



Houston County Title VI / Nondiscrimination Policy

Approved by Commissioners Court August 25, 2025

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Title VI Program and Policy Overview

Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color, or national origin by any agency receiving federal assistance. All recipients which receive federal funding are required to comply with various nondiscrimination laws and regulations, including Title VI of the Civil Rights Act of 1964 (Title VI). Specifically, Title VI assures 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 benefit of, or be otherwise subjected to discrimination under any program or activity receiving Federal assistance.”

Title VI has been expanded through additional statutes, regulations, and executive orders. Discrimination based on sex is prohibited under Section 324 of the Federal-Aid Highway Act, the enabling legislation of the Federal Highway Administration (FHWA). The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 ensures fair and equitable treatment of individuals affected by federally assisted projects. Meanwhile, the Civil Rights Restoration Act of 1987 clarified that if any part of an agency receives federal financial assistance, nondiscrimination protections apply to the entire agency.

Beyond statutory provisions, Executive Order 12898 (1994) requires federal agencies to address environmental justice by identifying and mitigating disproportionately high and adverse effects on minority and low-income populations. In response, the U.S. Department of Transportation (USDOT) issued its DOT Order (1997) to further reinforce and expand upon the environmental justice requirements of Executive Order 12898.

Additionally, Executive Order 13166 (Improving Access to Services for Persons with Limited English Proficiency, 2000) ensures that no person is discriminated against due to race, color, or national origin under any federally assisted program or activity. As a recipient of federal assistance, Houston County must take reasonable steps to provide access to individuals with limited English proficiency.

Houston County must ensure that no individual is denied access to services, financial aid, or other benefits due to race, color, sex, or national origin. Accordingly, the primary goals and objectives of Houston County’s Title VI Nondiscrimination Plan are:

- Establish roles, responsibilities, and procedures to ensure compliance with Title VI of the Civil Rights Act of 1964, as well as related regulations and directives.
- Ensure that individuals affected by the County’s programs and projects receive the services, benefits, and opportunities they are entitled to—regardless of race, color, national origin, age, sex, or disability.
- Prevent discrimination in all County programs and activities, whether federally funded or not.
- Implement procedures to identify and address potential adverse impacts in any program, service, or activity that could result in unlawful discrimination based on race, color, national origin, age, sex, or disability, as well as those affecting minority populations, low income populations, the elderly, persons with disabilities, and all Title VI-protected groups.

- Develop a systematic process for conducting Title VI compliance reviews within specific County program areas as needed.
- Establish clear procedures for filing and processing complaints from individuals who believe they have experienced unlawful discrimination under Title VI in any County provided service, project, program, or activity.

As the recipient of Federal transportation funds, the County must comply with Federal and State laws, and related statutes, to ensure equal access to all persons, with respect to its programs and activities without regard to race, color, national origin, sex, age, or disability. Every effort will be made to prevent discrimination in any County-sponsored program or activity, whether those programs and activities are federally funded or not, as guaranteed by the Civil Rights Restoration Act of 1987.

The County's Title VI Plan also establishes procedures to make sure that the County's Contractor's and sub-recipients adhere to Federal and State laws and include in all written agreements or contracts assurances that the sub-recipient must comply with Title VI and other related statutes. The County, as a recipient receiving Federal funds in certain programs and activities, shall monitor its sub-recipients for voluntary compliance with Title VI.

In the event that non-compliance is discovered, the County will make a good faith effort to ensure that the sub-recipient corrects any such deficiencies.

Federal Financial Assistance

Title VI states that no program or activity receiving "Federal financial assistance" shall discriminate against individuals based on their race, color, or national origin. Federal financial assistance may include grants and loans of federal funds, the grant or donation of Federal property and interests in property, the use or rent of Federal land or property at below market value, Federal training, a loan of Federal personnel, subsidies, and any other federal arrangement, agreement, or contract which purpose is to provide federal assistance.

Federal financial assistance does not encompass contracts of guarantee or insurance, regulated programs, licenses, procurement contracts by the Federal government at market value, or programs that provide direct benefits. Federal financial assistance may be received directly or indirectly.

Authorities

The authorities applicable to Houston County's Title VI program are included below:

- **Title VI of the Civil Rights Act of 1964, (42 U.S.C. §2000d)** provides 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 receiving federal financial assistance."
- **Civil Rights Restoration Act of 1987** restored the intent of Title VI and the broad, institution-wide scope and coverage of nondiscrimination statutes to include all programs and activities of federal-aid recipients, sub-recipients, and contractors, whether those programs and activities are federally funded or not.
- **Federal Aid Highway Act of 1973 (Section 324, Title 23 U.S.C.)** provides that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.
- **Uniform Act of 1970 (42 U.S.C. 4601)** which prohibits unfair and inequitable treatment of persons displaced or whose property will be acquired as a result of federally assisted programs or activities.
- **Section 504 of the Rehabilitation Act of 1973** which prohibits discrimination based on a handicap/ disability.
- **49 CFR Part 21** U.S. Department of Transportation (U.S. DOT) Regulations for the Implementation of Title VI – requires assurances from states that nondiscrimination under any program or activity for which the recipient receives federal assistance from the U.S. DOT, including the Federal Highway Administration (FHWA) will be prevented.
- **28 CFR 50.3** Guidelines for the Enforcement of Title VI, Civil Rights Act of 1964
- **Executive Order No. 12898** Addresses federal actions to address Environmental Justice in minority populations and low-income populations.
- **Executive Order No. 13166** Addresses the improvement of access to services for persons with Limited English Proficiency.
- **Executive Order No. 12250** Department of Justice Leadership and Coordination of Non-Discrimination Laws

Policy Statement & Standard DOT Assurances

Policy Statement:

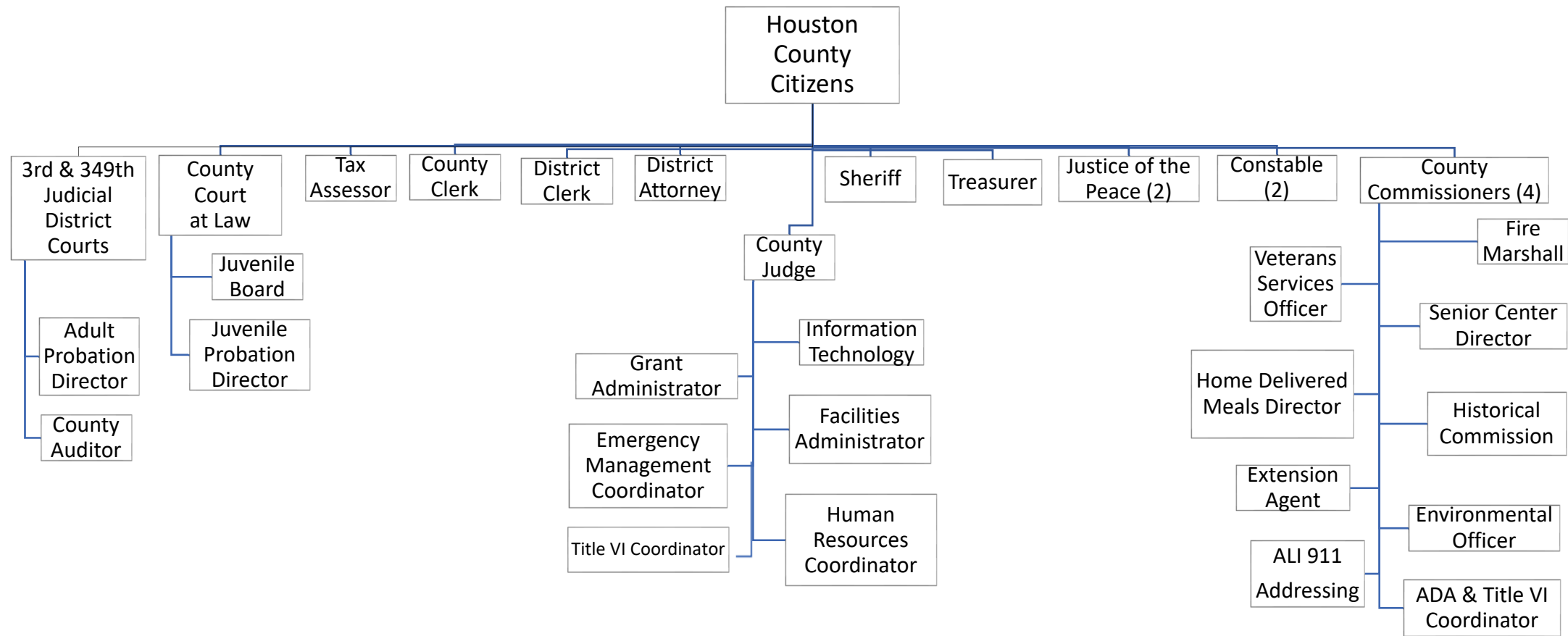
Houston County, as a recipient of Federal financial assistance and under Title VI of the Civil Rights Act of 1964 and related statutes, ensures that no person shall on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment per 42 U.S.C. §2000d-3), color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation in any federally or non-federally funded program or activity administered by Houston County.

The nondiscrimination statement signed by all members of the County's Commissioners Court is located as an exhibit of this plan.

Standard DOT Assurances:

23CFR200.9(a)(1) requires assurances from Houston County 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 otherwise be subjected to discrimination under any program or activity for which the recipient receives Federal assistance from the U.S. Department of Transportation (USDOT), including the FHWA.

The Title VI Assurances are submitted to TXDOT as needed or when there is a change in administration for any of the presiding Commissioners Court members. The updated Title VI Assurances signed by all members of the County's Commissioners Court, is located as an exhibit of this plan.



Roles and Responsibilities

Title VI/Nondiscrimination Coordinator:

The Title VI/Nondiscrimination Coordinator is authorized to ensure compliance with the provisions of the County's statement of nondiscrimination and with the appropriate laws and regulations. The Title VI/Nondiscrimination Coordinator will also ensure implementation of the County's nondiscrimination policy statement and will be responsible for initiating, monitoring, and ensuring the County's compliance with Title VI requirements.

The Title VI/Nondiscrimination Coordinator's (or designee) role and responsibilities include but are not limited to the following:

1. **Program Administration.** Being the focal point for the Title VI implementation and monitoring of programs and/or activities receiving federal financial assistance. Ensuring that Title VI requirements are included in appropriate policy directives and that the procedures used have built in safeguards to prevent discrimination. Ensure compliance with Title VI assurances, policies, and program objectives.
2. **Public Dissemination of Information.** Develop and disseminate Title VI program information (and, where appropriate, in languages other than English) to County departments/offices, sub-recipients (including contractors, subcontractors, and consultants) and the general public. The public dissemination program shall involve the posting of the County's Title VI Policy Statement: a) in contracts or other agreements and bid specification packages; b) on the County's website, <https://www.co.houston.tx.us>; and c) in certain County buildings. The dissemination to departments/offices will include: a) Posting on the County's website; b) Acknowledgements of the County's Title VI and LEP Plan in the new employee orientation.
3. **Elimination of Violations.** Assisting with the correction of Title VI related problems or discriminatory practices or policies found through self-monitoring and review activities. When deficiencies are found, reasonable procedures will be promptly implemented to correct the deficiencies and to put in writing the corrective action(s).
4. **Complaint Process.** Implementation of procedures for the prompt processing of external Title VI discrimination complaints.
5. **Complaint Resolution.** Overseeing the investigation of external Title VI complaints.
6. **TXDOT Notice.** Forwarding Title VI complaints filed against Houston County to TXDOT within 10 calendar days for investigation.
7. **Data Collection.** Coordinating the collection and maintenance of statistical data on race, color, national origin, English language proficiency and sex of participants in the beneficiaries of County programs. Most information will be gathered through Census 7 data and maps. The gathering procedures will be reviewed as needed to ensure sufficiency of the data in meeting the requirements of the Title VI program.
8. **Title VI Plan Update.** If updated, providing a copy of the Title VI Plan to the Texas Department of Transportation. The County will automatically update and renew its Title VI Assurances every

three years or as necessary on the occasion of a change in the County's Title VI Plan administrative structure and staffing or changes to the plan's complaint procedures, etc.

Title VI/Nondiscrimination Coordinator Contact Information:

Sheila Johnson
401 East Goliad, Suite 204 Crockett, TX 75835
Phone: (936) 544-3255 ext. 304 Email: sjohnson@co.houston.tx.us

Departments/Elected Offices:

Houston County Departments and Elected Offices will coordinate with the Title VI/Nondiscrimination Coordinator to ensure compliance with Title VI requirements for TXDOT. Department Heads and Elected Officials' responsibilities for Title VI requirements include, but are not limited to the following:

1. Environmental Justice compliance on all TXDOT or other federally funded projects
2. Collecting and analyzing data to numerically assess the reach and impact of its program funds
3. Complying with Limited English Proficiency Plan and Environmental Justice/Public Participation monitoring and reporting requirements
4. Coordinating with Title VI/Nondiscrimination Coordinator to ensure all required information is provided in a timely manner

Purchasing Department:

Houston County's Purchasing Department shall make sure the statement below is included in all solicitations for bids for work or material, and as an associated component of the contract, including the following language which should not be incorporated by reference but directly incorporated:

Houston County, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

Title VI Plan Administration

The Title VI/Nondiscrimination Coordinator shall have lead responsibilities for coordinating the administration of the Title VI and related statutes program, plan and assurances for the subrecipient.

Dissemination of the County's Title VI Policy:

Houston County disseminates its Title VI Nondiscrimination Policy Statement, Title VI Nondiscrimination Plan, and complaint procedures to the general public on the County's

website which also provides access to forms to file external discrimination complaints under Title VI.

The County disseminates Title VI/Nondiscrimination information to County employees via the County website, <https://www.co.houston.tx.us>.

All subcontractors and vendors who receive payments from Houston County, where funding originates from any federal assistance are subject to the provisions of Title VI of the Civil Rights Act of 1964 and 49 CFR Part 21. Written contracts shall include non-discrimination language, either directly or through the bid specification package which becomes an associated component of the contract.

Additional information relating to nondiscrimination obligations and information on filing complaints can be obtained from the County's Title VI/Nondiscrimination Coordinator.

Complaints:

If any individual believes that he/she or any other program beneficiaries have been the object of unequal treatment or discrimination as to the receipt of benefits and/or service, or on the grounds of race, color, national origin (including Limited English Proficiency), sex, age or disability, he/she may exercise his/her right to file a complaint with the County's Title VI/Nondiscrimination Coordinator. Every effort will be made to resolve complaints informally and at the lowest level first.

TXDOT Reporting Form:

The Title VI/Nondiscrimination Coordinator will be responsible for coordination, compilation, and submission of any documentation required by Texas Department of Transportation, Office of Civil Rights, as needed.

TXDOT Title VI Plan Updates:

If this plan is updated, a copy of the Title VI/Nondiscrimination Plan will be submitted to the Texas Department of Transportation as needed. The County will automatically update and renew its Title VI Assurances as needed or on the occasion of a change of Commissioners Court members.

Remedial Action: The County, through the Title VI/Nondiscrimination Coordinator, will actively pursue the prevention of Title VI deficiencies and violations and will take the necessary steps to ensure compliance with all program administrative requirements.

When deficiencies are identified, procedures will be promptly implemented to correct the deficiencies and establish written corrective action(s). The period to determine corrective action(s) and respond in writing to ensure compliance may not exceed 90 days from the date the deficiencies are identified.

Record Keeping:

Any records related to the Title VI/Nondiscrimination Plan shall be maintained for a period of ten (10) years or pursuant to the requirements of the Texas Library Archives Records Retention Schedules, whichever is longer; however, should records be the subject of a grievance, administrative action, litigation or other formal complaint, said records must be maintained for the minimum retention period and thereafter until the final disposition or resolution of the complaint.

Limited English Proficiency (LEP) Plan**Purpose:**

The purpose of the Limited English Proficiency (LEP) Plan is to clarify the responsibilities of the County and those entities that undertake governmental duties on behalf of the County (including contractors and subcontractors) and to assist them in fulfilling their responsibilities to LEP persons. This plan also serves to show the County's commitment to ensure its departments/offices communicate effectively with Limited English Proficiency individuals and provide persons with limited English proficiency access to all County programs.

An LEP individual is a person who does not speak English as his or her primary language and who has a limited ability to speak, read, write, or understand English.

All County Department Heads/Elected Officials, and those entities that undertake governmental duties on behalf of the County (including contractors and subcontractors) must make a meaningful attempt to provide LEP persons with a means of effective communication.

LEP Policy Statement:

It is the policy of Houston County to provide timely and meaningful access for LEP persons to all County programs and activities. Language assistance services shall be provided to persons with LEP whenever a person with LEP requests language assistance services, as set forth herein.

LEP Plan Summary: Houston County has developed the Limited English Proficiency Plan to help identify reasonable steps for providing language assistance to persons with limited English proficiency who wish to access services, programs, and/or activities provided by Houston County.

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, how to notify LEP persons that assistance is available, and information for future plan updates. LEP programs should be evaluated to ensure that the scope and nature of language assistance services provided reflect updated information on relevant LEP populations, component language assistance needs, changes in technology, and component experience under the Plan.

Staff Training:

County Department Heads/Elected Officials are required to fully understand, direct staff to comply, and must implement the Title VI/Nondiscrimination Plan including the LEP Plan and to reinforce its importance.

The Title VI/Nondiscrimination Coordinator is also available to assist with information and training requests. Vital documents or information contained within a document should be translated when a significant number or percentage of LEP population is likely to be affected by the program/activity and it contains information that is critical for obtaining services and/or benefits.

Public service announcements should be provided in regularly encountered languages.

Providing Notice of Available Language Services to LEP Persons:

County departments/offices are encouraged to post signs that language assistance is available in public areas such as intake areas, customer service areas and other entry points to the department/office. Statements may be placed in outreach documents indicating that language services are available from Houston County.

Monitoring and updating the LEP Plan:

The LEP Plan will be re-evaluated on a regular basis.

Dissemination of the LEP Plan:

For more information regarding the County's policies on LEP, a copy of the LEP Plan can be found on our website at <https://www.co.houston.tx.us>. Copies of the LEP Plan will be provided to any person or agency requesting a copy. Any questions or comments regarding this plan should be directed to the Houston County Title VI/Nondiscrimination Coordinator at:

Sheila Johnson
401 East Goliad, Suite 204 Crockett, TX 75835
Phone: (936) 544-3255 ext. 304 Email: sjohnson@co.houston.tx.us

Environmental Justice Plan

Purpose:

The purpose of this plan is to outline Houston County's plan for addressing Federal and state non-discrimination requirements, as they relate to Environmental Justice, outlined under Title VI, Federal Executive Order 12898, and other related regulations and statutes. To be effective, an environmental justice plan must incorporate comprehensive measures for including the public in legal and policy decisions related to environmental issues.

Environmental Justice Plan Summary:

Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations, signed in February of 1994, requires a Federal agency to achieve Environmental Justice as a part of its mission by identifying and addressing disproportionately high and adverse human health or environmental effects of its program, policies, and activities on minority and low-income populations.

The Federal Highway Administration Act (FHWA) requires Houston County, as a subrecipient receiving federal financial assistance through the Texas Department of Transportation (TXDOT), to carry out Environmental Justice responsibilities as part of its nondiscrimination program.

The County utilizes data from the U.S. Census Bureau, public resources, information from the Department of Health and Human Services on poverty guidelines, and local agency coordination (including, but not limited to, local elected officials, county government, etc.) to establish demographic characteristics and trends and to identify and engage traditionally underserved populations.

All County departments/offices, if applicable, will be asked to do the following when considering a project, policy, activity and/or program:

- Integrate the requirements of Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations, into programs, policies, and activities.
- Identify minority and low-income populations affected by a project using the most recent Census data and the definition of low-income as established by the U.S. Department of Health & Human Services.
- If a disproportionate effect is anticipated, following mitigation procedures.
 - Develop public participation procedures to ensure the participation of the identified minority and low-income populations located within the limits of a proposed project.
- Notify affected protected group residents of public meetings or hearings regarding a proposed project and make meetings and hearings accessible.
- If mitigation options do not sufficiently eliminate the disproportionate effect, discuss and, if necessary, implement reasonable alternatives.

- Each department/office will oversee this process and review the final resulting project documents, to ensure compliance with federal regulations. The department/office will take the following steps when engaging in any federally funded program or activity which may have any adverse human health or environmental effect:

STEP ONE: Determine if an underserved population group is present within the project area. If a conclusion is that no underserved population group is present within the project area, document how the conclusion was reached. If the conclusion is that there are underserved population groups present, proceed to Step Two.

STEP TWO: Determine whether project impacts associated with the identified low income and minority populations are disproportionately high and adverse. In doing so, refer to the list of potential impacts defined in the County's Title VI/Nondiscrimination Plan Glossary, "Adverse Effects." If it is determined that there are disproportionately high and adverse impacts to minority and low-income populations, proceed to Step Three.

STEP THREE: Propose measures that will avoid, minimize and/or mitigate disproportionately high and disproportionate adverse impacts and provide offsetting benefits and opportunities to enhance communities, neighborhoods, and individuals affected by proposed project. Include public participation of the affected population per 13 the Public Participation Plan. Consider and document the answers to the following questions:

- Question 1 – Are there alternatives to the proposed action that would avoid or reduce the impacts to the low income or minority populations?
- Question 2 – Considering the overall public interest, is there a substantial need for the project?
- Question 3 – Will the alternatives that would satisfy the need for the project and have less impact on protected populations: (a) have other social economic or environmental impacts that are more severe than those of the proposed action; (b) have increased costs of extraordinary magnitude?

STEP FOUR: Record and keep all findings, documents, determinations, and/or demonstrations. County departments/offices will be required to document the following:

- Other reasonable alternatives were evaluated and were eliminated for reasons such as the alternatives impacted a far greater number of people or did greater harm to the environment, etc.;
- The project's impact is unavoidable;
- The benefits of the project far outweigh the overall impacts; or
- Mitigation measures are being taken to reduce the harm to low-income or minority populations.

Record Retention: County departments/offices must maintain records evidencing its environmental justice compliance, which include, but are not limited to, its findings and determinations. The records shall be maintained for a period of ten (10) years or pursuant to the requirements of the Records Retention Schedules issued by the Texas State Library and Archives Commission, whichever is longer.

Public Participation Plan Purpose:

This section details how the County notifies the public of development plans and improvement programs.

The purpose and objective of the County's Public Participation Plan are to:

- Provide County departments/offices with a framework to develop meaningful public participation.
- Provide an opportunity for interested parties to identify environmental concerns;
- Encourage public participation opportunities in a wide and varied audience, including traditionally underserved groups;
- Obtain meaningful public input and participation to inform the planning and decision-makers; and
- Inform and educate stakeholders and interested parties.

The public participation plan should be developed early in the process.

Public Participation Plan Summary:

The Public Participation Plan (PPP) demonstrates how the County provides opportunities for public review and comment at key decision points during the countywide improvement planning process, as dictated by Environmental Processes for federally funded projects. The process consists of open discussion of planning documents in local government forums, public meetings, informational exhibits, published advertisements and, if required, a Public Hearing.

Types of Public Participation Procedures:

To ensure a meaningful public participation process, impacted parties must be informed and educated on programs, projects planned, and projects underway.

County departments/offices should comply with any public participation requirements which may be applicable to specific projects that the County department/office is undertaking. (i.e.: including applicable projects in the Statewide Transportation Improvement Program (STIP) and Transportation Improvement Program (TIP) which may have public participation components.

The following strategies are utilized by the County departments/offices to ensure that interested parties receive timely information in a variety of formats. Each department/office will determine the best form of communication for their programs. Types of additional public participation efforts may include:

1. Commissioners Court Meetings – Citizens may be present during any of the Commissioners Court meetings. The Commissioners Court meets every second and fourth Tuesday at 10:00 am, unless otherwise designated. You may join a scheduled meeting using a link that can be found at <https://www.co.houston.tx.us>. A copy of the agenda may be obtained by contacting the County Judge's office at 936-544-3255 ext. 221.

The Commissioners Court meeting offers the public an opportunity to bring topics and issues to Commissioners Court members' attention. Each regular Commissioners Court meeting allows citizens 3 minutes each to speak on a topic.

A citizen can sign up to provide public comment by completing a Public Comment Form and submitting the form to the County Clerk prior to the start of the meeting in conformity with established guidelines.

2. Public Outreach – The methods of gathering and implementing public participation for a planning process may differ widely, depending on the type and scope of a project or program.

Partnerships with Community-based organizations provide the opportunity to connect with specific audiences and are an integral part of identifying and reaching out to underserved groups. County departments/offices can reach out to specific organizations to provide these groups with project information and encourage them to become involved.

Community-based organizations are groups that serve a broad range of community interests. Organizations include senior centers; civic groups; business organizations; economic development corporations; churches and other faith-based organizations; service clubs; schools that provide English as a second language programs; service providers for youths, families, and persons with disabilities; and many others.

3. Websites – County departments/offices that have websites that provide for two-way communication can continuously update information about programs and projects.

4. Publications – County departments/offices should maintain a stakeholder list with contact information for organizations and individuals. Information can quickly and easily be disseminated by email to person(s) on the contact lists.

5. Media Campaigns – A comprehensive regional media campaign can be used when outreach is needed to the broader community, if fees are reasonable and the department/office has the available resources.

A media campaign might include press releases; public service announcements; press conferences with community leaders; feature articles; or interviews, depending on the nature of the project and the resources available. To ensure media exposure, the department/office could buy advertisements but should do so strategically to keep costs low.

6. Scheduled Community Meetings – The need for scheduled community meetings during the life of the project or program will vary. A construction project for example could have scheduled meetings during project development, design, at the start of construction, and at various times during construction. Each department/office will make the determination of what is needed.

Selection of Meeting Places: When determining locations and schedules for public meetings, the department/office will:

- Employ different meeting sizes and formats including town hall type meeting formats;
- Coordinate with community organizations, educational institutions, and other organizations to

implement public engagement strategies that reach out specifically to members of affected minority, low-income, and/or LEP communities;

- Provide opportunities for public participation through means other than written communication, such as one-on-one interviews.
- Meetings are conducted in locations that are always ADA accessible and convenient to public transit, when possible;
- Sign language interpreter requests can be accommodated if requested in advance. Each department will determine the amount of notice required.

7. Social Media – Social media and social networking websites may include Facebook. It is important to choose the social media and networking platforms that have the best chance of reaching the intended audience.

8. State and Regional Organizations – The County receives funding through various state and federal agencies with their own public participation plans. The Texas Department of Transportation (TxDOT) website states “public hearings and meetings allow you to participate in the transportation planning process and help you better understand the road, rail and aviation projects that affect your community.” Further details about the Texas Department of Transportation (TxDOT) public participation process can be found at <http://www.txdot.gov/inside- txdot/get-involved.html>.

Use of Public Comment:

All public input should be derived from as diverse a range of sources as possible. At the department’s/office’s discretion, as appropriate and whenever possible, public comments may be used to revise work scopes, plans, and programs.

Effectiveness Assessment:

County departments/offices should use the information obtained through their public outreach efforts to review the effectiveness and progress of its programs. In turn, the public participation plan should be updated periodically to ensure compliance with Title VI of the Civil Rights Act of 1964 and executive orders for Environmental Justice and individuals that are Limited English Proficient. The Title VI/Nondiscrimination Coordinator will be responsible for coordinating any plan updates.

Record Retention: The records shall be maintained for a period of ten (10) years or pursuant to the requirements of the Texas Library Archives Records Retention Schedules, whichever is longer.

Title VI Complaint Processing Procedures

Purpose:

The purpose of the discrimination complaint procedures is to describe the process used by Houston County for processing complaints of discrimination under Title VI of the Civil Rights Act of 1964 and related statutes.

The Title VI complaint procedures are intended to provide aggrieved persons an avenue to raise complaints of discrimination regarding the County's program, activities, and services as required by statute.

The complaint procedures apply to the beneficiaries of County programs, activities and services, including but not limited to the public, contractors, sub-contractors, consultants, and other sub-recipients of Federal and state funds.

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.

Filing a Complaint:

Any person who, based on race, religion, color, national origin, sex, age, disability or other applicable protected category believes that he/she has been excluded from participation in, or denied benefits or services of any program or activity administered by Houston County or its sub-recipients, consultants and contractors, may bring forth a discrimination complaint under Title VI. Only complaints based on the complainant's protected status will be considered under Title VI.

The complainant may file a signed, written complaint up to 180 calendar days from the date of the alleged act of discrimination or the date the person(s) became aware of the alleged act(s) of discrimination. The County may extend the time for filing or waive the time limit in the interest of justice, specifying in writing the reason for so doing.

Complaints must be in writing. In cases where the complainant is unable or incapable of providing a written statement, the complainant shall be interviewed and assisted in converting a verbal complaint or appeal into writing. All complaints, however, must be signed by the complainant and/or by the complainant's representative.

The complainant must set forth as fully as possible the facts and circumstances surrounding the claimed discrimination. The complaint should include the following information:

- Complainant name, mailing address, and a method of contact (i.e., telephone number, email address, etc.);
- How, when, where and why the alleged discrimination occurred. Include the location, names and contact information of any witnesses; and
- Other information that the complainant deems significant.

Items that would not be considered a formal complaint (unless the items contain a signed cover letter specifically alleging a violation of Title VI) include but are not limited to:

- An anonymous complaint that is too vague to obtain required information;
- Inquiries seeking advice or information;
- Courtesy copies of court pleadings; and
- Courtesy copies of internal grievances.

The External Title VI/ADA Discrimination Complaint Form may be used to submit the complaint information. Complaint forms can also be obtained in English at the County Judge's Office or online at: <https://www.Houstontx.gov/page/Houston.County.Judge>.

To request additional information on County of Houston's nondiscrimination obligations, to file a Title VI complaint, or to request a complaint form, please submit a written request or complaint to:

Sheila Johnson, Grant Administrator
401 East Goliad, Suite 204 Crockett, TX 75835
Phone: (936) 544-3255 ext. 304 Email: sjohnson@co.houston.tx.us

Complaint Process:

The Houston County Title VI/Nondiscrimination Coordinator or designee will acknowledge receipt of the complaint, and begin an investigation, within ten (10) business days of receipt of a complaint alleging discrimination based on race, color, national origin, sex, age or disability.

The Title VI/Nondiscrimination Coordinator must also provide appropriate assistance to complainants, including those persons with disabilities, or who may be limited in their ability to communicate in English.

The Title VI/Nondiscrimination Coordinator has overall responsibility for the discrimination complaint process and procedures. The Title VI/Nondiscrimination Coordinator may, at his/her discretion, assign a capable person to investigate the complaint. The designated investigator will conduct an impartial and objective investigation, collect factual information and prepare a fact-finding report based upon information obtained from the investigation.

In cases where the complainant is unable or incapable of providing a written statement, a verbal complaint may be made to the Title VI/Nondiscrimination Coordinator. The Title VI/Nondiscrimination Coordinator will interview the complainant and if necessary, assist the person in converting a verbal complaint to writing. All complaints must, however, be signed by the complainant or his/her representative. Complaints shall state, as fully as possible, the facts and circumstances surrounding the alleged discrimination.

Transportation related discrimination complaints filed under Title VI with Houston County in which the County or its sub-recipients are named as the respondent shall be forward to the

Texas Department of Transportation, Office of Civil Rights for investigation within ten (10) calendar days of receipt of the complaint.

The Title VI/Nondiscrimination Coordinator shall make every effort to address all complaints in an expeditious and thorough manner. The Title VI/Nondiscrimination Coordinator will contact the complainant in writing no later than thirty (30) business days after receipt of complaint for additional information, if needed. The Complaint will be copied, filed and logged. If the complainant fails to provide the requested information within thirty (30) business days, Title VI/Nondiscrimination Coordinator may administratively close the complaint.

The Title VI/Nondiscrimination Coordinator will complete the investigation within sixty (60) calendar days of receipt of a complaint. If additional time is needed for investigation, the complainant will be notified. A written investigation report will be prepared by the Title VI/Nondiscrimination Coordinator. This report shall include a summary description of the incident, findings for each issue, and recommended corrective action, if any. The written investigation report will be provided to the Houston County Criminal District Attorney's Civil Litigation Division for review prior to distribution.

The investigation and recommended decision will be forwarded to the state agency (if subrecipient) or federal agency (if recipient) for the program or activity involved. If the investigator is unsure which agency to send the investigation, it should be sent to:

U.S. Department of Justice, Civil Rights Division
Federal Coordination and Compliance Section, NWB
950 Pennsylvania Avenue,
N.W. Washington, D.C. 20530 1-888-848-5306

Disposition of Complaint:

A final written response letter will be provided to the complainant and the department/office for the program involved within ten (10) calendar days of completing the investigation. In a letter notifying complainant that the complaint is not substantiated, the complainant is also advised of his or her right to appeal with the County within five (5) business days from receipt of the closing letter or that they may file a complaint externally with an applicable federal agency. If there is no appeal or no findings, the complaint will be closed. If required, the investigation report will be forwarded to the appropriate state or federal agency.

Appeal Process:

Upon receipt of a written request for appeal, the Title VI/Nondiscrimination Coordinator or designee will verify the timeliness of filing. An appeal request mailed via US mail is considered filed on the date postmarked.

If the appeal request is determined to be filed timely, the Title VI/Nondiscrimination Coordinator or designee will send a notice of receipt of appeal to the appealing complainant informing them of the appointment of the appeal committee and general appeal process and will initiate the Title VI Appeal Committee review process.

The Title VI Appeals Committee will be composed of three members and will be tasked with reviewing any Title VI appeal and submitting a written appeal decision. The three-member committee will consist of the Director or designee from the following three departments/offices:

- a. Department of Human Resources
- b. Department of Social Services
- c. Fire Marshal's Office

If a Committee representative or the representative's department/office is involved in the complaint or is otherwise conflicted to participate as a member of the committee, the Title VI/Nondiscrimination Coordinator will have the discretion to choose a replacement.

The Title VI Appeals Committee will choose one individual among them to serve as chair of the committee. The County's Legal Counsel will serve to advise the committee as needed.

Within thirty (30) calendar days after receipt of the appeal, the County's Title VI Appeals Committee will review the complainant's permanent file including but not limited to the final investigation. During this time, the Committee shall confer a minimum of one time to discuss the matter and their decision.

After review of the complainant's permanent file, the Committee shall vote to either:

- a. Accept the County's findings;
- b. Reject the County's findings;
- c. Accept in part and reject in part the County's findings; and/or
- d. Recommend any applicable action to be taken.

Within fifteen (15) calendar days after the Title VI Appeals Committee's final decision, the Title VI Appeals Committee will provide a written appeal decision to the Title VI/Nondiscrimination Coordinator which shall include the Committee's conclusions.

The Title VI/Nondiscrimination Coordinator shall provide complainant with a copy of the Title VI Appeals Committee's final appeal decision. If necessary, the Title VI/Nondiscrimination Coordinator may take recommended action.

Complaint Logs:

The Title VI/Nondiscrimination Coordinator shall maintain a log of any external discrimination complaints or lawsuits filed naming Houston County, which alleges discrimination with respect to Title VI concerns. The log shall include information on each complainant to include:

- The identity of the complainant
- The recipient
- The race, color, sex or national origin of the complainant
- The nature of the complaint
- The dates the complaint was filed

- A summary of the allegation
- The date the investigation was completed
 - The disposition
- The date of the disposition, including whether the parties to a lawsuit have entered into a consent decree
- Any other pertinent information (such as age or disability)

County Departments/Elected Offices Responsibilities: (under this Section)

All Title VI complaints received by a County department/office must be forwarded to the Title VI/Nondiscrimination Coordinator to investigate, regardless of whether the County department/office is required to conduct a separate investigation. The Title VI/Nondiscrimination Coordinator's investigation does not replace any other statutory obligation to investigate. The County Department Head/Elected Official must:

- Post the Title VI Complaint Process Poster in a conspicuous location in the departments/offices under their supervision, whereby the public and employees have access to the information;
- Forward any Title VI Complaint to the Title VI/Nondiscrimination Coordinator within 48 hours of receipt.

Record Keeping:

The Title VI/Nondiscrimination Coordinator will maintain permanent records, which include, but are not limited to:

- Signed acknowledgements of receipt from the employees indicating the receipt of the Houston County Title VI Plan and LEP Plan;
 - Copies of the Title VI complaints or lawsuits and related documentation; ▪ Compliance records, and records of correspondence to and from complainants;
 - Title VI investigations; and
 - Any appeals decisions, responses or other pertinent records
- The records shall be maintained for a period of ten (10) years or in accordance with Records Retention Schedules issued by the Texas State Library and Archives Commission, whichever is longer; however, should records be the subject of a grievance, administrative action, litigation or other formal complaint, said records must be maintained for the minimum retention period and thereafter until the final disposition or resolution of the complaint.

Work Plan and Accomplishment Report Process

1. The County's Title VI Plan and Policy Statement will be published on the County's website. The Policy Statement will also be posted in conspicuous locations in County buildings.
2. DOT Assurances (document attached herein) will be included in all County contracts as outlined in the Title VI/Nondiscrimination Plan.
3. Procedure for responding to individuals with Limited English Proficiency will be implemented.
4. All County employees will be made aware of the LEP procedure and the Title VI complaint procedure.
5. All County departments/offices will be made aware of the procedure for compliance with environmental justice.
6. The following data will be collected and reviewed as needed by the Title VI/Nondiscrimination Coordinator and transmitted as needed to TXDOT:
 - a. Complaints – The number of Title VI complaints received; nature of the complaints; resolution of the complaints.
 - b. LEP Needs – Number of requests for language assistance or number of instances in which language assistance was required, and the outcome of these requests.
 - c. Environmental Justice – Environmental Justice efforts engaged in for the year, and any mitigation measures, including public participation efforts.
7. The County's Title VI/Nondiscrimination Work Plan & Accomplishment Report will be submitted to TXDOT as needed (Based on the date of approval of the Title VI plan). The Report will provide an updated status on an as needed basis of the County's implementation and monitoring of the Title VI/Nondiscrimination Plan.

GLOSSARY

Adverse Effects – The totality of significant individual or cumulative human health or environmental effects including interrelated social and economic effects, which may include, but are not limited to:

- Bodily impairment, infirmity, illness or death,
- Air, noise and water pollution and soil contamination,
- Destruction or disruption of man-made or natural resources,
- Destruction or diminution of aesthetic values,
- Destruction or disruption of community cohesion or community's economic vitality,
- Destruction or disruption of the availability of public and private facilities and services,
- Adverse employment effects,
- Displacement of person's businesses, farms or non-profit organizations,
- Increased traffic congestion, isolation, exclusion or separation of minority or low income individuals within a given community or from the broader community,
- Denial of, reduction in, or significant delay in the receipt of benefits of the County programs, policies and activities.

1. **Significant Adverse Effects in Minority and Low-Income Populations** – An adverse effect that:
 - a. is predominantly borne by a minority population and/or a low-income population, or
 - b. will be suffered by the minority population and/or low-income population and is shown to be appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority population and/or non-low-income population.

Elderly – Any persons over the age of 65.

Federal financial assistance – includes grants and loans of federal funds, the grant or donation of Federal property and interests in property, the use or rent of Federal land or property at below market value, Federal training, a loan of Federal personnel, subsidies, and any other federal arrangement, agreement, or contract which purpose is to provide federal assistance. Federal financial assistance does not encompass contracts of guarantee or insurance, regulated programs, licenses, procurement contracts by the Federal government at market value, or programs that provide direct benefits. Federal financial assistance may be received directly or indirectly.

Limited English Proficiency – Individuals with a primary or home language other than English who must, due to limited fluency in English, communicate in that primary or home language if the individuals are to have an equal opportunity to participate effectively in or benefit from any aid, service or benefit provided by the County.

Low Income – A person whose household income (or in the case of a community or group, whose median household income) is at or below the U.S. Department of Health and Human Services poverty guidelines. The national poverty guidelines are issued annually by the

Department of Health and Human Services and are available at:
<http://aspe.hhs.gov/poverty/15poverty.cfm>.

Low-Income Population – Any readily identifiable group of low-income persons who live in geographic proximity, and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed program, policy or activity.

Minority – Persons considered minorities are identified by the Census as people of African, Hispanic, Asian, American Indian, or Alaskan Native origin. Executive Order 12898 and the DOT and FHWA Orders on Environmental Justice consider minority persons as persons belonging to any of the following groups:

- a. Black - a person having origins in any of the black racial groups of Africa.
- b. Hispanic - a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.
- c. Asian - a person having origins in the Far East, Southeast Asia, or the Indian subcontinent.
- d. American Indian and Alaskan Native - a person having origins in North America and who maintains cultural identification through tribal affiliation or community recognition.

Minority Population – Any readily identifiable groups of minority persons who live in geographic proximity, and if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed DOT program, policy or activity.

Person with Disabilities – Under the Americans with Disabilities Act of 1990, a qualified individual with a disability is a person that

- a. has a physical or mental impairment that substantially limits one or more major life activities;
- b. has a record of such impairment; or
- c. is regarded as having such impairment.

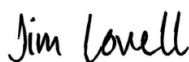
Sub-Recipient – Any agency such as a council or government, regional planning agency, education institution, for example, that received Federal Highway Administration (FHWA) funds through the State Department of Transportation and not directly from the FHWA. Other agencies, local governments, contractors, consultants that receive these funds are all considered sub-recipients.

Title VI & Related Statutes
Nondiscrimination Policy Statement

The County of Houston, as a recipient of Federal financial assistance and under Title VI of the Civil Rights Act of 1964 and related statutes, ensures that no person shall on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment per 42 U.S.C §2000d-3), color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination retaliation in any federally or non-federally funded program or activity administered by the County of Houston. This Policy Statement was adopted by the County of Houston Commissioner's Court on the 12th day of August 2025.

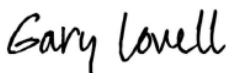
Houston County Commissioners Court

DocuSigned by:



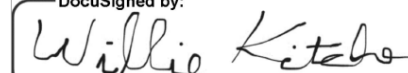
Jim Lovell
County Judge

Signed by:



Gary Lovell
Commissioner, Precinct 1

DocuSigned by:



Willie Kitchen
Commissioner, Precinct 2

Signed by:



Gene Stokes
Commissioner, Precinct 3

Signed by:



Jimmy Henderson
Commissioner, Precinct 4

DocuSigned by:

Attest



Terri Meadows, County Clerk

Houston County, Texas

The United States Department of Transportation (USDOT)
Standard Title VI/Nondiscrimination Assurances

Houston County (herein referred to as the "Recipient"), HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through the Federal Highway Administration (FHWA), is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled Non-discrimination in Federally Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure 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," for which the Recipient receives Federal financial assistance from U.S. DOT, including the Federal Highway Administration.

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Nondiscrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally-assisted U.S. DOT programs:

I. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 2 J .23(b) and 21.23(e) or 49 C.F.R § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

2. The Recipient will insert the following notification in all solicitations for bids, Requests for Proposals for work, or material subject to the Acts and the Regulations made in connection with all [NAME OF PROGRAM] and, in adapted form, in all proposals for negotiated agreements regardless of funding source: "The Recipient, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

3. The Recipient will insert the appropriate clauses in every contract or agreement subject to the Acts and the Regulations.

4. That this Assurance obligates the: Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods. a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or b. the period during which the Recipient retains ownership or possession of the property.

5. The Recipient will provide for such methods of administration for the programs as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, subgrantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.

6. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this assurance, the Recipient also agrees to comply (and require any subrecipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the U.S. DOT access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the U.S. DOT. You must keep records, reports, and submit the material for review upon request to U.S. DOT, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The Recipient gives this assurance in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. DOT under all Department of Transportation Programs.

This assurance is binding on Texas, other recipients, subrecipients, sub-grantees, contractors, subcontractors and their subcontractors, transferees, successors in interest, and any other participants in all Department of Transportation programs.

This Policy Statement was adopted by Houston County Commissioner's Court on the 12th day of August 2025.

Houston County Commissioners Court

DocuSigned by:

Jim Lovell

Jim Lovell
County Judge

Signed by:

Gary Lovell

Gary Lovell
Commissioner, Precinct 1

DocuSigned by:

Willie Kitchen

Willie Kitchen
Commissioner, Precinct 2

Signed by:

Gene Stokes

Gene Stokes
Commissioner, Precinct 3

Signed by:

Jimmy Henderson

Jimmy Henderson
Commissioner, Precinct 4

DocuSigned by:

Attest

Terri Meadows

Terri Meadows, County Clerk

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. Compliance with Regulations: The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, the FHWA, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. Non-discrimination: The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
4. Information and Reports: The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or FHWA to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of

another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or FHWA, as appropriate, and will set forth what efforts it has made to obtain the information.

5. Sanctions for Noncompliance: In the event of a contractor's noncompliance with the Nondiscrimination provisions of this contract, the Recipient will impose such contract sanctions as it or FHWA may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies, and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. Incorporation of Provisions: The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

Clauses for Deeds Transferring United States Property

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the _____ will accept title to the lands and maintain the project constructed thereon in accordance with all applicable federal statutes, the Regulations for the Administration of all DOT programs, and the policies and procedures prescribed by FHWA of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto _____ the all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto _____ and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another

purpose involving the provision of similar services or benefits and will be binding on the _____, its successors and assigns.

The _____, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will 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 with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the _____ will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended [, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.

**Clauses for Transfer or Real Property Acquired or Improved
Under the Activity, Facility, or Program**

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the Recipient pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:
1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, _____ will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, _____ will have the right to enter or re-enter the lands and

*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.

facilities thereon, and the above-described lands and facilities will there upon revert to
and vest in and become the absolute property of the _____
and its assigns. *

*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.

**Clauses for Construction/Use/Access to Real Property Acquired
Under the Activity, Facility, or Program**

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by the Recipient pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Nondiscrimination covenants, _____ will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued. *
- C. With respect to deeds, in the event of breach of any of the above non-discrimination covenants, _____ will there upon revert to and vest in and become the absolute property of _____ and its assigns. *

*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 4 71, Section 4 7123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);

- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to -ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).