter contains:
  - a) The basis for the complaint.
  - b) A brief statement of the allegation(s) over which OFI has jurisdiction.
  - c) A brief statement of OFI's jurisdiction over the recipient to investigate the complaint; and
  - d) An indication of when the parties will be contacted.
  - e) Depending on the nature of the complaint, the complaint will be referred to the following for final decision:
    - (1) ND Protection & Advocacy Project
    - (2) U.S. Department of Justice (USDOJ)
9. The Title VI Liaison Officer also notifies P&A within 24 hours of receipt of the allegations. The following information is included in the notification to P&A:
  - a) Name, address, and phone number of the complainant.
  - b) Name(s) and address(es) of persons alleged to have been involved in the act.
  - c) Basis of alleged discrimination (i.e., race, color, national origin)
  - d) Date of alleged discriminatory act(s).
  - e) Date complaint was received by OFI.
  - f) A brief statement concerning the nature of the complaint.
  - g) Other agencies (federal, state, or local) with which the complaint has been filed.
  - h) An explanation of the actions OFI proposes to take to resolve the issues raised in the complaint.
10. The Title VI Liaison Officer notifies the Program Coordinator (PC) of the location in which the complaint

was received.

11. The investigation team conducts an in-depth, personal interview with the complainant(s). Information gathered in this interview includes: identification of each complainant by race, color, national origin, name of the complainant; a complete statement concerning the nature of the complaint, including names, dates, places, and incidents involved in the complaint; the date the complaint was filed; and any other pertinent information the investigation team feels is relevant to the complaint. The interviews are recorded either on audio tape or by a team member taking notes. The team arranges for the complainant to read, make necessary changes to, and sign the interview transcripts or interview notes.
12. Following the interviews, the team leader develops a report of the investigation and recommendations based on the facts. The report contains the investigation team's findings, conclusions concerning each issue raised in the complaint, and recommendations for corrective action. The report is completed with the coordination and consultation of OFI's QA team and Executive Director. The report is the last document prepared as part of the investigation. Any other actions taken as a result of the investigation team's findings and conclusions are the responsibility of OFI administration.
13. The complainant receives a letter from OFI's Executive Director detailing the findings and any recommendations for corrective action to be taken based on the facts. All issues in the complaint are addressed. The complainant is informed that the final determination is made by P&A.
14. OFI's Executive Director forwards the report of the investigation and recommendations to P&A. Included with the report is a copy of the complaint, copies of all documentation pertaining to the complaint, the date the complaint was filed, the date the investigation was completed, and any other pertinent information.

### **C. Informal Title VI Complaint Procedure**

1. Title VI complaints may be resolved by informal means. When informal means are used, the complainant is informed of his or her right to file a formal written complaint.
2. Such informal attempts and their results are summarized by the PC of the location in which the complaint occurred and are forwarded to the Title VI Liaison Officer.
3. Any complaint received in writing is considered to be a formal complaint and is handled under the formal complaint procedure outlined above.
4. The Title VI Liaison Officer periodically informs P&A of the status of all complaints.
5. When a complaint has been directly filed with another federal or state agency, the Title VI Liaison Officer is to be informed by the agency where the complaint has been filed and is to coordinate any action needed by OFI to resolve the complaint.

\* Title VI of the Civil Rights Act of 1964 governs race, color, and national origin. Related Nondiscrimination Authorities govern sex, 23 U.S.C. 324; age, 42 U.S.C. 6101; disability/handicap, 29 U.S.C. 794; and low income, E.O. 12898.

### **Title VI Complaint Procedures**

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs receiving federal financial assistance. This section outlines the Title VI complaint procedures related to providing programs, services, and benefits. However, it does not deny the complainant the right to file formal complaints with Equal Employment Opportunity Commission, P&A, or to seek private counsel for complaints

alleging discrimination, intimidation or retaliation of any kind that is prohibited by law.

Any person believing they have been subjected to discrimination as noted below may file a written complaint with the OFI Board of Directors. Complainants have the right to complain directly to the appropriate federal agency. Federal and state law requires complaints be filed within 180 calendar days of the last alleged incident. For P&A, complaints may be based on race, color, or national origin.

1. Within five calendar days of receipt of a written Title VI complaint, the OFI Board of Directors will notify OFI's Executive Director of the complaint.
2. Within five calendar days of receipt of a complaint against state subrecipient, an investigation by the investigation team will begin.
3. The complaint detail shall be entered into the investigation team complaint database. Complaints summarily resolved will be entered on the complaint database and a file record of documents kept. If more thorough investigation is required, a written investigation report will be prepared by the investigator. The report shall include a narrative description of the incident, identification of persons interviewed, findings and recommendations for disposition.
4. The investigation team leader will be advised of the complaint resolution or review the report, if applicable. Any report will then be forwarded to OFI's Executive Director for final internal action.
5. The investigation report with recommendations and corrective actions taken will be forwarded within 60 calendar days of the date the complaint was received by OFI to P&A.
6. Complainants will be advised of their appeal rights to the appropriate federal agency.

### DEMOGRAPHIC INFORMATION

General demographic characteristics for the state of North Dakota that includes identification of the locations of minority populations in the aggregate.

Based on the most recent US Census data, 672,000 thousand persons lived in North Dakota in 2010. Table 1. below shows North Dakota's 2010 population base on race and ethnicity. As noted in the table:

- 88.9% of North Dakota's population is white
- Native Americans and Alaska Native populations make up the state's largest minority population, followed by Hispanic and African American populations.
- The Native American population makes up the state's largest minority population, being 5.3% of the total population. The majority of this population resides on the States Indian reservations.

<b>Table 1: ND Demographics from 2010 US Census</b>		
<b>Race</b>	<b>Population</b>	<b>Percentage</b>
White	598,007	88.9%
African American	7,720	1.1%
Native American/Alaskan Native	35,562	5.3%
Asian	6,839	1.0%
Native Hawaiian/Pacific Islander	290	0.0%

Hispanic or Latino	13,467	2.0%
Some Other Race	341	0.1%
Two or More Races	<u>10,365</u>	<u>1.5%</u>
<b>Total Population</b>	<b>672,591</b>	<b>100%</b>
<b>Total Minorities</b>	<b>74,584</b>	<b>11.1%</b>

North Dakota is a mostly rural state with three urban areas that have the largest concentration of the population. Table 2. and Figure 1. below shows the minority population breakout by percent in each county.

**Table 2. Minority by County data table**

County	% White	% Minority	County	% White	% Minority
Adams County	97.3	2.7	McLean County	91	9
Barnes County	96.4	3.6	Mercer County	95.6	4.4
Benson County	43.4	56.6	Morton County	93.6	6.4
Billings County	98.6	1.4	Mountrail County	65.6	34.4
Bottineau County	95.1	4.9	Nelson County	97.2	2.8
Bowman County	97.9	2.1	Oliver County	97.3	2.7
Burke County	97.8	2.2	Pembina County	95.5	4.5
Burleigh County	93	7	Pierce County	94.1	5.9
Cass County	91.7	8.3	Ramsey County	87.7	12.3
Cavalier County	97.7	2.3	Ransom County	97.8	2.2
Dickey County	96.5	3.5	Renville County	97.9	2.1
Divide County	98	2	Richland County	95	5
Dunn County	84.9	15.1	Rolette County	20.3	79.7
Eddy County	95.2	4.8	Sargent County	98	2
Emmons County	98.5	1.5	Sheridan County	96.7	3.3
Foster County	98.4	1.6	Sioux County	12.6	87.4
Golden Valley County	97.4	2.6	Slope County	97.5	2.5
Grand Forks County	90.3	9.7	Stark County	95.2	4.8
Grant County	97.2	2.8	Steele County	97.6	2.4
Griggs County	98.8	1.2	Stutsman County	95.6	4.4
Hettinger County	96.2	3.8	Towner County	96.7	3.3
Kidder County	96.3	3.7	Traill County	96.2	3.8
LaMoure County	98.5	1.5	Walsh County	93.5	6.5
Logan County	98.4	1.6	Ward County	90.3	9.7
McHenry County	97.8	2.2	Wells County	98.9	1.1

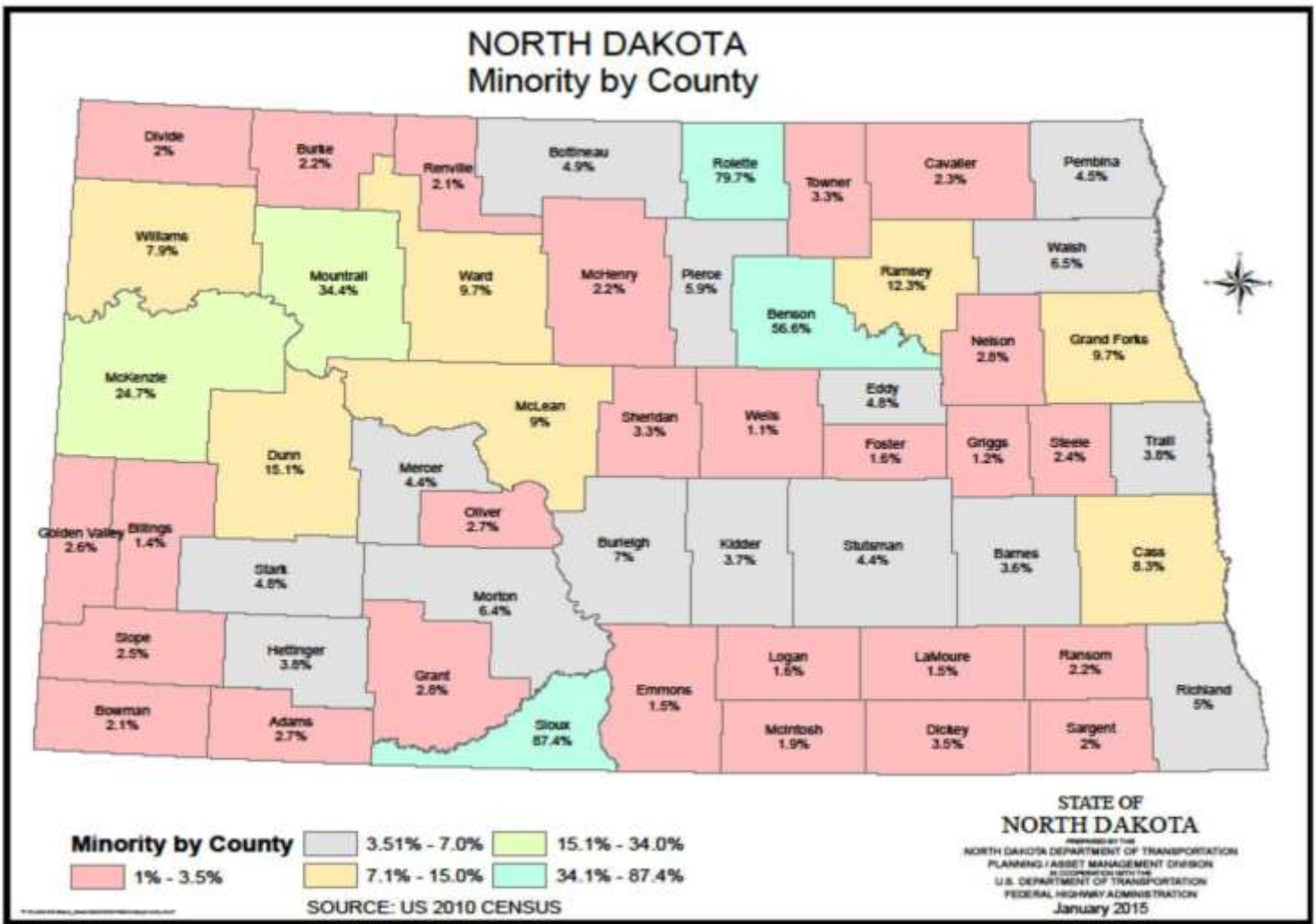
McIntosh County	98.1	1.9	Williams County	92.1	7.9
McKenzie County	75.3	24.7			

Source: US 2010 Census

In Table 2. and Figure 1., it is clear that there are five counties that have higher than 24% minority population, with three counties having more than 56% minority population. One Indian Reservation encompasses the five counties with the higher than 24%. The three largest counties each have a separate Indian Reservation which accounts for the high number. The remaining counties in the state have 15% or less minority population.



Figure 1. Minority by County Map



**Opportunity Foundation. Inc.**

**TITLE VI COMPLAINT FORM**

**PART I - COMPLAINANT INFORMATION** (Print all items legibly.)

<b>Name</b>		<b>Telephone</b>
<b>Street Address/P.O. Box</b>		<b>Email Address</b>
<b>City</b>	<b>State</b>	<b>Zip Code</b>

**PART II - CAUSE OF DISCRIMINATION BASED ON** [Check all appropriate box(es).]

Race  Color  National Origin

**PART III - THE PARTICULARS ARE:** (Include names, dates, places, and incidents involved in the complaint.) [If additional space is needed, attach extra sheet(s).]


**PART IV - REMEDY SOUGHT** [State the specific remedy sought to resolve the issues(s).]


**PART V - VERIFICATION**

Complainant's Signature \_\_\_\_\_ Date \_\_\_\_\_

## Instructions

### GENERAL

1. Under Title VI of the Civil Rights Act of 1964 and the related statutes and regulations, no person or groups(s) of persons shall, on the grounds of race, color or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by **Opportunity Foundation, Inc.** **(OFI)** Any person or groups(s) of persons who feel they have been discriminated against may file a complaint.
2. Instructions provided within this form are not meant to be all inclusive. Complainants are responsible for all procedural requirements.
3. Complainants **must** include all required information and **must** meet all timeframes as defined in OFI's Title VI Complaint Procedure.
4. Legible copies of all available pertinent documentation should be attached to this form.
5. All inquiries should be directed to the Title VI Liaison Officer.

### PART I

Complete all information in this section.

### PART II

Check all boxes that apply indicating the basis for the complaint. The discrimination **must** be based on at least one of the listed categories.

### PART III

State the specific complaint in a manner that clearly identifies the issues upon which the complaint is based.

### PART IV

State the minimum remedy acceptable for resolution of this complaint.

### PART V

Sign and date this section to verify the information contained in Parts I through IV.

**LIST OF INVESTIGATIONS, LAWSUITS, AND COMPLAINTS**

Opportunity Foundation, Inc.

All recipients shall prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin:

- Active investigations conducted by ND Protection & Advocacy Project and entities other than P&A;
- Lawsuits; and
- Complaints naming the recipient.

Providers must submit form upon receipt of notification of complaint and annually upon request by OFI. Please attach additional documentation as needed. If you have not had any investigations, lawsuits, or complaints, please enter "None" in each category on the annual report.

	DATE (MM/DD/YYYY)	SUMMARY OF ALLEGATION(S) (include basis of complaint: race, color or national origin)	CURRENT STATUS	ACTION(S) TAKEN/FINAL FINDINGS
1.				
2.				
3.				
4.				

1.				
2.				
3.				
4.				

1.				
2.				
3.				
4.				

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**STATEMENT OF NON-DISCRIMINATION**

Under Title VI of the Civil Rights Act of 1964, and its related statutes and regulations, no person or groups of persons shall be, on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs or activities funded in whole or in part with Federal funds.

Contact the Title VI Liaison Officer at 701-774-8593 ext. 112 to request additional information on our nondiscrimination obligations or to file a complaint.