



unWired Broadband Nondiscrimination Plan

Revised on: Not applicable

Adopted by: unWired Broadband

Adopted on: December 12, 2024

This plan is hereby adopted and signed by:

unWired Broadband CFO

Executive Name/Title: J. Matthew Firra

Executive Signature: *J. Matthew Firra*

As a recipient of federal funding, unWired Broadband is required to prepare a Nondiscrimination Plan including the following elements:

- Policy Statement, Log of Policy Updates, Contact Information/Program Administration
- Notice of Nondiscrimination (**Appendix 1**)
- Complaint Procedure (**Appendix 2**)
- Discrimination Complaint Form (**Appendix 3**)
- Recording and Reporting Civil Rights Investigations, Complaints, and Lawsuits (**Appendix 4**)
- Public Involvement Plan (**Appendix 5**)
- Limited English Proficiency (LEP) Plan (**Appendix 6**)
- I Speak Language Card (**Appendix 7**)
- Digital Discrimination Policies and Procedures (**Appendix 8**)

Policy Statement

unWired Broadband is committed to ensuring that no person is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination on the basis of race, color, national origin, disability, sex, age, religion, income status or limited English proficiency (LEP) in any and all programs, activities or services administered by **unWired Broadband** in accordance with Title VI of the Civil Rights Act of 1964, Title II of the Americans with Disabilities Act of 1990, and California’s Unruh Civil Rights Act of 1959.

unWired Broadband seeks to receive federal funding to provide broadband services to residents within existing or proposed service areas.

Policy Updates – Activity Log

unWired Broadband will review its policy on an annual basis to determine if modifications are necessary. **unWired Broadband** will discuss Nondiscrimination Plan requirements, which includes Title VI, with its employees on an annual basis to ensure compliance with Nondiscrimination requirements.

Nondiscrimination Program information will be disseminated to third party contractors through inclusion of language that ensures that their practices are not discriminatory. Nondiscrimination training will be available to contractors and sub-contractors where required or requested by staff.

Contact Information/Program Administration

Chief Financial Officer

unWired Broadband’s Chief Financial Officer will ensure compliance with [Title VI of the Civil Rights Act of 1964 \(42 U.S.C. 2000d\)](#) and all applicable nondiscrimination requirements.

Name:	J Matthew Firra
Email:	mfirra@getunwired.com
Phone:	214-869-5581

Director of HR

Name:	Patrick Seitz
Email:	pseitz@getunwired.com
Phone:	559-477-4792

Director of Grants and Regulatory Administration

unWired Broadband's Director of Grants and Regulatory Administration ensures Title VI/Nondiscrimination and LEP compliance in accordance with the **unWired Broadband's** federally funded broadband services. In addition, this position oversees digital discrimination prevention. The Director of Grants and Regulatory Administration has other duties and responsibilities in addition to Title VI/Nondiscrimination and LEP compliance. This position has a direct reporting relationship to the CFO and CEO.

Name:	Mitzi McMahan
Email:	mmcmahan@getunwired.com
Phone:	559-477-5892

Notice of Nondiscrimination

As a recipient of federal financial assistance, unWired Broadband will notify the public of its obligations related to preventing discrimination.

unWired Broadband is required to inform the public of their rights under Title VI by posting a *Notice of Nondiscrimination*. The *Notice of Nondiscrimination* is posted on the unWired Broadband website.

The notice must include a statement of nondiscrimination and instructions for requesting additional information about **unWired Broadband's** nondiscrimination obligations, including information on how to file a complaint, the location of the complaint form, and information on how to request assistance for Limited English Proficiency persons.

The **unWired Broadband's** *Notice of Nondiscrimination* is provided on unWired Broadband's website, <https://www.getunwired.com/>.

In English versions of the *Notice of Nondiscrimination*, a sentence is included in Spanish to contact the **unWired Broadband** Customer Service, Phone: (559) 261-4444 opt. 3.

Email customerservice@getunwired.com if additional information is needed in another language.

To view a copy of the **unWired Broadband's** *Notice of Nondiscrimination*, please see **Appendix 1**.

Complaint Procedure and Complaint Form

unWired Broadband, as a recipient of federal financial assistance, is required to have a procedure for investigating, tracking and resolving discrimination complaints and to make the procedures available to the public upon request.

Any person, group or firm that believes they've been discriminated against on the basis of race, color, national origin, disability, sex, age, religion, income status or limited English proficiency by **unWired Broadband** may file a civil rights complaint.

unWired Broadband's complaint procedure is shown in **Appendix 2** and made available on **unWired Broadband's** website, either as a reference in the *Notice of Nondiscrimination* or in its entirety.

A copy of the **unWired Broadband's** *Complaint Form* is shown in **Appendix 3**.

Civil Rights Investigations

Recipients of federal financial assistance are required to maintain a list of any complaints alleging discrimination. The list shall include the date on which the civil rights complaint, investigation, or lawsuit was filed, a summary of the allegation(s), the status of the complaint, investigation, or lawsuit, actions taken by the recipient in response, and final findings related to the complaint, investigation, or lawsuit.

Appendix 4 is **unWired Broadband's** procedure and tracking mechanism to investigate, track and resolve complaints.

Limited English Proficiency (LEP) Plan

As a recipient of federal funding, **unWired Broadband** is required, under [Title VI of the Civil Rights Act of 1964](#) and [Executive Order 13166](#), to ensure accessibility to its programs and services for persons who are not proficient in the English Language.

Spanish is the most common non-English language spoken by the residents of **unWired Broadband's** service area. To ensure Spanish-speaking customers have access to all **unWired Broadband's** services, the company has multiple employees who are proficient in Spanish. **unWired Broadband** also provides the *Notice of Nondiscrimination* and the complaint form in Spanish on the company's website.

Title VI - Notice of Nondiscrimination to the Public

unWired Broadband's *Notice of Nondiscrimination* is as follows:

Notice of Nondiscrimination

unWired Broadband

- ✓ **unWired Broadband** is committed to ensuring that no person is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination on the basis of race, color, national origin, disability, sex, age, religion, income status or limited English proficiency in any and all programs, activities or services administered by the **unWired Broadband** in accordance with Title VI of the Civil Rights Act of 1964 and related nondiscrimination authorities.
- ✓ Any person who believes they've been aggrieved by any unlawful discriminatory practice may file a complaint with **unWired Broadband**.
- ✓ For more information on how to file a complaint, contact tel: (559) 890-6748 or email nondiscrimination@getunwired.com For more information, visit www.getunwired.com
- ✓ A complainant may file a complaint directly with the United States Department of Justice at <https://civilrights.justice.gov/>.

Appendix 2

Discrimination Complaint Procedures

Introduction

These procedures apply to complaints filed under Title VI of the Civil Rights Act of 1964, Title II of the Americans with Disabilities Act of 1990, and California's Unruh Civil Rights Act of 1959, relating to any program and/or activity administered by unWired Broadband. These procedures also apply to FCC's digital discrimination prohibition.¹ Intimidation or retaliation of any kind is prohibited. These procedures do not deny the right of the complainant to file formal complaints with other State or Federal agencies, or to seek private counsel for complaints alleging discrimination.

These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the complainant. Every effort will be made to obtain early resolution of complaints at the lowest possible level. The option of informal mediation meeting(s) between the affected parties and the investigator may be utilized for resolution at any stage of the process. unWired Broadband will make every effort to pursue a resolution of the complaint.

Filing

Any person who believes that he or she or any specific class of persons has been subjected to discrimination or retaliation, prohibited by civil rights authorities, based upon race, color, national origin, disability, sex, age, religion, income status, limited English proficiency, or any other characteristic listed or defined by the law, may file a written complaint to unWired Broadband's Director of Grants and Regulatory Administration. A formal complaint must be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant. The complaint must meet the following requirements:

- Complaints must be in writing and signed by the complainant(s).
- Complaints must include the date of the alleged act(s) of discrimination (date when the complainant(s) became aware of the alleged discrimination; or the date on which the conduct was discontinued or the latest instance of the conduct).
- Complaints must present a detailed description of the issues, including names, job titles, and addresses of those individuals perceived as parties in the action complained against.

Receipt and Acceptance

Upon receipt of the complaint, the Director of Grants and Regulatory Administration at unWired Broadband will determine its jurisdiction and the need for additional information. unWired Broadband will notify the complainant, in

¹ Complies with the FCC's digital discrimination requirements as set forth in 47 U.S.C. § 1754 and 47 CFR Part 1, Subpart O. These regulations, established under the Infrastructure Investment and Jobs Act of 2021 and the FCC's Report and Order (FCC 23-60), prohibit any digital discrimination of access based on income level, race, ethnicity, color, religion, or national origin and require broadband providers to ensure equitable access to broadband services for all communities.

writing, within ten (10) business days of receipt of the complaint. To be accepted, a complaint must meet the following criteria:

- The complaint must be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant.
- The allegation(s) must involve a covered basis such as sex, race, color, religion, ancestry, national origin, disability, medical condition, genetic information, marital status, sexual orientation, citizenship, primary language, immigration status, or any other characteristic listed or defined by the law.

Request for More Information Request / Administrative Closure

If more information is needed to resolve the case, unWired Broadband may contact the complainant.

The complainant has 10 days from the date of the letter to send requested information to the investigator.

If the investigator is not contacted by the complainant or does not receive the additional information within 10 business days, unWired Broadband can administratively close the case. A case can also be administratively closed if the complainant no longer wishes to pursue their case.

After the investigator reviews the complaint, one of two (2) letters will be issued to the complainant: a closure letter or a letter of finding (LOF).

- A closure letter summarizes the allegations and states that there was not a civil rights violation and that the case will be closed.
- A letter of finding (LOF) summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or other action will occur.

If the complainant wishes to appeal the decision, the complainant has ten (10) business days after the date of the letter or the LOF to do so.

Dismissal

A complaint may be recommended for dismissal for the following reasons:

- The complainant requests withdrawal of the complaint.
- The complainant fails to respond to requests for additional information needed to process the complaint.
- The complainant cannot be located after reasonable attempts to contact the complainant.

Investigation of Complaints

unWired Broadband will provide the respondent with the opportunity to respond to the allegations in writing. unWired Broadband will designate an investigator responsible for evaluating the complaint, conducting interviews, collecting and analyzing evidence, and preparing a findings report.

A person may also file a complaint directly with United States Department of Justice at <https://civilrights.justice.gov/>.

These adapted procedures ensure that complaints regarding potential antidiscrimination law violations involving unWired Broadband are handled effectively and in accordance with regulatory requirements.

Appendix 3

Discrimination Complaint Form

unWired Broadband operates its programs and services without regard to race, color or national origin in accordance with Title VI of the Civil Rights Act. In addition to complying with Title VI, unWired Broadband also prohibits discrimination based on sex, age, disability, religion, and other protected classes enumerated in state and federal laws.

More information on unWired Broadband's programs, including information on the filing of discrimination complaints, may be obtained by:

- calling tel: (559) 890-6748
- emailing nondiscrimination@getunwired.com
- mailing to:

unWired Broadband
215 W Fallbrook Ave, Suite 203
Fresno, CA 93711

A complaint may also be filed directly with the U.S Department of Justice.

If you would like to make a complaint about an unWired Broadband policy or action taken by an unWired Broadband employee or contractor violating your rights or discriminating against you, you may contact unWired Broadband at (559) 890-6748 or continue with this form.

Use this form to file a discrimination complaint against unWired Broadband. Any person(s) or organization(s) who believes that they have been discriminated against or denied benefits of any program or service provided by unWired Broadband on the basis of race, color, national origin, English proficiency, or disability may file a complaint.

A complaint made using this form must:

- involve discrimination on the basis of race, color, national origin, English proficiency, or disability.
- allege that the discrimination was committed by unWired Broadband.
- be filed within 180 days of the alleged discrimination.

Who are you making this request or complaint for?

- Myself
 Someone else

If you are making this complaint for someone else, do you have permission from them to file this complaint? Or do you have a legal relationship that allows you to make a complaint on their behalf?

- Yes
 No

If you are making this complaint for someone else, what is their name?

Type their name here.

I believe the discrimination I experienced was based on:

- Race or color
- Limited English Proficiency
- National Origin
- Disability
- Religion
- Sex
- Age
- Income Status
- Other Please describe

When did the discrimination occur?

Type the date and estimated time of the incident here.

Where did the discrimination occur?

Type the location of the incident here.

Please provide the name of the office, employee, or contractor associated with the discrimination.

Type the name or names here.

In your own words, describe the alleged discrimination. Please explain what happened; who was involved; what policy, program, or activity was discriminatory (if applicable); why you believe it happened, and how you were discriminated against. To protect your privacy, do not include any personal or health-related information.

Describe the incident here.

Were there witnesses to the discrimination?

-
- Yes
 - No

If so, please provide any information you have about the witnesses including:

- Name
- Phone number
- Email address

Type witness information here.

Witnesses will only be contacted if necessary to investigate your claim. If contacted, witnesses can choose whether they want to participate in the investigation process.

Your Name

Email

Phone

If needed, would you prefer that we contact you by phone or email?

Phone

Email

By signing below, you attest that the information you have provided on this form is true to the best of your knowledge.

Signature

Date

Appendix 4

List of Complaints, Investigations and Lawsuits

unWired Broadband maintains a log to track and resolve transit related complaints, investigations and lawsuits.

Check One:

_____ Since the last update of this Nondiscrimination Plan, there has been no civil rights investigations, complaints, or lawsuits filed with unWired Broadband.

_____ There have been investigations, complaints and/or lawsuits filed against unWired Broadband. *See list below. Attach additional information as needed.*

Type (Complaint, Investigation, Lawsuit)	Date (Month, Day, Year)	Complainant's Name/Address	Basis of Complaint ²	Summary Complaint Description	Status	Action Taken/ Final Outcome if Resolved

² **Basis of Complaint:** basis of race, color, national origin, disability, sex, age, religion, income status, limited English proficiency, or another characteristic protected by federal or state law.

Public Involvement Plan

Overview

unWired Broadband is dedicated to bridging the digital divide by providing high-quality broadband services to all communities, with a particular focus on historically underserved and hard-to-reach populations. Our commitment to public participation ensures that we are responsive to the needs of our community and inclusive in our outreach efforts.

Objectives

1. **Enhance Community Engagement:** Increase awareness and engagement within underserved and hard-to-reach communities.
2. **Promote Accessibility and Inclusion:** Ensure that all community members have access to our services and support.
3. **Foster Collaborative Partnerships:** Work with stakeholders to maximize our outreach and impact.
4. **Support Adoption and Enrollment:** Drive robust adoption and enrollment into the Affordable Connectivity Program (ACP).

Robust Outreach and Marketing Strategies

We are committed to continuous improvement of our public engagement strategies. By prioritizing engagement in historically underserved populations, our company ensures we are good stewards and advocates for all communities. Our robust marketing strategies for community outreach, education, and adoption include the following tactics:

1. **Press Releases:** Regular announcements to local media outlets to inform the public about new services, programs, and initiatives.
2. **Digital Advertising:** Targeted online ads to reach specific demographics, particularly in underserved and hard-to-reach areas.
3. **Email Drip Campaign:** Regular, informative emails sent to current customers and leads to keep them informed about our services and the ACP program.
4. **Social Media Outreach:** Active engagement on social media platforms to share updates, educational content, and respond to community inquiries.
5. **Website Messaging:** Clear, accessible information on our website, including translation options and bilingual support, to cater to diverse audiences.
6. **Stakeholder Partnerships:** Collaborations with jurisdictions, public service providers, and community groups to promote program availability and drive enrollment.

Efforts to Reach Hard-to-Reach Communities

Recognizing the unique challenges faced by hard-to-reach communities, we have implemented additional targeted strategies to ensure inclusivity:

- **Mobile Outreach Units:** Deploying mobile units to remote and underserved areas to provide on-site information, support, and enrollment assistance.
- **Door-to-Door Outreach:** Conducting door-to-door campaigns in hard-to-reach neighborhoods to directly engage with residents and provide personalized assistance.

- **Community Ambassadors:** Training local residents as ambassadors to spread information and assist their neighbors in understanding and enrolling in our services.
- **Cultural Competency Training:** Providing staff with training on cultural competency to better engage and support diverse communities.
- **Partnering with Trusted Organizations:** Collaborating with local faith-based organizations, non-profits, and community leaders who have established trust in hard-to-reach communities.
- **Hotline Services:** Establishing dedicated hotlines staffed by multilingual representatives to assist non-English speakers and those without internet access.

Adoption of ACP Consumer Outreach Toolkit

To further strengthen our messaging and outreach efforts, we adopted materials from the ACP Consumer Outreach Toolkit provided by the Federal Communications Commission (FCC). These resources helped us effectively communicate the benefits of the ACP program and guide eligible households.

Additional Outreach Tactics

- **Community Events:** Hosting and participating in local events to directly engage with residents and provide information about our services.
- **Workshops and Training Sessions:** Offering educational workshops to teach community members about internet usage, digital literacy, and the benefits of broadband access.
- **Printed Materials:** Distributing flyers, brochures, and other printed materials in community centers, libraries, and other public spaces.
- **Bilingual Outreach:** Utilizing bilingual staff to conduct outreach and provide support in multiple languages, ensuring that language barriers do not impede access to our services.

Evaluation and Continuous Improvement

To ensure the effectiveness of our public participation plan, we will regularly evaluate our outreach efforts through:

- **Surveys and Feedback:** Collecting feedback from community members to assess satisfaction and identify areas for improvement.
- **Performance Metrics:** Tracking engagement metrics, such as website traffic, social media interactions, and enrollment numbers, to measure the impact of our strategies.
- **Stakeholder Meetings:** Regular meetings with stakeholders to review progress, share insights, and adjust strategies as needed.

By implementing these strategies, unWired Broadband is committed to fostering an inclusive, engaged, and well-connected community, ensuring that all residents, especially those in underserved and hard-to-reach areas, have the opportunity to benefit from high-quality broadband services.

Appendix 6

Limited English Proficiency (LEP) Plan

Overview

unWired Broadband plans for potential Limited English Proficiency (LEP) customers by employing Spanish speaking representatives to assist with customer needs for individuals with limited English language skills. Further, unWired Broadband has an "I Speak Language Card" to help identify any additional language needs.

Limited English Proficiency (LEP) Policy for unWired Broadband

1. **Purpose:** unWired Broadband is committed to providing meaningful access to our services for customers with limited English proficiency. This policy outlines our current approach to identifying and assisting LEP customers.
2. **Language Assessment:** unWired Broadband has conducted a basic analysis of our service area to identify the most common non-English languages spoken. We have used census data and local school district information to gather this data cost-effectively.
3. **Identifying LEP Customers:**
 - We use "I Speak" language identification cards to determine the customer's preferred language.
 - We maintain a log of LEP encounters to track frequency and languages needed. This log is managed by our Customer Service Manager and includes date, language, type of service requested, and how the interaction was handled.

4. Language Assistance Services:

Existing Resources:

- We have identified and listed all bilingual staff members.
- We maintain an internal directory of their language skills and availability.

Written Translations:

- We have prioritized translation of vital documents (e.g., service contracts, billing information).
- We use professional translation for critical documents when budget allows.
- For less critical documents, we use online translation tools with a disclaimer about potential inaccuracies.

Oral Interpretation:

- We utilize bilingual staff members when available.
- We use online translation tools (e.g., Google Translate) for basic communication, acknowledging potential accuracy limitations.

Community Partnerships:

- We have developed relationships with local community organizations that can provide translation assistance or verify translations.

5. Staff Training:

- We have developed a brief training module on LEP policies and procedures.
- This training includes how to use "I Speak" cards, access language resources, and log encounters.
- LEP awareness is incorporated into our new employee orientation.
- We provide guidelines to our staff on how to access translation resources when needed.

6. Public Outreach:

- We include a statement in Spanish on our website and key documents explaining how to request information in other languages.

7. Hiring Practices:

We prioritize hiring bilingual staff for customer-facing positions when possible.

8. Review and Update:

We regularly review the LEP encounter log to assess the need for additional language services or resources.

Implementation:

1. We have created "I Speak" cards using free online resources and printed copies for our customer service team.
2. We have set up a spreadsheet for logging LEP encounters.
3. We have identified our bilingual staff members and created a list of their language skills for internal use.
4. We have added a statement in Spanish to our website in addition to key documents with instructions on how to request language assistance.
5. We have reached out to local community organizations and schools to explore potential partnerships for translation assistance.
6. We provide training to our staff to best assist our LEP customers.

This policy is effective immediately and will be reviewed annually to ensure it continues to meet the needs of our LEP customers. All unWired Broadband employees are expected to familiarize themselves with this policy and adhere to its guidelines when interacting with LEP customers.

I Speak Statements



I Speak Statements for Limited English Proficiency (LEP) Customers

- | | |
|------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| <input type="checkbox"/> Unë flas shqip (Albanian) | <input type="checkbox"/> N̄ a po Klào Win. (Kru) |
| <input type="checkbox"/> አግርኛ እናገራለሁ (Amharic) | <input type="checkbox"/> ຂ້າພະເຈົ້າເວົ້າ ພາສາລາວ. (Lao) |
| <input type="checkbox"/> انا اتكلم اللغة العربية. (Arabic) | <input type="checkbox"/> Yie gorngv Mienh waac. (Mien) |
| <input type="checkbox"/> Ես խոսում եմ հայերեն (Armenian) | <input type="checkbox"/> म नेपाली बोल्छु (Nepali) |
| <input type="checkbox"/> আমি বাংলা ভাষী। (Bengali) | <input type="checkbox"/> Mówię po polsku . (Polish) |
| <input type="checkbox"/> Ja govorim bosanski jezik (Bosnian) | <input type="checkbox"/> Eu falo Portugês . (Portuguese) |
| <input type="checkbox"/> ကျွန်တော်တို့ပြောသောစကားပြောသည်။ (Burmese) | <input type="checkbox"/> ਇ ਸ੍ਪੇਆਕ ਪੰਜਾਬੀ (Punjabi) |
| <input type="checkbox"/> 我说中文 (Chinese Simplified) | <input type="checkbox"/> Cunosc limba Română . (Romanian) |
| <input type="checkbox"/> 我說中文 (Chinese Traditional) | <input type="checkbox"/> Я говорю по-русски . (Russian) |
| <input type="checkbox"/> Ja govorim hrvatski . (Croatian) | <input type="checkbox"/> Ou te tautala faaSamoa . (Samoan) |
| <input type="checkbox"/> اینجانب به زبان فارسی صحبت می کنم (Farsi) | <input type="checkbox"/> Govorim srpski . (Serbian) |
| <input type="checkbox"/> Je parle français . (French) | <input type="checkbox"/> Waxaan ku hadlaa Somali . (Somali) |
| <input type="checkbox"/> Je parle le Français haïtien (French Creole) | <input type="checkbox"/> Yo hablo español . (Spanish) |
| <input type="checkbox"/> Μιλάω ελληνικά . (Greek) | <input type="checkbox"/> أتحدث السودانية (لغوي سوداني) (Sudanese) |
| <input type="checkbox"/> ຄູ່ ງູજરાતી બોલુ છું (Gujarati) | <input type="checkbox"/> Marunong po akong magsalita ng Tagalog . (Tagalog) |
| <input type="checkbox"/> Mwen pale Kreyòl . (Haitian Creole) | <input type="checkbox"/> ข้าพเจ้าพูด ภาษาไทย (Thai) |
| <input type="checkbox"/> म हिंदी बोलता हूँ (Hindi) | <input type="checkbox"/> እነ ትግርኛ ይዳረብ እየ. (Tigrinya) |
| <input type="checkbox"/> Kuv hais lus hmoob . (Hmong) | <input type="checkbox"/> Я розмовляю українською . (Ukrainian) |
| <input type="checkbox"/> Ana m a sụ Igbo (Igbo) | <input type="checkbox"/> میں اردو بولتا/ بولتی ہوں - (Urdu) |
| <input type="checkbox"/> Parlo Italiano (Italian) | <input type="checkbox"/> Tôi nói tiếng Việt . (Vietnamese) |
| <input type="checkbox"/> 私は 日本語 を話します (Japanese) | <input type="checkbox"/> איך דער שידיש (Yiddish) |
| <input type="checkbox"/> Mi chat Jamiekán langwíj (Jamaican Creole) | <input type="checkbox"/> Mo gbọ Yoruba (Yoruba) |
| <input type="checkbox"/> ខ្ញុំនិយាយភាសាខ្មែរ (Khmer) | |
| <input type="checkbox"/> 본인의 모국어는 한국어 입니다 (Korean) | |
| <input type="checkbox"/> ئە ز زمانى كوردى ده ناخفم. (Kurdish) | |

Appendix 8

Digital Discrimination Policies and Procedures

1. Purpose and Commitment

unWired Broadband is committed to preventing digital discrimination in all aspects of our broadband services. This policy provides guidelines and procedures to ensure equitable access to our services, regardless of income level, race, color, religion, national origin, sex, or other protected characteristics. We aim to promote digital equity and inclusion across all communities we serve.

2. Scope and Effective Dates

This policy applies to all unWired Broadband operations, employees, contractors, and agents involved in broadband service provision, including:

- Network planning and deployment
- Service pricing and promotions
- Customer service and technical support
- Marketing and advertising
- Product development
- Vendor and partner relationships

It affects our current customers, potential customers, and the communities we serve.

Effective Dates:

- Rules prohibiting practices with discriminatory intent: March 22, 2024
- Rules prohibiting practices with discriminatory impact: September 22, 2024

unWired Broadband will comply with these regulations and proactively implement them.

3. Definitions

- **Digital Discrimination:** Practices or policies that differentiate in providing broadband services based on income level, race, color, religion, national origin, sex, or other protected characteristics, including those that have a disparate impact on protected groups.
- **Protected Characteristics:** Attributes protected by law, such as income level, race, color, religion, national origin, sex, age, disability, sexual orientation, and gender identity.
- **Broadband Internet Access Service:** A mass-market retail service that provides the capability to transmit and receive data from all or substantially all internet endpoints, excluding dial-up services.
- **Digital Equity:** The condition where all individuals and communities have the technology capacity needed for full participation in society, democracy, and the economy.
- **Underserved Communities:** Geographic areas or groups facing barriers to accessing and using affordable, reliable broadband services.
- **Limited English Proficiency (LEP):** Individuals who do not speak English as their primary language and have limited ability to read, speak, write, or understand English.

4. Legal Framework

This policy complies with all relevant federal, state, and local laws and regulations, including:

- FCC rules and regulations on preventing digital discrimination
- The Communications Act of 1934, as amended
- The Telecommunications Act of 1996
- The Americans with Disabilities Act (ADA)
- California Fair Employment and Housing Act (Government Code §§ 12900-12996)
- Unruh Civil Rights Act (California Civil Code § 51)
- Title VI of the Civil Rights Act of 1964

unWired Broadband will stay informed about and comply with any future laws or regulations related to digital equity and non-discrimination.

5. Key Compliance Areas and Prohibited Practices

unWired Broadband will ensure compliance with digital discrimination rules by taking the following actions:

5.1 Community Engagement and Understanding

1. **Engage regularly with local and state officials** to address service availability, quality concerns, and opportunities for public funding.
2. **Collaborate with stakeholders and advocacy organizations** to understand community needs and address gaps in service.
3. **Ensure a diverse management and leadership team** that reflects the communities we serve.
4. **Recognize Limited English Proficiency (LEP) needs** by providing critical documents in key languages spoken in our service areas, offering multilingual customer support, and partnering with local organizations to help expand digital literacy programs.

5.2 Deployment

1. **Prioritize network deployments and upgrades** in lower-income and minority communities when feasible and justified by technical and economic factors.
2. **Document technical and economic justifications** for all network decisions, especially when favoring more affluent areas.
3. **Include non-discrimination clauses in contracts with construction companies** to ensure compliance with this policy.

5.3 Marketing

1. **Advertise across diverse local media**, including languages spoken by significant community groups, to ensure inclusive outreach.
2. **Include non-discrimination clauses in contracts and agreements with external agents** to ensure fair marketing and outreach practices. For example, contracts must, at a minimum, include the following clause:

Non-Discrimination and Equal Opportunity Clause

The Contractor/Lessee agrees to comply with all applicable federal, state, and local non-discrimination laws, regulations, and executive orders, including but not limited to:

- **Federal Laws:** Title VI and VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act (ADA), the Age Discrimination in Employment Act (ADEA), and the Equal Pay Act.
- **State Laws (California):** The Fair Employment and Housing Act, the Unruh Civil Rights Act, the California Equal Pay Act, and the California Family Rights Act.

The Contractor/Lessee shall not harass, discriminate, or retaliate against any person in employment practices, services, or operations based on protected characteristics such as race, color, national origin, religion, age (40+), disability, sex (including pregnancy and gender identity), sexual orientation, genetic information, marital status, military/veteran status, or any other characteristic protected by law.

The Contractor/Lessee agrees to:

1. Prevent discrimination, harassment, and retaliation.
2. Provide reasonable accommodations for disabilities and religious practices.
3. Investigate and respond to complaints promptly.
4. Ensure equal opportunity in recruitment, hiring, promotions, compensation, and all terms of employment or engagement.

Enforcement and Remedies

Failure to comply constitutes a material breach of this agreement. The Contracting Authority may terminate this agreement or take other remedial actions, including suspending payments, withholding funds, or reporting non-compliance to regulatory authorities.

Documentation and Training

The Contractor/Lessee shall train employees, agents, and subcontractors on these obligations, maintain records of compliance (e.g., training, accommodations, investigations), and provide periodic certifications or reports upon request.

For federal awards, consult with the grantor to ensure what clauses are required to be in contracts.

5.4 Service Quality

1. **Monitor all neighborhoods for disparities in service quality** and address any issues promptly.
2. **Prioritize repairs and upgrades** in communities with service performance shortfalls to ensure equitable service quality.

5.5 Customer Service

1. **Be available to provide terms of service, equipment instructions, and support guides** in relevant languages for LEP populations.
2. **Adopt fair policies for installation and repair scheduling** to provide equal access to services across all communities.

5.6 Pricing and Promotions

1. **Regularly review all pricing structures and promotions** to ensure they are fair and do not disproportionately affect protected groups.
2. **Promote low-income and inclusive programs** to ensure all customers have equitable access to services.

6. Compliance Procedures

1. **The Director of Grants and Regulatory Administration will oversee the implementation of this policy** to help ensure compliance with FCC rules and regulations.

2. **Conduct periodic reviews of compliance** in key areas such as network deployment, service quality, marketing, and customer service to identify potential issues or areas for improvement.

7. Training and Awareness

1. **Conduct annual training for all employees** on digital discrimination prevention and non-discrimination policies.
2. **Document all training sessions** and enforce consequences for non-compliance.

8. Monitoring, Reporting, and Complaint Handling

1. **The Director of Grants and Regulatory Administration will oversee the implementation of this policy** to help ensure compliance with FCC rules and regulations.
2. **Conduct periodic reviews of compliance** with key areas to identify potential issues or areas for improvement.
3. **Use the procedures outlined in the Nondiscrimination Plan Appendix 2: Discrimination Complaint Procedures** to handle digital discrimination complaints, ensuring they are addressed promptly and effectively.

9. Enforcement and Consequences

1. **Set clear consequences for policy violations**, ranging from additional training to termination of employment or contracts.
2. **Implement a "Three Strikes" policy** for minor violations, with escalating consequences as needed.
3. **Enforce zero tolerance for intentional discriminatory practices**, which will result in immediate termination.

10. Policy Review and Updates

1. **Review this policy annually** to ensure it complies with FCC rules.
2. **Notify employees of any policy changes within 5 business days** and require acknowledgment of changes.

By following these guidelines, unWired Broadband ensures compliance with FCC rules and promotes equitable access to broadband services.