



Title VI Plan

Rapid City Regional Airport
4550 Terminal Rd. Ste 102
Rapid City, SD 57703

Signature

Patrick Dame, C.M.
Executive Director

Effective Date

3-Year Expiration Date

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Title VI Policy Statement

Rapid City Regional Airport assures that no person shall on the grounds of race, color, national origin (including Limited English Proficiency), sex (including sexual orientation and gender identity), creed, or age, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 (PL 100.259), Section 520 of the Airport and Airway Improvement Act of 1982, and related authorities (hereafter, "Title VI and related requirements"), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that receives U.S. Department of Transportation (DOT) funding. Title VI also prohibits retaliation for asserting or otherwise participating in claims of discrimination.

Rapid City Regional Airport further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs are federally funded or not. The Airport Sponsor agrees, among other things, to understand the communities surrounding or in the flight path and customers that use the airport. Anytime communities may be impacted by programs or activities, the Rapid City Regional Airport will take action to involve them and the general public in the decision-making process.

Rapid City Regional Airport requires nondiscrimination assurances, as prescribed by FAA, from each tenant, contractor, and concessionaire providing an activity, service, or facility at the airport. Assurances must be included in any related lease, contract, or franchise agreement between Rapid City Regional Airport and each tenant, contractor, and concessionaire, as well as in any similar agreements with their own sub-tenants and sub-contractors.

Terms & Definitions

AIP: The Airport Improvement Program provides grants for the planning and development of public-use airports that are included in the National Plan of Integrated Airport Systems

ADA: Americans With Disabilities Act [ada.gov](https://www.ada.gov)

Affected Communities: Communities eligible to be served, actually or potentially affected, benefited, or burdened by the Rapid City Regional Airport's airport program. Any readily identifiable group potentially impacted by an airport project or operation, such as the community immediately surrounding a project or a community in the flight path.

Airport Administration Office: Offices located at 4550 Terminal Rd. Ste 102 Rapid City, SD. Open for access Monday through Friday from 8:30 AM – 4:30 PM MST.

Airport Website: Refers to <https://rapairport.com/accessibility>, compatible with Google Translator.

CPP: Community Participation Plan (Exhibit 1)

DBE: Disadvantaged Business Enterprise – a program designed to remedy ongoing discrimination and the continuing effects of past discrimination in federally-assisted highway, transit, airport, and highway safety financial assistance transportation contracting markets nationwide. (Disadvantaged Business Enterprise Plan: Exhibit 4)

DOT: [Department of Transportation](#).

FAA: [Federal Aviation Administration](#).

Meaningful Access – Language assistance that results in accurate, timely, and effective communication at no cost to the LEP person.

RAP: Rapid City Regional Airport.

Administration

Rapid City Regional Airport Board of Directors has reviewed and adopted this Title VI Plan for Rapid City Regional Airport. This plan will be updated no less than once every 3 years. The plan will not be re-adopted following minor changes, such as updating the Airport Executive Director’s or Coordinator’s name. Significant revisions to our policies or federal guidelines may warrant re-adoption by the Airport Board of Directors and resubmittal to FAA. In addition to the airport sponsor’s leadership, the following people also assist with our Title VI program requirements:

Staff Supporting Title VI Program Requirements

Toni Broom	Title VI Primary Coordinator	Toni.Broom@rcgov.org	605-791-6794
Megan Johnson	Title VI Secondary Coordinator	Megan.Johnson@rcgov.org	605-791-6784
Leah Braun	Rapid City Human Resources Director	Leah.Braun@rcgov.org	(605) 394-4136
Carla Cushman	Rapid City Deputy Attorney	Carla.Cushman@rcgov.org	(605) 394-4140 ext. 2301

Title VI Coordinator Responsibilities

The Title VI Coordinator is responsible for ensuring that they and other staff supporting Title VI are trained in Title VI requirements. Essential training topics include:

- Basic Title VI requirements.
- Airport language assistance resources and practices.
- Collecting and assessing demographic data.
- Reporting Title VI complaints and other required FAA notifications.

Among other responsibilities, the Coordinator:

- Proactively ensures that the Airport Sponsor complies with nondiscrimination requirements of Title VI and reports to Rapid City Regional Airport leadership on the status of Title VI compliances.
- Responds promptly to requests by the FAA for data and records and for the scheduling of compliance reviews and other FAA meetings to determine compliance with Title VI and related requirements.
- Receives discrimination complaints covered by Title VI and related requirements, and forwards them to the FAA, within 15 days of receipt, together with any actions taken to resolve the matter.
- Provides the FAA with updates regarding its response and status of early resolution efforts to complaints concerning Title VI and related requirements ([49 CFR Part 21, Appendix C \(b\)\(3\)](#)), including resolution efforts.
- Annually reviews the airport's Title VI plan and disseminates information to staff and the Airport Sponsor's leadership.
- Coordinates data collection to evaluate whether racial or ethnic groups are unequally benefited or impacted by airport programs. The data will be regularly assessed and readily available upon request ([49 CFR § 21.9\(b\) & \(c\)](#)). Data collection methods will include optional demographic questions in: airport customer satisfaction surveys, customer complaints, airport event sign-in sheets, bids/proposals for airport contracts, and other methods described in the airport Community Participation Plan (CPP).
- Maintains demographic data for members of appointed planning and advisory bodies for the airport. Identifies any disparities compared to the community. Provides information to the membership selecting official/committee, particularly when vacancies occur.
- Maintains a copy of 49 CFR Part 21 for inspection by any person asking for it during normal working hours ([49 CFR 21, Appendix C \(b\)\(2\)\(i\)](#)).

- Accesses information related to Title VI on the FAA Civil Rights Connect System: <https://faa.civilrightsconnect.com/>

Compliance Reviews, Audits, Complaints, Lawsuits, and Other Investigations

FAA Notification. The Coordinator will notify FAA of any pending investigations and reviews, including:

- Compliance reviews or audits concerning civil rights requirements¹
- Complaints, lawsuits, or other investigations alleging noncompliance with civil rights requirements²

As discussed in the Title VI Complaints Section, Title VI complaints must be forwarded to FAA contacts within 15 days of receipt. For all other civil rights investigations, Rapid City Regional Airport must notify FAA contacts of any new investigations prior to grant execution.

At regular intervals, the Coordinator will provide FAA contacts with status updates for the investigations and reviews, until completed. For each existing investigation or review completed within 5 years of this plan, the Coordinator will also provide a statement about the outcome, unless previously provided.

Training

Employees, tenants, and applicable contractors will be required to view training material annually during the badge renewal process; topics include:

- Title VI and related laws prohibit discrimination on the basis of race, color, national origin (including LEP), sex (including sexual orientation and gender identity), creed, or age
- Title VI complaints must be forwarded to the Coordinator
- Protections against retaliation for filing civil rights complaints or related actions
- Title VI unlawful discrimination posters must be displayed throughout the airport's public facilities
- All contracts must include Title VI clauses

¹ Includes any Title VI, ADA, Sec. 504, Title VII/EEO, or other civil rights program compliance review or audit to be performed on the airport sponsor or any of its sub-recipients by any State, local or Federal agency.

² Includes allegations of discrimination based on race, color, national origin (including LEP), sex (including sexual orientation and gender identity), creed, or age, whether because of actions of the airport sponsor itself, or its employees, contractors, or tenants. Includes noncompliance with related administrative requirements under civil rights laws.



- Language interpretation and translation services
- Anti-harassment training
- Anti-retaliation training

Grant Information

Pending applications for Federal financial assistance:

Federal Source	Grant Number	Amount
<i>none</i>		

Pending sub-recipient applications for Federal financial assistance:

Federal Source	Grant Number	Amount
<i>none</i>		

Pending and awarded grant applications will be available through the following methods:

Federal Source	Grant information available at
<i>FAA AIP</i>	https://www.faa.gov/airports/aip/

Grant and Procurement Assurances

In compliance with 49 CFR § 21.7 (a)(1); 49 CFR Part 21 Appendix C (b), Rapid City Regional Airport will complete standard grant assurances for Title VI and related requirements, in the form prescribed by FAA. See https://www.faa.gov/airports/aip/grant_assurances/#current-assurances.

Description of Oversight Methods for Subcontracts

Rapid City Regional Airport requires nondiscrimination assurances, as prescribed by FAA, from each tenant, contractor, and concessionaire providing an activity, service, or facility at the airport. Assurances must be included in any related lease, contract, or franchise agreement between Rapid City Regional Airport and each tenant, contractor, and concessionaire, as well as in any similar agreements with their own sub-tenants and sub-contractors.

For competitively bid projects, in order to verify the inclusion of the assurances in related subcontracts, the bidder must certify that the appropriate Federal Contract Provisions are acknowledged and complied with by checking the following statement:

FEDERAL CONTRACT PROVISIONS: By checking this box, the bidder or offeror acknowledges acceptance and compliance with all Federal Contract Provisions listed in

the Bid Documents and located in Section 002213 – Supplementary Instruction to Bidders; and further acknowledges that bidder will incorporate these federal contract provisions where applicable in all lower tier subcontracts.

When a bid has been awarded, bidder is required to provide a list of all subcontracts. The Airport Title VI Coordinator will audit subcontracts for not less than 10 percent of contractors each year.

For concession, professional service, and lease agreements, the Airport Title VI Coordinator will audit subcontracts for not less than 10 percent of said types of agreements each year.

The Airport will correct any deficiencies by requiring that the provider, contractor, tenant or concessionaire to update their subcontract(s) to include the required clauses. All findings will be documented.

Clauses/Covenants

- a. All contracts, leases, deeds, licenses, permits, and other similar instruments, must contain the contractual requirements and clauses, in the form prescribed by FAA. See https://www.faa.gov/airports/aip/procurement/federal_contract_provisions/. Note that, unlike many other clauses, Civil Rights clauses are required in all contracts. Note also special clauses that are required for certain types of contracts, such as land acquisition.
- b. Rapid City Regional Airport requires Civil Rights clauses to be included in solicitations and contracts for all subcontractors, subleases, and any other agreements. Required templates will be used and periodic checks of sub-recipient and subcontractor agreements will be conducted.

Notice

Unlawful Discrimination Poster
 Rapid City Regional Airport will conspicuously display the FAA-provided Unlawful Discrimination Poster in all public areas on airport property, including those with pedestrian activity. The Title VI Coordinator ensures that these posters are visible, accessible,³ and maintained. (See Exhibit 2: LEP Plan, Appendix D)

Unlawful Discrimination poster locations:

<i>Baggage Claim- Pre-Security</i>	<i>Westjet Aero Center (FBO)</i>
<i>Ground Transportation Help Desk – Pre-</i>	<i>Aircraft Rescue and Firefighting Station 8</i>

³ For more information about website accessibility, please visit ADA.gov.

<i>security</i>	
<i>TSA Pre-Security queuing line</i>	<i>TSA Post-Security re-composition area</i>
<i>Airport Administration, Pre-security</i>	<i>TSA Flight Info Display Screen, pre and post security</i>
<i>Rushmore Memories Gift Shop, post-security</i>	<i>Sky Dine Inc. Pre-Security Restaurant</i>
<i>Airport Badging Office – auxiliary building</i>	<i>Ground Transportation Desk – Pre-security</i>
<u>https://RapAirport.com/Accessibility</u>	

Outreach to Affected Communities

Detailed information on our public notice and outreach procedures is available in the Rapid City Regional Airport Community Participation Plan (Exhibit 1). A copy of the CPP is available at the Airport’s Administration Office and on the Airport Website. A copy of each CPP report completed since the last Title VI Plan is posted on the Airport Website.

The Rapid City Regional Airport Public Information Officer (PIO) ensures that notices for public meetings reach all segments of the impacted community. The Coordinator will identify the effective media platforms to share announcements and notices. Announcements are made in social media, general circulation newspapers, SD State DBE newsletter, email, and/or website notifications. The Coordinator contacts leaders and representatives in Affected Communities directly to confirm effective media platforms to reach all Affected Communities⁴ and provide important feedback on translated materials. The office maintains records of all such notices and the efforts made to reach each of the Affected Communities.

To ensure that the community is effectively informed of and able to participate in public hearings, the Rapid City Regional Airport PIO offers language assistance in all public notices, including for any language spoken by a significant number or proportion of the Affected Community population that has limited English proficiency (LEP). Such notices will include directions for obtaining an interpreter, free of charge, for public hearings. 28 CFR § 42.405(d). See Limited English Proficiency Plan (Exhibit 2).

⁴ We will not subject any persons to discrimination based on race, color, national origin, age, sex, or creed. The term “protected communities” is used within this Title VI Plan to highlight the requirements of Title VI, 49 U.S.C. § 47123, the Age Discrimination Act of 1975, and in some instances, includes low-income populations under Executive Order 12898.

Minority Businesses

49 CFR 21 Appendix C (a)(1)(x)

Bids for airport concessions and other business opportunities are solicited from area minority and woman-owned businesses through the following methods:

Airport Business Opportunity	Minority Business Outreach Methods
Construction Bids	<i>Advertised through Airport Website, local newspaper, and/or SD State DBE newsletter.</i>
Concession Bids	<i>Advertised through Airport Website, local newspaper, and/or SD State DBE newsletter.</i>
Professional Services	<i>Advertised through Airport Website, local newspaper, and/or SD State DBE newsletter.</i>

Selections are in compliance with Title VI, Part 21, and related requirements. Information on the award process and documentation for specific bid decisions are kept with the Title VI Coordinator.

Community Statistics

Title VI regulations require Federal grant recipients to know their community demographics. See 49 CFR § 21.9(b). By knowing this information, the Rapid City Regional Airport will be able to identify, understand, and engage with communities. In doing so, the Rapid City Regional Airport needs to know about communities eligible to be served, actually or potentially affected, benefited, or burdened by the Rapid City Regional Airport’s airport program.

Affected Communities⁵	Population
City of Box Elder	12,931
Rapid Valley	8,553

Low-Income Communities⁶

A low-income area is an identifiable group of persons living in geographic proximity, whose

⁶ Low-income data must be collected to assist in our compliance with Environmental Justice requirements (not Title VI requirements). For example, this data will be utilized in our Community

median household income is at or below the Department of Health and Human Services poverty guidelines. Pursuant to Executive Order 12898, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations,” Rapid City Regional Airport is collecting information about affected and potentially affected low-income communities. According to the U.S. Census Report, such as S1701: Poverty Status in the Past 12 Months], the overall poverty level for the two affected areas is an average of approximately 9.3%. The poverty rate remains low compared with the rest of the State of South Dakota (12.5%). The poverty rates for the specific Affected Communities are as follows.

Affected Communities	Poverty Rate
<i>Box Elder</i>	7.1%
<i>Rapid Valley</i>	11.5%

See S1701: Poverty Status in the Past 12 Months

Racial and Ethnic Communities

Demographic data for race, color, and national origin were evaluated to identify racial and ethnic communities and populations in each Affected Community. The demographic composition by race, color, or national origin for the specific Affected Communities are as follows⁷:

Affected Community: Box Elder

Total Affected Community Population: 11,293

Demographic Group within Affected Community	Number of People in Minority Group	Percent of Total Affected Community Population
<i>White</i>	8,510	75%
<i>Black or African American</i>	280	2%
<i>American Indian or Alaska Native</i>	1,185	10%
<i>Asian</i>	175	1%
<i>Native Hawaiian or Other Pacific Islander</i>	50	1%
<i>Hispanic or Latino</i>	615	5%
<i>Two or more</i>	739	6%

Affected Community: Rapid Valley

Total Affected Community Population: 7,849

Demographic Group within Affected Community	Number of People in Minority Group	Percent of Total Affected Community Population
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Participation Plan (CPP) to help ensure the meaningful involvement of low-income communities in airport programs and activities.

⁷ Recommend using demographic groups from the U.S. Census.

<i>White</i>	6,084	77%
<i>Black or African American</i>	111	1%
<i>American Indian or Alaska Native</i>	529	7%
<i>Asian</i>	195	2%
<i>Native Hawaiian or Other Pacific Islander</i>	0	0%
<i>Hispanic or Latino</i>	507	6%
<i>Two or more races</i>	485	6%
<i>Some other race alone</i>	62	1%

See S1701: Poverty Status in the Past 12 Months

Limited English Proficiency (LEP)

For details regarding RAP LEP Plan view (Exhibit 2).

The goal of all language access planning and implementation is to ensure that Rapid City Regional Airport communicates effectively with limited English proficient (LEP) individuals.

Rapid City Regional Airport (RAP) will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access and opportunities to participate in our services, activities, and programs. RAP staff shall provide language assistance services to LEP Persons seeking to use airport services, activities, and programs whenever an LEP Person requests language assistance services.

The plan includes an assessment of the LEP needs of the area, an explanation of the steps that are currently being taken to address these needs, and the steps planned for the future to ensure meaningful access to transit programs by persons with LEP.

Potential or Known Community Impacts

Projects or services receiving federal financial assistance have the potential to touch so many aspects of American life. Thus, in general, no Rapid City Regional Airport activity must have a discriminatory disparate impact on the basis of race, color, national origin (including LEP), sex (including sexual orientation and gender identity), creed, or age. This means that policies or procedures that have a disparate impact would require a well-documented substantial legitimate nondiscriminatory justification, summarized below. Impacts on protected communities must be avoided or minimized to the extent possible. No project with a discriminatory impact on protected communities will be undertaken.⁸

The following airport facilities are already in use or under construction and expected to be in

⁸ In order to carry out an alternative with a discriminatory impact, the airport sponsor must demonstrate that there was a substantial legitimate justification for the decision. The sponsor must also show that alternatives with less discriminatory impacts were meaningfully considered and rejected for legitimate reasons.



use within the next 3 years:

Existing Airport Facilities	Affected Community Impacted by Operation of the Facility
<i>Terminal Area</i>	<i>None</i>
<i>Parking Lot Improvements</i>	<i>None</i>
<i>Hangar Area Development</i>	<i>None</i>

The following airport facility projects (including all alternatives) are in construction or expected to be in construction within the next 3 years:

Airport Facility Construction Projects	Affected Community Impacted by Construction of the Facility
<i>Terminal Area</i>	<i>None</i>
<i>Parking Lot Improvement</i>	<i>None</i>
<i>Hangar Area Development</i>	<i>None</i>

We have analyzed the above existing facilities and facility construction projects for disparate impacts on the basis of race, color, or national origin (including LEP) in Affected Communities. The following have disparate impacts:

Facilities or Construction Projects with Disparate Impacts	Affected Community Impacted	Impact Can Be Eliminated?
<i>None</i>	<i>None</i>	<i>NA</i>

Justifications:

N/A

Facilities or Construction Projects	Justification
<i>N/A</i>	<i>N/A</i>

Transportation

49 Part CFR 21 Appendix C (a)(1)(ix)

Selections are in compliance with Title VI, Part 21, and related requirements. Information on the award process and documentation for specific bid decisions are kept with the Title VI Coordinator.

In the Community Statistics section of this plan, we identified Affected Communities and provided demographic and related data for the community populations. The minority and disadvantaged community areas located within the Affected Communities are identified

below. Other minority and disadvantaged community areas that are near the airport but not within Affected Communities are also identified below.

We have coordinated with the City of Rapid City Rapid Transit to encourage them to provide transit service access between the airport and these areas.

The following chart identifies existing and planned transit services connecting the airport employment centers with the identified minority and disadvantaged community areas.

Minority and/or Disadvantaged Community Areas	Transit Service	Planned or Existing
<i>Box Elder</i>	<i>None</i>	<i>N/A</i>
<i>Rapid Valley</i>	<i>None</i>	<i>N/A</i>

Title VI Complaints

49 CFR 21.11; 49 CFR 21 Appendix C (b)(3); 28 CFR 42.406(d)

Discrimination Complaint Procedure attached as (Exhibit 4). The document is posted on the Airport Website and in the Airport Administration Office.

These procedures are for complaints of discrimination under Title VI and related laws (hereafter "Title VI Complaints." In order to be a Title VI Complaint, the complaint must:

- 1.** Allege discrimination on the basis of race, color, national origin (including LEP), sex (including sexual orientation and gender identity), creed, age or violations of administrative requirements under Title VI or related laws.
- 2.** Not only be for employment matters⁹
- 3.** Allege misconduct by the Rapid City Regional Airport, or its sub-recipients if applicable, including airport employees, contractors, concessionaires, lessees, or tenants.
- 4.** Concern about an airport facility or actions by the Rapid City Regional Airport including airport employees, contractors, concessionaires, lessees, or tenants.

Any person who believes that he or she has been subjected to discrimination on the basis of race, color, national origin (including LEP), sex (including sexual orientation and gender

⁹ Complaints of employment discrimination must be addressed as required by EEOC and other applicable authorities with jurisdiction over employment matters. If an Airport sponsor employment activity is supported by FAA-provided financial assistance or it is alleged that the employment discrimination affects the broader airport program, complaints about that activity must also be reported to FAA.

identity), creed, or age has the right to file a complaint with the Rapid City Regional Airport.¹⁰ Alternatively, they can file a formal complaint with an outside agency, such as the U.S. Department of Justice or Transportation, or the Federal Aviation Administration (FAA), or seek other legal remedies.

The Title VI Coordinator will log in the complaint and promptly send copies of the complaint to the FAA, the City of Rapid City's Title VI Coordinator, Human Resources Department, Airport Legal Counsel, and the Airport Executive Director.

Complaints must be filed within 15 days of the discriminatory event, must be in writing, and must be delivered to:

Toni Broom, Title VI Coordinator
4550 Terminal Road, #102
Rapid City, SD 57703
605-791-6794
Toni.broom@rcgov.org

Exhibits

Exhibit 1 - Community Participation Plan

Exhibit 2 - Limited English Proficiency Plan

Exhibit 3 - Complaint Procedures