

**HARDIN COUNTY
TITLE VI NON-DISCRIMINATION PLAN**

I. Overview

Hardin County (or “the County”) is a recipient of federal financial assistance. Title VI of the Civil Rights Act of 1964 forbids discrimination based on race, color, or national origin by any agency receiving federal assistance. All recipients 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 broadened by related statutes, regulations and executive orders. Discrimination based on sex is prohibited by Section 324 of the Federal-Aid Highway Act, which is the enabling legislation of the Federal Highway Administration (FHWA). The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 forbids unfair and inequitable treatment of persons as a result of projects which are undertaken with Federal financial assistance. The Civil Rights Restoration Act of 1987 defined the word “program” to make clear that discrimination is prohibited throughout an entire agency if any part of the agency receives federal financial assistance.

In addition to statutory authorities, Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, signed in February of 1994, requires Federal agencies to achieve environmental justice as part of their mission by identifying disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority populations and low-income populations. In 1997, the U.S. Department of Transportation (USDOT) issued its DOT Order to Address Environmental Justice in Minority Populations and Low-Income Populations to summarize and expand upon the requirements of Executive Order 12898 on Environmental Justice.

Also, Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (LEP), provides that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives Federal financial assistance. As a recipient of Federal financial assistance in certain programs and projects, Hardin County must make reasonable efforts to provide access to individuals with limited ability to speak, write, or understand the English language.

Hardin County must not restrict an individual in any way from the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under its programs or projects because of race, color, sex, or national origin. Therefore, the primary goals and objectives of Hardin County’s Title VI Non-Discrimination Plan are:

1. To assign roles, responsibilities, and procedures for ensuring compliance with Title VI of the Civil Rights Act of 1964 and related regulations and directives;
2. To ensure that people affected by the County’s programs and projects receive the services, benefits, and opportunities to which they are entitled without regard to race, color, national origin, age, sex, or disability;
3. To prevent discrimination in County programs and activities, whether those programs and activities are federally funded or not;
4. To establish procedures for identifying impacts in any program, service, or activity that may create an illegal adverse impact on any person because of race, color, national origin, age, sex, or disability; or on minority populations, low-income populations, the elderly, persons with disabilities, and all affected Title VI populations;
5. To establish procedures to annually review Title VI compliance of specific program areas within the County;

6. To set forth procedures for filing and processing complaints by persons who believe they have been subjected to illegal discrimination under Title VI in a County-provided service, project, program or activity.
7. To identify impacts in any program, service, or activity that may create an illegal impact on any person because of race, color, national origin, age, sex, or disability; or on minority populations, low-income populations, the elderly, persons with disabilities, and all affected Title VI populations.

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 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.

II. Policy Statement & Assurances of Title VI/Nondiscrimination

Hardin County assures that no person shall on the grounds of race, color, national origin, sex, age or disability be denied the benefits of its programs or activities, as defined by the Civil Rights Restoration Act of 1987, or 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 programs or activities administered by Hardin County.

The Hardin County policy statement, signed by the head of the organization, expresses the agency's commitment to the nondiscrimination provisions of Title VI. A copy of the Hardin County signed policy statement is included in this plan. (Attachment A1-2). This policy statement shall be circulated both internally and to the general public by posting to the Hardin County website, in English and Spanish.

The U.S. DOT Standard Title VI Assurances, signed by the head of the organization, is included in this plan. (Attachment B). In signing this document, Hardin County establishes full and affirmative compliance with Title VI of the Civil Rights Act of 1964 and other non-discrimination authorities. This document should be re-signed every three years or within thirty (30) days of the accession of a new head of the organization.

III. Authorities

Title VI of the Civil Rights Act of 1964, (42 U.S.C. §2000d)

This statute 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.”

The 1970 Uniform Act (42 U.S.C. 4601)

This statute prohibits unfair and inequitable treatment of persons displaced or whose property will be acquired as a result of federally assisted programs or activities.

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.

Section 504 of the Rehabilitation Act of 1973

Prohibits discrimination based on a handicap/ disability.

The Civil Rights Restoration Act of 1987

This statute 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, subrecipients, and contractors, whether those programs and activities are federally funded or not.

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.

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

28 CFR 50.3

Guidelines for the Enforcement of Title VI, Civil Rights Act of 1964

IV. Roles and Responsibilities of the Title VI Coordinator

Hardin County’s Title VI Coordinator is its Director of Human Resources, Melinda Herrington, (Attachments C1-C2). The Director of Human Resources reports to the Hardin County Administrator, Judge Wayne McDaniel. The Title VI Coordinator shall have lead responsibility for coordinating the administration of the Title VI and related statutes program,

plan and assurances for Hardin County. The Title VI Coordinator is authorized to ensure compliance with the provisions of the County's statement of nondiscrimination and with the appropriate laws and regulations. (See the County's Policy Statement, Attachment A1-2). The Title VI Coordinator will ensure implementation of Hardin County's non-discrimination policy statement. The Title VI Coordinator is also responsible for initiating, monitoring, and ensuring Hardin County's compliance with Title VI requirements.

The Title VI Coordinator's role and responsibilities include but are not limited to the following:

1. **Program Administration.** Being the focal point for 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 employees/officials, and sub-recipients, including contractors, subcontractors, 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 internet website, <https://www.co.hardin.tx.us/>; and c) in certain County buildings. The dissemination to employees/officials will include: a) an annual broadcast to County employees; b) posting on the County's internet website, <https://www.co.hardin.tx.us/>; and c) acknowledgments of the County's Title VI and LEP Plan in new employee orientation (Attachment D).
3. **Annual Work Plan and Accomplishment Report.** Coordination, compilation, and submission of the Annual Work Plan and Accomplishment Report to the Texas Department of Transportation, Office of Civil Rights via TxDOT's Title VI/Nondiscrimination Annual Work Plan & Accomplishments Report Development Guide, as presented in TxDOT's Title VI/ Nondiscrimination Technical Assistance Guide for Sub-Recipients. The Annual Work Plan and Accomplishment Report is due one year from the date of approval of the Title VI plan and then annually on that same date. Ensure the following areas are adequately addressed in the plan:
 - Title VI complaint procedures
 - Record of Title VI investigations, complaints or lawsuits, and dispositions
 - Plan to involve persons with Limited English Proficiency (LEP)
 - Environmental Justice plan
 - Title VI notices to the public
 - Annual report of Title VI accomplishments and changes to the program in the preceding Federal fiscal year
4. **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).
5. **Complaint Process.** Implementation of procedures for the prompt processing of Title VI internal and external discrimination complaints.
6. **Complaint Resolution.** Overseeing the investigation of external Title VI complaints.
7. **Training Program Development.** Facilitate the development and implementation of training programs on Title VI issues and regulations and, other nondiscrimination authorities, for County

employees/officials, contractors, and subrecipients. A summary of training conducted will be reported in the annual update.

8. **TxDOT Notice.** Forwarding Title VI complaints filed against Hardin County to TxDOT within 10 calendar days for investigation.
9. **Data Collection.** Coordinating the collection and maintenance of statistical data on race, color, national origin, English language proficiency and sex of participants in and beneficiaries of County programs. Most information will be gathered through Census data and maps. The gathering procedures will be reviewed annually to ensure sufficiency of the data in meeting the requirements of the Title VI program.
10. **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 Coordinator Contact Information:

Melinda Herrington
Hardin County Title VI Coordinator
300 W. Monroe, Room B107
Kountze, TX 77656
(409) 246-5164 (phone)
(409) 246-5139 (fax)
melinda.herrington@cohardin.tx.us (email)

V. Dissemination of Hardin County's Title VI Policy

Hardin County disseminates its Title VI Nondiscrimination Policy Statement and complaint procedures internally and externally, to the general public, by including the policy statement on the Hardin County website. Title VI information posters (Attachment H) shall be sent to all Hardin County Department heads and elected officials to post in a conspicuous location in their department or building.

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

Title VI Nondiscrimination information is disseminated to Hardin County employees via the Hardin County website <https://www.co.hardin.tx.us/page/TitleVIADA> and through an annual broadcast. New Hardin County employees hired on or after October 1, 2025, are informed of the provisions of Title VI, provided a copy of the Title VI Nondiscrimination Policy statement, and are required to sign an Acknowledgement of Receipt during New Employee Orientation. (Attachment D).

All subcontractors and vendors who receive payments from Hardin 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.

The name of and contact for the Title VI coordinator is available on the Hardin County website, at <https://www.co.hardin.tx.us/page/TitleVIADA>. Additional information relating to nondiscrimination obligations and information on filing complaints can be obtained from the Hardin County Title VI Coordinator located in the Human Resources Department.

VI. Access Procedure for Persons with Limited English Proficiency (LEP)

Hardin County will establish appropriate procedures to conduct a current and accurate LEP needs assessment that will determine the characteristics of our potentially affected population. When a significant number or portion of the population eligible to be served by Hardin County needs information in a language other than English to participate in federally funded programs, Hardin County shall take reasonable steps to provide information in appropriate languages.

Hardin County has developed and implemented a plan to appropriately assess LEP needs. (Attachment E). The purpose of the Hardin County LEP Plan is to ensure that Hardin County departments and divisions communicate effectively with LEP individuals. All Hardin County department heads and elected officials will be responsible for ensuring that meaningful access to LEP persons are provided in their areas of responsibility. The LEP Plan will be disseminated as follows:

- The LEP Plan is available from the Hardin County website.
- An LEP Interpreter Services Poster, in the form attached as Attachments E1-2, shall be prominently and publicly displayed in Hardin County buildings or departments by Hardin County department heads or elected officials.
- New Hardin County employees hired on or after October 1, 2025, are informed of the LEP Plan in orientation, and are required to sign an Acknowledgement of Receipt during New Employee Orientation. (Attachment D).

Limited English Proficiency Plan (LEP)

I. Purpose and Authority

The purpose of this Limited English Proficiency (LEP) policy is to clarify the responsibilities of Hardin County departments receiving federal financial assistance and to assist them in fulfilling their responsibilities to LEP persons. This plan also serves to show Hardin County's commitment to ensure meaningful access to all Hardin County programs by persons with limited English proficiency.

All Hardin County department heads or elected officials overseeing programs or activities receiving federal financial assistance must make a meaningful attempt to provide LEP persons with a means of effective communication.

II. General Policy Statement

It is the policy of Hardin County to provide timely meaningful access for LEP persons to all Hardin 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.

III. Limited English Proficiency Plan Summary

Definition of LEP persons: individuals who do not speak English as their primary language and who have a limited ability to read, write, speak or understand English.

Hardin County has developed this Plan to help identify reasonable steps to ensure LEP persons meaningful access to Hardin County programs. This plan details procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training staff, how to notify LEP persons that assistance is available, and information for future plan updates.

To decide what reasonable steps Hardin County departments should take to ensure meaningful access for LEP persons, Hardin County considers the following:

1. The number or proportion of LEP persons eligible to be served or likely encountered by the Hardin County program, activity or service;
2. The frequency with which LEP individuals come in contact with the Hardin County program, activity or service;
3. The nature and importance of the program, activity or service provided by the County;
4. The resources available to Hardin County and overall costs.

Department heads and elected officials should create a record of language assistance services provided, which can assist in accurately identifying and addressing the changing needs of their LEP communities, which turn, can help identify changes to the quantity or type(s) of language assistance services.

A brief description of the above considerations is provided in the following section.

IV. Four Factors

1. Number or proportion of LEP persons eligible to be served or likely encountered by the Hardin County program, activity or service.

Hardin County and Hardin County departments will use various methods to identify LEP persons with whom they have contact. These may include:

- Current and past experiences with LEP persons encountered by the department's staff: The number and type of such encounters will be periodically analyzed to determine the breadth and scope of the language services required.
- Most recent U.S. Census Bureau data: Hardin County and Hardin County departments shall analyze data from the most recent U.S. Census Bureau data, regarding languages spoken in Hardin County as well as those who self-identified that they spoke English less than "very well".

Hardin County has examined the U.S. Census Bureau's American Community Survey data, 2023 American Community Survey Estimates, for Hardin County, Texas, and was able to make the following approximations:

- 4.7% of the Hardin County population age 5 and older speaks a language other than English at home. 3.8% of the population age 5 and older reported that they do not speak English very well.
- People speaking Spanish at home comprised the largest language group speaking a language other than English at home. 3.8% of the population age 5 and older speak Spanish at home.
- 0.6% of the Hardin County population 5 and older speaks Other Indo-European languages at home. Of those, .6% reported they do not speak English very well.
- 0.3% of the population 5 and older speaks an unspecified or other language at home. Of those, .4% reported they do not speak English very well.

2. The resources available to Hardin County and overall costs.

Hardin County departments shall assess their available resources that could be used for providing LEP assistance. This shall include identifying what staff and volunteer language interpreters are readily available (see Attachment E-3); how much a professional interpreter and translation service would cost; which documents should be translated; which organizations the department could partner with for interpreter and translation services or outreach efforts; which financial resources could be used to provide assistance; and what level of staff training is needed.

After analyzing the four factors, Hardin County developed the LEP Plan outlined in the following section for assisting LEP persons.

V. How to Identify an LEP Person Who Needs Language Assistance

Below are tools that may be used by Hardin County departments/elected officials to help identify persons who may need language assistance:

- Have language identification cards or Census Bureau “I speak cards” at customer service counters in Dallas County departments which invite LEP persons to identify their language needs to staff. While staff may not be able to provide translation assistance at the initial contact with an LEP person, the cards are an excellent tool to identify language needs for future contacts.
- Posting notices in commonly encountered languages notifying LEP persons of language assistance to encourage LEP to self-identify. Attachment E(2).

VI. Language Assistance Measures

When an interpreter is needed, in person or on the telephone, staff should first determine what language is required. Bilingual staff may be able to assist with communications with LEP persons. Each department should complete Form E-3 and return it to the Title VI Coordinator. The Title VI Coordinator will compile a list of individuals who fluently write or speak a language other than English and distribute to the department heads and elected officials. If staff cannot assist, private interpreter services can provide translation services for a reasonable fee.

Use of informal interpreters, such as family or friends of the LEP person seeking service, or other customers, is discouraged, with minor children generally prohibited from acting as interpreters. The use of informal interpreters shall be allowed at the insistence of the LEP person or in emergencies, but shall be documented and subject to approval of a supervisor.

No staff may suggest or require an LEP person provide an interpreter in order to receive services.

VII. Staff Training

Hardin County department heads and elected officials are required to fully understand, direct staff to comply, and must implement the Department’s LEP plan and to reinforce its importance. Hardin County Human Resources is also available to assist with information and training requests. All staff will be provided with the LEP Plan and will be educated on procedures and services available. LEP Plan information will also be a part of the staff orientation process for new employees. Training topics may include the following:

- Hardin County LEP policy and procedures;
- Understanding Title VI LEP responsibilities;
- What language assistance services Hardin County offers;
- Use of Form E-2;
- Documentation of language assistance requests; and
- How to handle a complaint.

VIII. Translation Services

- Hardin County will create and maintain a list of bilingual staff (and the languages they speak), which will be maintained by the Title VI Coordinator, to assist with translations.
- Vital documents or vital information contained within a document, as determined at the discretion of the department, should be translated when a significant number or percentage of the LEP population is likely to be affected by the program/activity and it contains information that is critical for obtaining services and/or benefits, if the fee is reasonable and the department has the available resources.

IX. Providing Notice of Available Language Services to LEP Persons

- Posting signs that language assistance is available in public areas such as intake areas, customer service areas and other entry points to Hardin County departments. Depending on the language
- Statements may be placed in outreach documents indicating that language services are available from Hardin County.

X. Monitoring and Updating the LEP Plan

Hardin County and Hardin County departments will re-evaluate the LEP Plan on a regular basis. At a minimum, the plan will be reviewed and updated when data from the _____ U.S. Census is available or when the County's Title VI Coordinator begins logging statistically significant requests for interpretive or translation services in the County's service area. Consideration shall be given to changes in demographics, types of services, or other needs when determining the frequency of LEP Plan reevaluation. Each reevaluation should examine all Plan components and assesses the following:

- How many LEP persons were encountered and what languages?
- Were their needs met?
- What is the current LEP population in Hardin County?
- Has there been a change in the types of languages where translation services are needed?
- Is there still a need for continued language assistance for previously identified Hardin County programs? Are there other programs that should be included?
- Has Hardin County's or a specific Hardin County department's available resources, technology, staff, and financial costs changed?
- Has Hardin County or a specific department fulfilled the goals of the LEP Plan?
- Were complaints received?
- Are identified sources of assistance still available and viable?

Hardin County Department heads must maintain the data annually, for the fiscal year ending on September 30. Attachments E (3)-E (5) should be completed for the fiscal year and returned to the Title VI Coordinator by October 30th of each year

XI. Dissemination of the Hardin County Limited English Proficiency Plan

Hardin County will post the LEP Plan on its website at <https://www.co.hardin.tx.us/page/HumanResources>. Copies of the LEP Plan will be provided to any person or agency requesting a copy. Any questions or comments regarding this LEP Plan should be directed to the Hardin County Title VI Coordinator at:

Melinda Herrington
Hardin County Title VI Coordinator 300 W
Monroe, Room B107
Kountze, TX 77625
(409) 246-5164 (phone)
(409) 246-5139 (fax)
HR@co.hardin.tx.us (email)

XII. Complaints

Title VI of the Civil Rights Act of 1964 as amended prohibits discrimination on the basis of race, color, or national origin under any program or activity that receives federal financial assistance. As a recipient of federal financial assistance, Hardin County, Texas has in place a Title VI complaint procedure.

1. Any person who believes that he or she, individually, as a member of any specific class, has been subjected to discrimination prohibited by Title VI of the Civil Rights Act of 1964, the American with Disabilities Act of 1990, Section 504 of the Vocational Rehabilitation Act of 1973 and the Civil Rights Restoration Act of 1987, as amended, may file a complaint with Hardin County. A complaint may also be filed by a representative on behalf of such a person. All Title VI complaints will be referred to Hardin County's Title VI Coordinator for review and action.
2. In order to have the Title VI complaint consideration under this procedure, the complainant must file the complaint no later than 30 days after:
 - a) The date of the alleged act of discrimination; or
 - b) If there has been a continuing course of conduct the date on the conduct discontinued.
3. Title VI complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative. Complaints shall set forth, as fully as possible, the facts and circumstances surrounding the claimed discrimination. In the event that a person makes a verbal complaint of discrimination to an officer or employee of Hardin County, the person shall be interviewed by the Title VI Coordinator. If necessary, the Title VI Coordinator will assist the person making a complaint in reducing the complaint to writing and submit the written version of the complaint to the person for signature. The complaint shall then be handled according to Hardin County's Title VI complaint procedures.
4. The Title VI complaint form (Attachment F to Hardin County's Title VI Plan) may be used to submit the complaint information. Complaint forms can also be obtained at the Hardin County Human Resources Office.
5. To request additional information on Hardin County's nondiscrimination obligations, to file a Title VI Complaint, or to request a complaint form, please submit a written request or complaint to:

Hardin County Human Resources
Hardin County Director of Human Resources and Title VI Coordinator
300 W Monroe, Room B107
Kountze, TX 77625
(409) 246-5164 (phone)
(409) 246-5139 (fax)
HR@co.hardin.tx.us (email)

VII. Public Participation

Compliance with Title VI includes taking reasonable efforts to ensure that no minority or low-income population suffers "disproportionately high and adverse human health or environmental effect" due to any "programs, policies and activities" undertaken by any Hardin County program or activity. Hardin County will establish appropriate procedures to address Federal and state non-discrimination requirements (Environmental Justice) outlined under Title VI, Federal Executive Order 12898, and public participation. Hardin County has developed and implemented a plan to appropriately address Environmental Justice and Public Participation. (Attachment I (1)). Each department/elected official is required to document steps taken to mitigate any identified negative health/safety environmental impact on minority or low-income population. Hardin County departments/elected officials shall maintain a log of their public participation/environmental justice efforts. (Attachment I (2)).

VIII. Data Analysis

Statistical data on race, color, national origin, English language proficiency and sex of participants in and beneficiaries of federally funded programs, e.g. impacted citizens and affected communities, will be gathered

and maintained by the County on a project-by-project basis (Attachment L). Hardin County department heads/elected officials will use surveys, questionnaires, and/or Census data and maps to: 1) analyze the population benefitting from a project, including analyzing the benefits to traditionally underserved populations, if any; 2) the population burdened by the projects, including traditionally underserved populations; 3) language needs assessment; 4) how best to disseminate information to the affected populations; 5) how best to prioritize investments; and 6) the impact of the investment. (E.g., Attachment J-K). The gathering procedures will be reviewed every three (3) years to ensure sufficiency of the data in meeting the requirements of the Title VI program.

IX. Title VI Complaint Processing Procedures

Overview

Applicability: 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.

Procedures

Any person who, based on race, religion, color, national origin, sex, age, or disability believes that he/she has been excluded from participation in, denied benefits or services of any program or activity administered by Hardin 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, and must be signed by the complainant and/or the complainant's representative. In cases where the complainant is unable or incapable of providing a written statement, the complainant shall be interviewed and assisted in converting the verbal complaint into a written complaint. 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,

- Courtesy copies of internal grievances.

The Title VI complaint form (Attachments F (1)-(2)) may be used to submit the complaint information. Complaint forms can also be obtained at the Hardin County Human Resources Office or online at <https://www.co.hardin.tx.us/page/TitleVIADA>

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

Melinda Herrington
Hardin County Director of Human Resources and Title VI Coordinator
300 W Monroe, Room B107
Kountze, Texas 77625
(409) 246-5164 (phone)
(409) 246-5139 (fax)
Melinda.herrington@co.hardin.tx.us (email)

Complaint Process

The Hardin County Title VI Coordinator will acknowledge receipt of the complaint, and begin an investigation, and within ten (10) working days of receipt of a complaint alleging discrimination based on race, color, national origin, sex, age or disability. (Attachment F (3), summary of process). The Title VI Coordinator shall also provide appropriate assistance to complainants, including those persons with disabilities, or who may be limited in their ability to communicate in English.

Transportation related discrimination complaints filed under Title VI with Hardin County in which the County or its sub-recipients are named as the respondent shall be forward to TxDOT for investigation within 10 calendar days of receipt of the complaint.

In cases where the complainant is unable or incapable of providing a written statement, a verbal complaint may be made to the Title VI Coordinator. The Title VI 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.

The Title VI Coordinator shall make every effort to address all complaints in an expeditious and thorough manner. The Title VI Coordinator will contact the complainant in writing no later than thirty (30) working 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 in a timely basis, Title VI Coordinator may administratively close the complaint.

The Title VI 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 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 District Attorney's Civil Division for review prior to distribution.

The investigation and recommended decision will be forwarded to the state agency (if sub-recipient) 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:

Texas Department of Transportation
Civil Rights Division
Attn: Title VI Program Administrator
125 E. 11th Street
Austin, TX 78701

Federal Highway Administration – Texas Division
Attn: Civil Rights Specialist
300 E. 8th St.
Austin, TX 78701

Federal Highway Administration
Office of Civil Rights
HCR-20, Room E81-320
1200 New Jersey Avenue, SE
Washington, DC 20590

Disposition of Complaint

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

Complaint Logs

The Title VI Coordinator shall maintain a log of any external discrimination complaints or lawsuits filed naming Hardin County, which alleges discrimination with respect to Title VI concerns. (Attachment G). 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; and
- Any other pertinent information (such as age or disability)

Roles and Responsibilities of the Department Head or Elected Official (under this Section)

All Title VI complaints must be forwarded to the Title VI Coordinator to investigate, regardless of whether the Department/elected official is required to conduct a separate investigation. The Title VI Coordinator's investigation does not supplant any other statutory obligation to investigate. The Department head and elected official must:

- Post the Title VI Complaint Procedure and Complaint Form (Attachment F1-2) in a conspicuous location in their building or department, whereby the public and employees have access to the information;
- Refer any Title VI Complaint to the Title VI Coordinator within 48 hours of receipt;
- Maintain a log of Title VI Complaints received (Attachment G) and forward the log of Title VI Complaints to the Title VI Coordinator by the **1st of each month**.

Record Keeping

The Title VI Coordinator will maintain permanent records, which include, but are not limited to, signed acknowledgements of receipt from the employees indicating the receipt of the Hardin 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, and Title VI investigations. The records shall be maintained for a period of ten years or pursuant to the requirements of the Texas Library Archives Records Retention Schedules, whichever is longer.

Role of the Purchasing Department

The Hardin County Purchasing Department shall make sure that the notifications in Attachment B, Appendixes A and E are 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:

Hardin 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.

The clauses in Attachment B, Appendix B shall be inserted as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein. The clauses in Attachment B, Appendix C shall be included, where applicable, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by Hardin County with other parties for the subsequent transfer of real property acquired or improved under the programs administered by Hardin County. The clauses in Attachment B, Appendix D shall be included, where applicable, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by Hardin County with other parties for the construction or use of or access to space on, over, or under real property acquired, or improved under the programs administered by Hardin County. Attachment B, Appendix F, Form FHWA-1273, must to be attached to all construction contracts funded under Title 23 (Federal Highway Administration) for \$10,000 or more.

X. Annual Work Plan and Accomplishment Report Process

1. Hardin County's Title VI Plan will be communicated to each County Department Head and elected official who will review the plan with departmental employees.
2. 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 Hardin County buildings.
3. Appendix A through F of the Assurances (Attachment B) will be included in all County contracts as outlined in the Title VI Plan.
4. Procedure for responding to individuals with Limited English Proficiency will be implemented.
5. All County employees will be made aware of the LEP procedure and the Title VI complaint procedure.
6. All County departments will be made aware of the procedure for compliance with environmental justice.
7. The following data will be collected and reviewed in the annual report produced by the Title VI Coordinator and transmitted in the annual report submitted 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.
8. The County's Title VI/Nondiscrimination Annual Work Plan & Accomplishment Report will be submitted to TxDOT annually (Based on the date of approval of the Title VI plan). The Report will provide an updated status on an annual basis of the County's implementation and monitoring of the Title VI/Nondiscrimination Plan.

XI. Summary of Attachments

ATTACHMENT A Title VII Non-discrimination Policy statement for Hardin County (English/Spanish)

ATTACHMENT B Title VI Statement of Assurances for Hardin County (including Appendixes A-D)

ATTACHMENT C Organization Charts

ATTACHMENT D Acknowledgement of Receipt of Title VI Policy Statement

ATTACHMENT E Log for LEP Requests

ATTACHMENT F Title VI Complaint Forms (English/Spanish)

ATTACHMENT G Log for Complaints

ATTACHMENT H Title VI Poster (English/Spanish)

ATTACHMENT I Environmental Justice/Public Participation

ATTACHMENT J Demographic Surveys (English/Spanish)

ATTACHMENT K– Public Meeting Notice (English/Spanish)

ATTACHMENT L Letter to Department heads/elected officials

ATTACHMENT M Sample Letters



**ATTACHMENT A
(1)**

**Title VI and Related Statutes
Non-discrimination
Statement**

Hardin 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 under any Hardin County programs or activities.

The County Judge is authorized to sign this policy statement with the Texas Department of Transportation, or any other federal or state agency, on behalf of the County.

Dated: **07/08/2025**

By:  Digitally signed by Judge Wayne
McDaniel
Date: 2025.07.16 13:11:07
-05'00'
Wayne McDaniel, County Judge

ATTACHMENT A

(2)



**Hardin County
Title VI Policy Statement
(Spanish)**

**Título VI y Estatutos
Relacionados
Declaración de No
Discriminación**

El Condado de Hardin, como receptor de asistencia financiera federal y bajo el Título VI de la Ley de Derechos Civiles de 1964 y estatutos relacionados, garantiza que ninguna persona, por motivos de raza, religión (donde el objetivo principal de la asistencia financiera es proporcionar empleo según 42 U.S.C. 2000d-3), color, origen nacional, sexo, edad o discapacidad, ser excluido de la participación, se le negarán los beneficios o ser objeto de discriminación en cualquier programa o actividad del condado de Hardin.

ATTACHMENT B



Title VI Nondiscrimination Assurances

The County (hereinafter 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, 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 *Nondiscrimination 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 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 Department of Transportation programs:

1. The Recipient agrees that each “activity,” “facility,” or “program,” as defined in §§ 21.23 (b) and 21.23 (e) of 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 Department of Transportation programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

*“The (**Title of 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 clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. The Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. 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.
9. The Recipient will provide for such methods of administration for the program 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, subrecipients, 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.

10. 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, Hardin County also agrees to comply (and require any subrecipients, subgrantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the USDOT 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 USDOT. You must keep records, reports, and submit the material for review upon request to USDOT, 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.

Hardin County 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. Department of Transportation under all Department of Transportation programs. This ASSURANCE is binding on Texas, other recipients, subrecipients, subgrantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in all Department of Transportation programs.

The County Judge is authorized to sign these Assurances for the Texas Department of Transportation, or any other federal or state agency, on behalf of the County.

07/08/2025

Dated: _____

By:  Digitally signed by Judge Wayne
McDaniel
Date: 2025.07.16 13:11:37
-05'00'
Wayne McDaniel, County Judge

ATTACHMENT B, APPENDIX A

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 Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, the Federal Highway Administration, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Nondiscrimination:** 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 the Federal Highway Administration 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 the Federal Highway Administration, 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 the Federal Highway Administration 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 act with respect to any subcontract or procurement as the Recipient or the Federal Highway Administration 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.

ATTACHMENT B, APPENDIX B

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

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the **(Title of Recipient)** 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 Department of Transportation programs, and the policies and procedures prescribed by the Federal Highway Administration 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, Nondiscrimination 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 **(Title of Recipient)** 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 **(Title of Recipient)** 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 **(Title of Recipient)**, its successors and assigns.

The **(Title of Recipient)**, 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 **(Title of Recipient)** 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 nondiscrimination 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 in order to make clear the purpose of Title VI.)

ATTACHMENT B, APPENDIX C

CLAUSES FOR TRANSFER OF 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 (**Title of 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 Nondiscrimination covenants, (**Title of Recipient**) 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 Nondiscrimination covenants, the (**Title of Recipient**) will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the (**Title of Recipient**) and its assigns. *

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

ATTACHMENT B, APPENDIX D

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 (**Title of 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, (**Title of Recipient**) 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 Nondiscrimination covenants, (**Title of Recipient**) will there upon revert to and vest in and become the absolute property of (**Title of Recipient**) and its assigns. *

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

ATTACHMENT B, APPENDIX E

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 nondiscrimination statutes and authorities; including but not limited to:

Pertinent Nondiscrimination 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 U.S.C. § 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, subrecipients 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 Nondiscrimination 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.).

**REQUIRED CONTRACT PROVISIONS
FEDERAL-AID CONSTRUCTION CONTRACTS**

- I. General
- II. Nondiscrimination
- III. Nonsegregated Facilities
- IV. Davis-Bacon and Related Act Provisions
- V. Contract Work Hours and Safety Standards Act Provisions
- VI. Subletting or Assigning the Contract
- VII. Safety: Accident Prevention
- VIII. False Statements Concerning Highway Projects
- IX. Implementation of Clean Air Act and Federal Water Pollution Control Act
- X. Compliance with Governmentwide Suspension and Debarment Requirements
- XI. Certification Regarding Use of Contract Funds for Lobbying

ATTACHMENTS

A. Employment and Materials Preference for Appalachian Development Highway System or Appalachian Local Access Road Contracts (Included in Appalachian contracts only)

I. GENERAL

1. Form FHWA-1273 must be physically incorporated in each construction contract funded under Title 23 (excluding emergency contracts solely intended for debris removal). The contractor (or subcontractor) must insert this form in each subcontract and further require its inclusion in all lower tier subcontracts (excluding purchase orders, rental agreements and other agreements for supplies or services).

The applicable requirements of Form FHWA-1273 are incorporated by reference for work done under any purchase order, rental agreement or agreement for other services. The prime contractor shall be responsible for compliance by any subcontractor, lower-tier subcontractor or service provider.

Form FHWA-1273 must be included in all Federal-aid design-build contracts, in all subcontracts and in lower tier subcontracts (excluding subcontracts for design services, purchase orders, rental agreements and other agreements for supplies or services). The design-builder shall be responsible for compliance by any subcontractor, lower-tier subcontractor or service provider.

Contracting agencies may reference Form FHWA-1273 in bid proposal or request for proposal documents, however, the Form FHWA-1273 must be physically incorporated (not referenced) in all contracts, subcontracts and lower-tier subcontracts (excluding purchase orders, rental agreements and other agreements for supplies or services related to a construction contract).

2. Subject to the applicability criteria noted in the following sections, these contract provisions shall apply to all work performed on the contract by the contractor's own organization and with the assistance of workers under the contractor's immediate superintendence and to all work performed on the contract by piecework, station work, or by subcontract.

3. A breach of any of the stipulations contained in these Required Contract Provisions may be sufficient grounds for withholding of progress payments, withholding of final payment, termination of the contract, suspension / debarment or any other action determined to be appropriate by the contracting agency and FHWA.

4. Selection of Labor: During the performance of this contract, the contractor shall not use convict labor for any purpose within the limits of a construction project on a Federal-aid highway unless it is labor performed by convicts who are on parole, supervised release, or probation. The term Federal-aid highway does not include roadways functionally classified as local roads or rural minor collectors.

II. NONDISCRIMINATION

The provisions of this section related to 23 CFR Part 230 are applicable to all Federal-aid construction contracts and to all related construction subcontracts of \$10,000 or more. The provisions of 23 CFR Part 230 are not applicable to material supply, engineering, or architectural service contracts.

In addition, the contractor and all subcontractors must comply with the following policies: Executive Order 11246, 41 CFR 60, 29 CFR 1625-1627, Title 23 USC Section 140, the Rehabilitation Act of 1973, as amended (29 USC 794), Title VI of the Civil Rights Act of 1964, as amended, and related regulations including 49 CFR Parts 21, 26 and 27; and 23 CFR Parts 200, 230, and 633.

The contractor and all subcontractors must comply with: the requirements of the Equal Opportunity Clause in 41 CFR 60-1.4(b) and, for all construction contracts exceeding \$10,000, the Standard Federal Equal Employment Opportunity Construction Contract Specifications in 41 CFR 60-4.3.

Note: The U.S. Department of Labor has exclusive authority to determine compliance with Executive Order 11246 and the policies of the Secretary of Labor including 41 CFR 60, and 29 CFR 1625-1627. The contracting agency and the FHWA have the authority and the responsibility to ensure compliance with Title 23 USC Section 140, the Rehabilitation Act of 1973, as amended (29 USC 794), and Title VI of the Civil Rights Act of 1964, as amended, and related regulations including 49 CFR Parts 21, 26 and 27; and 23 CFR Parts 200, 230, and 633.

The following provision is adopted from 23 CFR 230, Appendix A, with appropriate revisions to conform to the U.S. Department of Labor (US DOL) and FHWA requirements.

1. **Equal Employment Opportunity:** Equal employment opportunity (EEO) requirements not to discriminate and to take affirmative action to assure equal opportunity as set forth under laws, executive orders, rules, regulations (28 CFR 35, 29 CFR 1630, 29 CFR 1625-1627, 41 CFR 60 and 49 CFR 27) and orders of the Secretary of Labor as modified by the provisions prescribed herein, and imposed pursuant to 23 U.S.C. 140 shall constitute the EEO and specific affirmative action standards for the contractor's project activities under

this contract. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) set forth under 28 CFR 35 and 29 CFR 1630 are incorporated by reference in this contract. In the execution of this contract, the contractor agrees to comply with the following minimum specific requirement activities of EEO:

a. The contractor will work with the contracting agency and the Federal Government to ensure that it has made every good faith effort to provide equal opportunity with respect to all of its terms and conditions of employment and in their review of activities under the contract.

b. The contractor will accept as its operating policy the following statement:

"It is the policy of this Company to assure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, sex, color, national origin, age or disability. Such action shall include: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship, pre-apprenticeship, and/or on-the-job training."

2. **EEO Officer:** The contractor will designate and make known to the contracting officers an EEO Officer who will have the responsibility for and must be capable of effectively administering and promoting an active EEO program and who must be assigned adequate authority and responsibility to do so.

3. **Dissemination of Policy:** All members of the contractor's staff who are authorized to hire, supervise, promote, and discharge employees, or who recommend such action, or who are substantially involved in such action, will be made fully cognizant of, and will implement, the contractor's EEO policy and contractual responsibilities to provide EEO in each grade and classification of employment. To ensure that the above agreement will be met, the following actions will be taken as a minimum:

a. Periodic meetings of supervisory and personnel office employees will be conducted before the start of work and then not less often than once every six months, at which time the contractor's EEO policy and its implementation will be reviewed and explained. The meetings will be conducted by the EEO Officer.

b. All new supervisory or personnel office employees will be given a thorough indoctrination by the EEO Officer, covering all major aspects of the contractor's EEO obligations within thirty days following their reporting for duty with the contractor.

c. All personnel who are engaged in direct recruitment for the project will be instructed by the EEO Officer in the contractor's procedures for locating and hiring minorities and women.

d. Notices and posters setting forth the contractor's EEO policy will be placed in areas readily accessible to employees, applicants for employment and potential employees.

e. The contractor's EEO policy and the procedures to implement such policy will be brought to the attention of employees by means of meetings, employee handbooks, or other appropriate means.

4. **Recruitment:** When advertising for employees, the contractor will include in all advertisements for employees the notation: "An Equal Opportunity Employer." All such advertisements will be placed in publications having a large circulation among minorities and women in the area from which the project work force would normally be derived.

a. The contractor will, unless precluded by a valid bargaining agreement, conduct systematic and direct recruitment through public and private employee referral sources likely to yield qualified minorities and women. To meet this requirement, the contractor will identify sources of potential minority group employees, and establish with such identified sources procedures whereby minority and women applicants may be referred to the contractor for employment consideration.

b. In the event the contractor has a valid bargaining agreement providing for exclusive hiring hall referrals, the contractor is expected to observe the provisions of that agreement to the extent that the system meets the contractor's compliance with EEO contract provisions. Where implementation of such an agreement has the effect of discriminating against minorities or women, or obligates the contractor to do the same, such implementation violates Federal nondiscrimination provisions.

c. The contractor will encourage its present employees to refer minorities and women as applicants for employment. Information and procedures with regard to referring such applicants will be discussed with employees.

5. **Personnel Actions:** Wages, working conditions, and employee benefits shall be established and administered, and personnel actions of every type, including hiring, upgrading, promotion, transfer, demotion, layoff, and termination, shall be taken without regard to race, color, religion, sex, national origin, age or disability. The following procedures shall be followed:

a. The contractor will conduct periodic inspections of project sites to insure that working conditions and employee facilities do not indicate discriminatory treatment of project site personnel.

b. The contractor will periodically evaluate the spread of wages paid within each classification to determine any evidence of discriminatory wage practices.

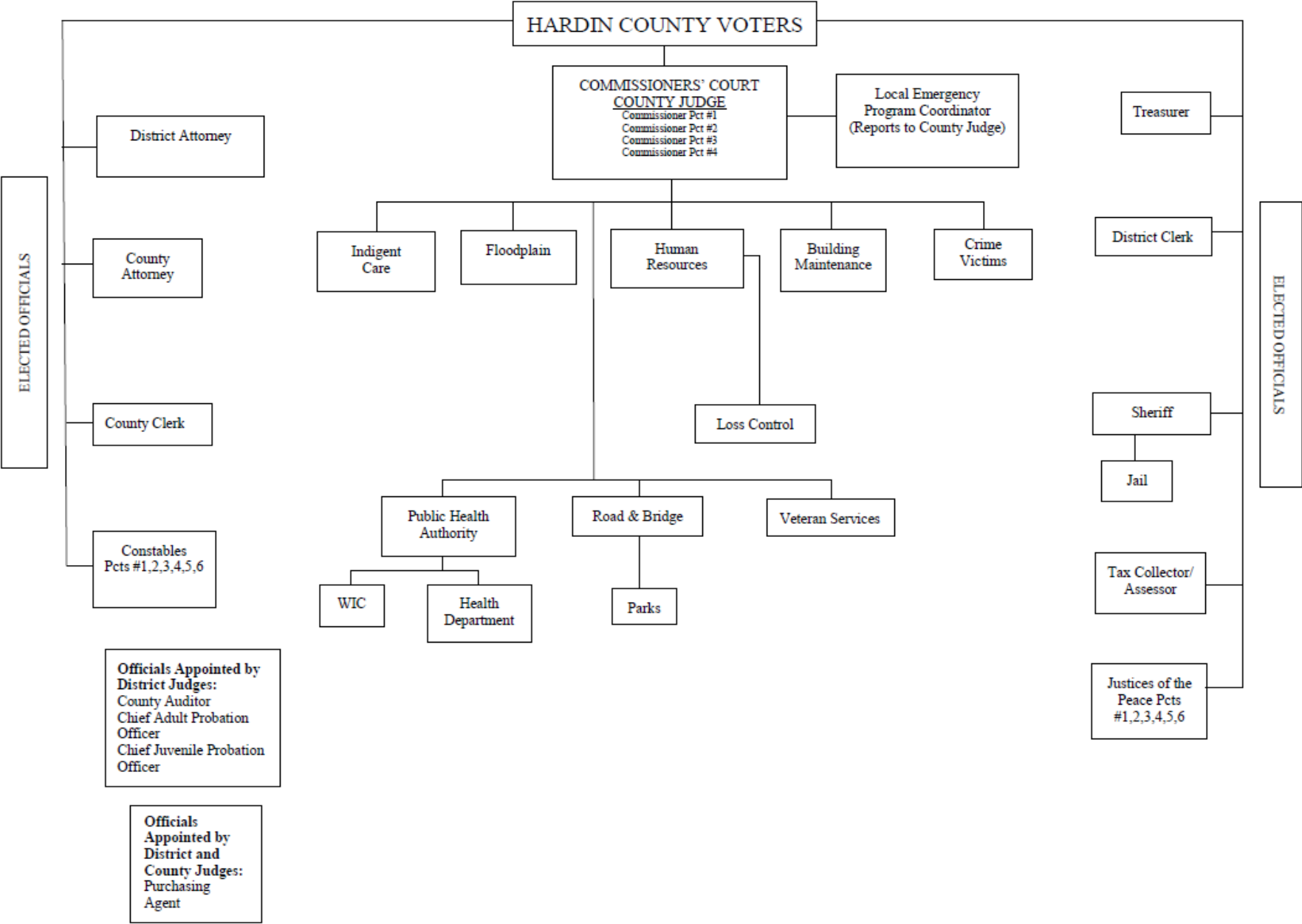
c. The contractor will periodically review selected personnel actions in depth to determine whether there is evidence of discrimination. Where evidence is found, the contractor will promptly take corrective action. If the review indicates that the discrimination may extend beyond the actions reviewed, such corrective action shall include all affected persons.

d. The contractor will promptly investigate all complaints of alleged discrimination made to the contractor in connection with its obligations under this contract, will attempt to resolve such complaints, and will take appropriate corrective action within a reasonable time. If the investigation indicates that the discrimination may affect persons other than the complainant, such corrective action shall include such other persons. Upon completion of each investigation, the contractor will inform every complainant of all of their avenues of appeal.

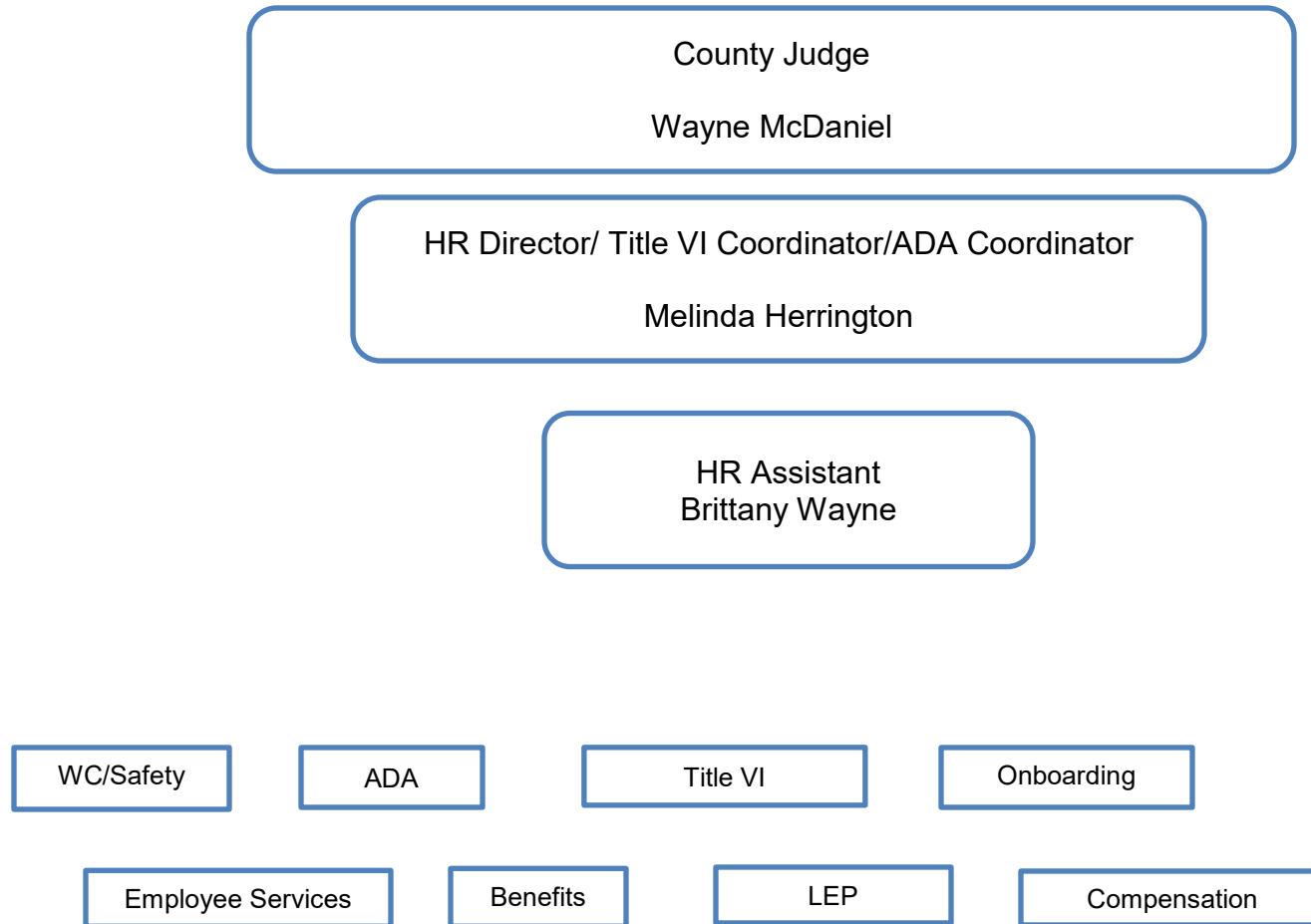
6. **Training and Promotion:**

a. The contractor will assist in locating, qualifying, and increasing the skills of minorities and women who are

ATTACHMENT C (1) - Organizational Chart



Human Resources Organizational Structure



ATTACHMENT D

Acknowledgment of Receipt of Hardin County Non-discrimination Title VI Policy and Limited English Proficiency Plan

I hereby acknowledge the receipt of the Hardin County Nondiscrimination/Title VI Plan, including the Policy Statement. I have read the policy statement and am committed to ensuring that no person is excluded from participation in, or denied the benefits of Hardin County programs, activities, or services on the basis of race, color, national origin, sex age or disability as protected by Title VI and nondiscriminatory legislation.

I further acknowledge that I have received a copy of Hardin County's Limited English Proficiency Plan. I have read the Limited English Proficiency Plan and am committed to ensuring that no person is excluded from participation in, or denied the benefits of Hardin County federally assisted or funded programs, activities or services on the basis of Limited English Proficiency, upon reasonable efforts per the County's Limited English Proficiency Plan.

Printed Name of Employee

Date

**HARDIN COUNTY
LEP Interpreter Services Poster**

English:

Interpreter services are available. Please ask someone at the front desk.

Español:

Tenemos a su disposición servicios de intérpretes gratuitos. Si esta interesado, por favor solicítele ayuda a la recepcionista.



Employee Language Report

Form 2491
(Rev. 02/14)
Page 1 of 1

Voluntary Participation: Please include employees who possess language skills other than English and who are willing to assist a Limited English Proficiency (LEP) individual who requires language assistance.

DDO₁

Date:

LEP DDO Contact:

[illegible]



LEP Annual Report

Form 2492
(Rev. 02/14)
Page 1 of 3

Instructions: This report is to be completed by Districts, Divisions and Offices (DDOs) and submitted to the Office of Civil Rights via email at TitleVI@dotd.texas.gov

DDOs: Contact Person: Telephone: Report Year:

LEP Encounters

Total number of encounters:

Language most frequently requested: ☐ Spanish ☐ Other (specify): _____

(Select only one - Place an 'X' in the box)

LEP service most frequently used:

(Select only one - Place an 'X' in the box)

☐ Oral Interpretation (in person) ☐ Written Translation ☐ Telephone Interpretation

Most frequent method LEP service is rendered:

(Select only one - Place an 'X' in the box)

☐ Employee ☐ Contractor ☐ Community Volunteer ☐ LEP Person's Family/Friend

☐ Other Method (specify): _____

LEP Expenditures

Total LEP expenses: \$

Spanish: \$ Other Language (specify): _____ \$

Oral Interpretation (in person): \$ Written Translation: \$ Telephone Interpretation: \$

Translation of Documents

Total number of documents translated upon request: Total number of vital documents translated:

Types of Documents Translated:

☐ Application ☐ Brochure ☐ Notice ☐ Other Document (specify): _____

LEP Complaints

Total number of complaints: Number of complaints resolved:

Complaint Information

Date Filed	Date Resolved	Description

Be sure to attach any written DDO-specific policies and procedures that support your responses.

ATTACHMENT E (

Instructions: This report is to be completed by Districts, Divisions and Offices (DOOs) and submitted to the Office of Civil Rights via email at ILC.equality@dc.gov.

LEP Areas	Yes/No	Explanation / Comment <i>Include any explanations/examples/comments that apply</i>
Assessing and Recording Language Needs		
1. Has the DDO taken steps to identify the non-English languages that are likely to be encountered in its service delivery area?	☐ / ☐	
2. Has the DDO identified the language needs of each LEP individual encountered and recorded this information?	☐ / ☐	
3. Does the DDC document the name and affiliation (e.g. staff interpreter, contract interpreter, etc.) of the person providing language services for each encounter with an LEP individual?	☐ / ☐	
4. Has the DDO identified the points of contact within their organization where language assistance is likely to be needed? (e.g. reception desks, intake counters, etc.)	☐ / ☐	
5. Has the DDO identified the resources that will be needed to provide effective language assistance and the location/availability of these resources?	☐ / ☐	
Oral Language Interpretation		
6. Does the DDC hire staff with language skills who are trained and competent in the skill of interpreting in the other language(s)?	☐ / ☐	
7. Does the DDC contract with interpreter service(s)?	☐ / ☐	
8. Does the DDC use volunteer community interpreters?	☐ / ☐	
9. Does the DDC use telephone interpreter service(s)?	☐ / ☐	
Translation of Written Materials		
10. Does the DDO provide written materials in languages other than English?	☐ / ☐	
11. Does the DDO translate application forms and other materials in languages other than English?	☐ / ☐	
Methods for Providing Notice to LEP Individuals		
12. Does the DDO use language identification cards to determine the language needs of LEP individuals?	☐ / ☐	
13. Does the DDO provide notice of language assistance services in the languages other than English?	☐ / ☐	
14. Does the DDO include a statement in brochures and other materials routinely disseminated to the public notifying LEP individuals that language assistance services are available.	☐ / ☐	

LEP Areas	Yes/No	Explanation / Comments <i>Include any explanations/examples/comments that</i>
Training of Staff		
15. Have all staff been trained on TXDOT's LAP for addressing the language needs of LEP individuals?	☐ / ☐	
16. Does the DDO maintain records of the staff that has received training on language access policies and procedures?	☐ / ☐	
Monitoring		
17. Does the DDO monitor its LEP plan at least annually to evaluate its effectiveness at serving LEP individuals and modify it accordingly?	☐ / ☐	
Customer Service		
18. Does the DDO solicit and track customer feedback related to LEP individuals?	☐ / ☐	
19. Does the DDO have a complaint process in place to address concerns and complaints from LEP individuals about the department's LEP services?	☐ / ☐	
20. Does the DDO track the number of complaints and concerns received?	☐ / ☐	
21. Has the DDO addressed LEP complaints and concerns? Explain and identify if any corrective actions were taken and when.	☐ / ☐	
LEP Budget		
22. Does the DDO budget for LEP services in its annual budget projections? If Yes, detail how much and in what areas.	☐ / ☐	
Comments		

ATTACHMENT E (5)

LOG OF LEP REQUESTS

[illegible]

Note: Data should be kept for the fiscal year ending on Sept 30. Return completed log to Title VI Coordinator by Oct 30 of each year.

HARDIN COUNTY
Title VI Discrimination Complaint Form

This form may be used to file a complaint with the County of Hardin based on violations of Title VI of the Civil Rights Act of 1964. Complaints should be filed within 180 days of the alleged discrimination. If you could not reasonably be expected to know the act was discriminatory within 180 days, you have 60 days after you became aware to file a complaint. Return the signed form to:

Title VI Coordinator
Melinda Herrington
300 W Monroe, Room B107
Kountze, TX 77625
(409) 246-5164 (phone)
(409) 246-5139 (fax)
HR@co.hardin.tx.us (email)

If you need assistance completing this form, please call_____.

LAST NAME:		FIRST NAME:	
MAILING ADDRESS:	CITY:	STATE:	ZIP:
TELEPHONE:	ALTERNATE TELEPHONE:		E-MAIL ADDRESS:
Please state the basis of your complaint: ☐ Race_____ ☐ Age_____ ☐ National Origin_____ ☐ Color_____ ☐ Gender_____ ☐ Disability_____			
Date and place of alleged discriminatory action (s). Please include the earliest date of discrimination and the most recent date of discrimination. 			
How were you discriminated against? Describe the nature of the action, decision, or conditions of the alleged discrimination. Explain as clearly as possible what happened and why you believe your protected status (basis) was a factor in the discrimination. Include how other persons were treated differently from you. (Attach additional pages, if necessary). 			

The law prohibits intimidation or retaliation against anyone because he/she has either acted, or participated in action, to secure rights protected by these laws. If you feel that you have been retaliated against, separate from the discrimination alleged above, and please explain the circumstances below. Explain what action you took which you believe was the cause for the alleged retaliation

Names of individuals responsible for the discriminatory action(s):

Names of persons (witnesses, fellow employees, supervisors, or others) whom we may contact for additional information to support or clarify your complaint: (Attach additional pages, if necessary)

1. Name:	Address:	Telephone:
2. Name:	Address:	Telephone:
3. Name:	Address:	Telephone:
4. Name:	Address:	Telephone:

Have you filed, or intend to file, a complaint regarding the matter raised with any of the following? If yes, please provide the filing dates. Check all that apply.

☐ U.S. Department of Transportation
☐ Federal Highway Administration
☐ Federal Transit Administration
☐ Office of Federal Contract Compliance Programs
☐ U.S. Equal Employment Opportunity Commission (
☐ U.S. Department of Justice
☐ Other: _____

Have you discussed the complaint with any Hardin County representative? If yes, provide the name, position, and date of discussion:

Briefly explain what remedy, or action, you are seeking for the alleged discrimination:

Please provide any additional information and/or photographs, if applicable, that you believe will assist with an investigation.

We cannot accept an unsigned complaint. Please sign and date the complaint form below:

COMPLAINANT'S SIGNATURE: _____ DATE: _____

FOR OFFICE USE ONLY

Date Complaint Received:	Case No:
Processed by:	Date Referred:
Referred to: ☐ USDOT ☐ FHWA ☐ FTA ☐ OFCCP ☐ EEOC ☐ OTHER _____	

ATTACHMENT F (2) (Spanish version)

HARDIN COUNTY
Forma de Queja Capitulo VI Discriminacion

Este formulario puede ser utilizado para presentar una queja con el Condado de Hardin basado en violaciones del Título VI de la Ley de Derechos Civiles de 1964. Las quejas deben ser presentadas dentro de los 180 días de la supuesta discriminación. Si usted no podría razonablemente se espera conocer el acto era discriminatoria dentro de 180 días, tiene 60 días después de ser consciente de presentar una queja. Envíe el formulario firmado a:

Title VI Coordinator
Melinda Herrington
300 W Monroe, Room B107
Kountze, TX 77625
(409) 246-5164 (phone)
(409) 246-5139 (fax)

HR@co.hardin.tx.us (email)

If you need assistance completing this form, please call _____.

Apellido:		Nombre:	
Dirección:	Ciudad:	Estado:	Código Postal:
Teléfono:	Teléfono Alternativo:		Correo Electrónico:
Indica por favor la(s) base(s) de su queja.:			
☐ RaZA _____ ☐ Edad _____ ☐ Origen Nacional _____			
☐ Color _____ ☐ Sexo _____ ☐ Discapacidad _____			
Fecha y lugar de la(s) presunta(s) acción(es) discriminatoria(s). Favor de incluir la primera fecha de la presunta discriminación y la fecha más reciente de la presunta discriminación.			
¿Cómo se discriminó contra usted? Describa la naturaleza de la acción, decisión o las circunstancias de la presunta discriminación. Explique, de la manera mas clara posible, que sucedió y porqué cree usted que su estatus protegido fue un factor en la discriminación. Incluya como otras personas fueron tratadas de distinta manera que usted. (Adjunte hojas adicionales de ser necesario).			

La ley prohíbe intimidación o represalias contra cualquier persona ya sea por tomar acción o por participar en la toma de acción para asegurar los derechos protegidos por estas leyes. Si usted siente que se han tomado represalias en su contra, aparte de la presunta discriminación mencionada anteriormente, favor de explicar las circunstancias a continuación. Explique la acción que usted tomó que cree sea la causa de la presunta represalia.

Nombre de los individuos responsables de la(s) acción(es) discriminatoria(s):

Nombre de personas (testigos, compañeros de trabajo, supervisores u otros) a quienes podamos contactar para obtener información adicional para respaldar o aclarar su queja: (Adjunte hojas adicionales de ser necesario).

1. Nombre:	Dirección:	Telefono:
2. Nombre:	Dirección:	Telefono:
3. Nombre:	Dirección:	Telefono:
4. Nombre:	Dirección:	Telefono:

Alguna vez ha presentado, o tiene la intención de presentar, una queja con respecto a esta situación con cualquiera de las organizaciones que se mencionan a continuación? De ser así, favor de proporcionar las fechas en que se presentaron. Marque todas las que apliquen.

☐ Departamento de Transporte de los EE.UU.
☐ Administración Federal de Carreteras de los EE.UU.
☐ Administración de Transporte Federal de los EE.UU.
☐ Oficina de Programas de Cumplimiento de Contratos Federales de los EE.UU.
☐ Comisión para la Igualdad de Oportunidades en el Empleo de los EE.UU.
☐ Tribunal Federal o Estatal de los EE.UU.
☐ Otros: _____

¿Ha hablado sobre la queja con algún representante de TxDOT? De ser así, favor de proporcionar el nombre y puesto de la persona y la fecha en la que tuvo la conversación.

Explique brevemente que remedio, o acción está usted buscando por la presunta discriminación.

Favor de proporcionar cualquier información adicional y/o fotografías, si son pertinentes, que usted crea ayudaran el la investigación.

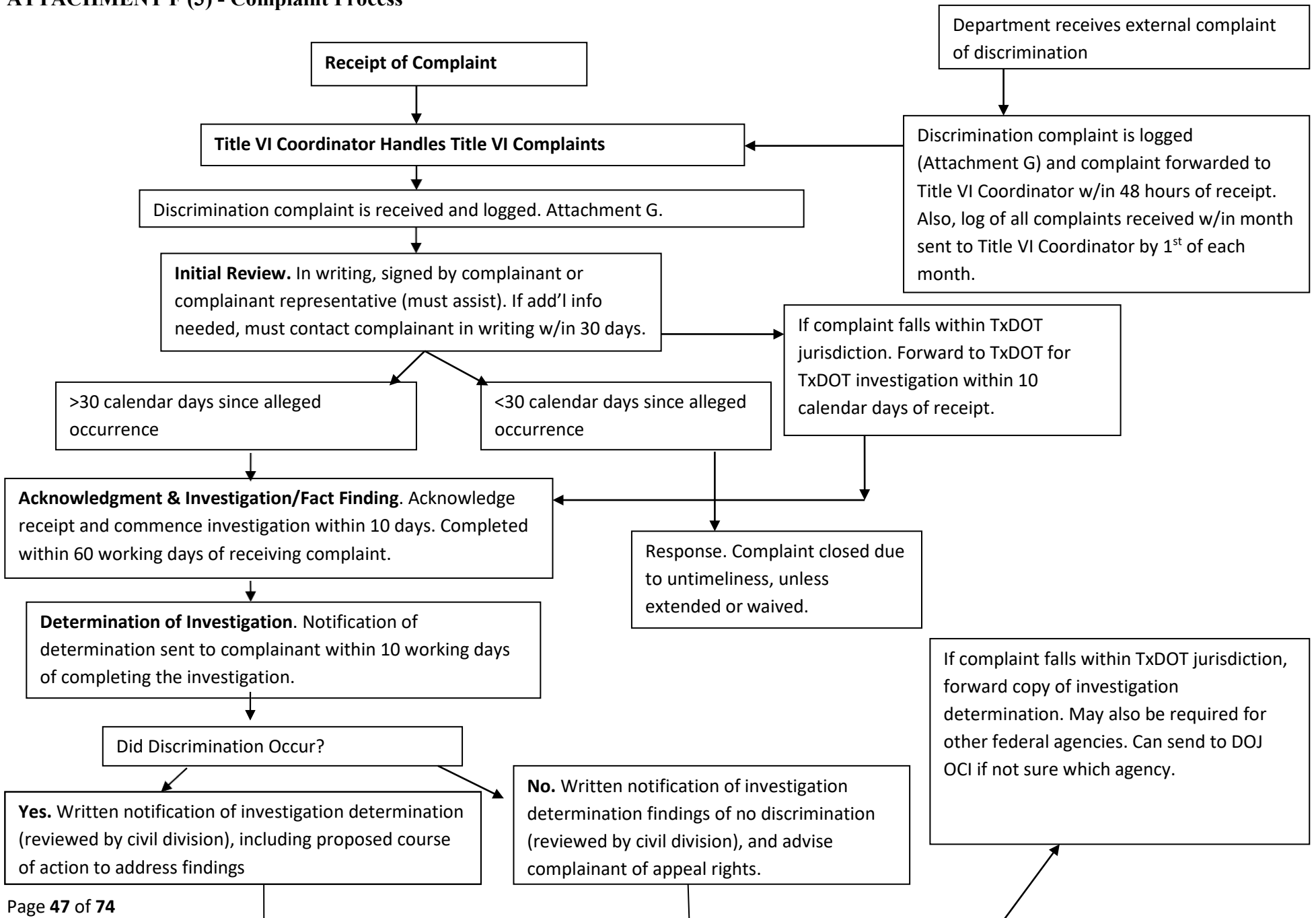
No podemos aceptar una queja sin firma. Favor de incluir su firma y la fecha a continuación:

Firma del Demandante: _____ **Fecha:** _____

UNICAMENTE PARA USO OFICIAL

Fecha de Recibo de Queja:	No. de Caso:
Procesado por:	Fecha Remitida:
Remitida a: ☐ USDOT ☐ FHWA ☐ FTA ☐ OFCCP ☐ EEOC ☐ OTHER _____	

ATTACHMENT F (3) - Complaint Process



LOG OF EXTERNAL TITLE VI COMPLAINTS FOR HARDIN COUNTY

[illegible]

*** All Correspondences related to the complaint shall be maintained for a period of five years.**

ATTACHMENT H (1)

Title VI Poster (To be Displayed in County Facilities)

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that *no* person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance” (42 U.S.C Section 2000d).

Hardin County is committed to ensuring that no person is excluded from participation in, or denied the benefits of its services on the basis of race, color, or national origin, as protected by Title VI. Hardin County has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discrimination when found. If you feel you are being denied services provided by Hardin County, or otherwise being discriminated against because of your race, color, national origin, gender, age or disability, our contact information is:

Melinda Herrington
Hardin County Title VI Coordinator
300 W Monroe, Room B107
Kountze, TX 77625
(409) 246-5164 (phone)
(409) 246-5139 (fax)
HR@co.hardin.tx.us (email)

ATTACHMENT H (2)

Title VI Poster (To be Displayed in County Facilities)

Título VI de la Ley de Derechos Civiles de 1964 prohíbe la discriminación por motivos de raza, color u origen nacional en los programas y actividades que reciben asistencia financiera federal. Específicamente, el Título VI establece que ninguna persona en los Estados Unidos será, en motivos de raza, color u origen nacional, ser excluida de participar en, ser negado los beneficios de, o ser objeto de discriminación bajo cualquier programa o actividad que reciba Federal asistencia financiera "(42 USC Sección 2000d).

Condado de Hardin se compromete a garantizar que ninguna persona sea excluida de participar en, o negado los beneficios de sus servicios sobre la base de raza, color u origen nacional, como protegidos por el Título VI. Condado de Hardin ha establecido un procedimiento de queja de discriminación y tomará acción pronta y razonable para investigar y eliminar la discriminación cuando se encuentran. Si usted siente que está siendo negados los servicios proporcionados por el condado de Hardin, o de otra manera ser discriminados por su raza, color, origen nacional, sexo, edad o discapacidad, nuestra información de contacto es:

Melinda Herrington
Hardin County Title VI 300 W
Monroe, Room B107
Kountze, TX 77625
(409) 246-5164 (phone)
(409) 246-5139 (fax)
HR@co.hardin.tx.us (email)

ATTACHMENT I (1)

Environmental Justice/Public Participation Plan

Introduction and Purpose I

The purpose of this document is to outline the Hardin County's (County's) plan for addressing Federal and state non-discrimination requirements (Environmental Justice) outlined under Title VI, Federal Executive Order 12898 and other related regulations and statutes. It also outlines the County's Public Participation Plan for addressing the requirements of Title VI. Although they are separate topics, Environmental Justice and Public Participation are closely intertwined issues and complement one another in ensuring fair and equitable distribution services and access to programs.

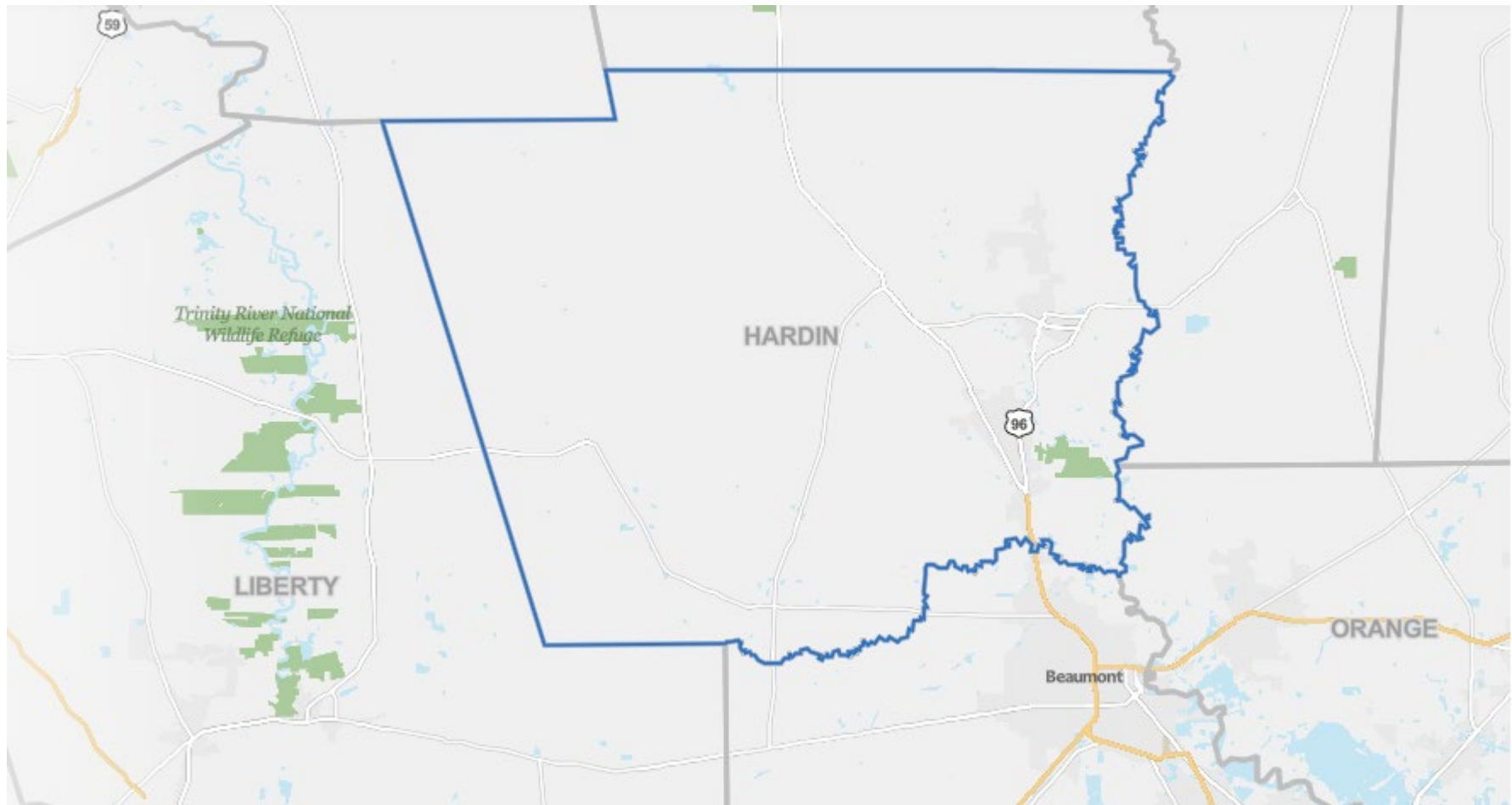
To be effective, an environmental justice plan must incorporate comprehensive measures for including the public in legal and policy decisions related to environmental issues. This public participation plan addresses the need to include the public in all issues impacting stakeholders.

Hardin County Demographics

Per the Census Bureau's Quick Facts, 2023, Hardin County is a County of 58,670 residents of which:

- 90.4% is white (84.1% is White only and 7.2% is Hispanic or Latino)
- 6.1% is Black or African American alone
- 0.9% is Asian
- 0.7% is American Indian and Alaska Native
- 1.8% is Two or more races

12.3 percent of the population are below the poverty level (2023).



Definitions of Traditionally Underserved Populations

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.

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>.

Elderly: Any persons over the age of 65.

Person with Disabilities: Under the Americans with Disabilities Act of 1990, a qualified individual with a disability is a person that 1) has a physical or mental impairment that substantially limits one or more major life activities; 2) has a record of such impairment; or 3) is regarded as having such impairment.

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 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.

Definitions of Effects

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.

Disproportionately high and adverse Effects in Minority and Low-Income Populations: An adverse effect that:

- is predominantly borne by a minority population and/or a low-income population, or
- 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.

ENVIRONMENTAL JUSTICE PLAN

Environmental justice is the fair treatment of all people and providing for meaningful public involvement in government decision-making. The County has applied for and received federal grants for Public Works related projects primarily through the Texas Department of Transportation. Using a professional staff of engineers, planners, mappers, and others, the County provides a range of Public Works related services such as:

- Land use planning and programming
- Economic and community development programs
- Transportation and multi-modal planning
- Water/waste water design and construction
- Mapping and others

Departments will be asked to do the following when considering a project/program:

- When planning specific programs or projects, identifying those populations that will be affected by a given program or project.
- If a disproportionate effect is anticipated, following mitigation procedures.
- If mitigation options do not sufficiently eliminate the disproportionate effect, discussing and, if necessary, implementing reasonable alternatives.
- The Director of Public Works oversees this process and reviews the final resulting project documents to ensure compliance with federal regulations.
-

The department 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 undeserved population group is present within the project area, document how the conclusion was reached. If the conclusion is that there are undeserved population groups present, proceed to Step Two.

STEP TWO: Determine whether project impacts associated with the identified underserved populations are disproportionately high and adverse. In doing so, refer to definition section “Effects.” If it is determined that there are disproportionately high and adverse impacts to an undeserved population, 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 the Public Participation Plan. Consider the following:

- Are there alternatives to the proposed action that would avoid or reduce the impacts to the low income or minority populations?
- Considering the overall public interest, is there a substantial need for the project?
- 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: Document all findings, determinations, or demonstrations. The department will document:

- 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 out-weigh the overall impacts; or
- Mitigation measures are being taken to reduce the harm to low income or minority populations.

The department will also maintain a Log (Attachment I (2)). A completed Log should be provided to the Title VI Coordinator by the 14 of May each year.

Record Keeping: The department will maintain records evidencing its environmental justice and public participation compliance, which include, but are not limited to, its findings and determinations. The department shall maintain these records for four years the project or program is completed.

PUBLIC PARTICIPATION PLAN

The County's public participation plan goals are to:

- Provide County departments with a framework to develop meaningful public participation.
- Provide 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.

A. Forms of Communication

To ensure a rich and diverse public participation process, impacted parties must be informed and educated on programs, projects planned, and projects underway. The following strategies are utilized by the County department and divisions to ensure that interested parties receive timely information in a variety of formats. Each department will determine the best form of communication for their programs.

1. Commissioners Court Meetings. Citizens may be present during any of the Commissioners Court meetings. The Commissioners Court meets every Tuesday at 9:00 am. The agenda for the

Commissioners Court meeting can be found at <https://www.co.hardin.tx.us/page/CommissionersCourt> and, the meeting can be streamed online.

The Commissioners Court meeting offers the public an opportunity to bring topics and issues to Commissioners' attention. Each regular Commissioners Court meeting allows citizens 3 minutes each to speak on a topic. Maximum discussion on any one topic is limited to 10 minutes regardless of the number of speakers, unless the court unanimously decides to increase the time. A citizen can sign up to speak. Requests to appear in formal court or in briefing session before the County Commissioners must be made to the clerk of the court prior to 4:00 p.m. Monday, before the meeting. Each request must be accompanied by a person's name, address, telephone number and subject.

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 Community-based organizations provide the opportunity to connect with specific audiences and are an integral part of identifying and reaching out to underrepresented groups. The department 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; community 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 that have websites that provide for two-way communication can continuously update information about programs and projects.
4. Publications. Departments should maintain a stakeholder list with contact information for organizations and individuals. Electronic newsletters quickly and easily disseminate information to 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 has the available resources. A media campaign might include press releases, public service announcements, and 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 could buy advertisements but should do so strategically to keep costs low. Keeping a consistent media message across all channels requires generating and distributing talking points to project team members and/or the County Administrator.
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 construction start, and at various times during construction. Each department will make the determination of what is needed.

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

- Schedule meetings at times and locations that is convenient and accessible for minority, low income, and Limited English Proficient (LEP) communities

- 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. Direct Notification. The use of door to door delivery of information should be used when required by federal, state or local law or depending on the nature of the program, project, or activity and the resources available.
 8. Social Media. Social media and social networking websites include Facebook, Twitter, YouTube, and blogs. It is important to choose the social media and networking platforms that have the best chance of reaching the intended audience.
 9. 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>.

B. Use of Public Comment

All public input should be derived from as diverse a range of sources as possible. As appropriate and whenever possible, at the department’s discretion, public comments may be used to revise work scopes, plans, and programs. (E.g., Attachment K (1)-(2)).

C. Effectiveness Assessment

Departments should use the information obtained through its 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 Coordinator will be responsible for coordinating any plan updates.

ATTACHMENT I (2)

Checklist for Compliance with Environmental Justice

Use this worksheet to maintain a log for projects that require an Environmental Justice assessment.

Select One, based on the questions below:

- ☐ **A – This project will not have an effect on human health or environmental**
☐ **B – This project will have an effect on human health or environmental.**

1. Environmental Justice (E.O. 12898)

- a. **Step 1: Is the project located in or designed to serve a predominantly minority or low-income neighborhood?**

☐ Yes ☐ No

If Yes, continue.

If No, compliance with this section is complete. Mark box “A” above.

- b. **Step 2: Would there be an adverse environmental impact caused by the proposed action?**

☐ Yes ☐ No

If No, compliance with this section is complete. Mark box “A” above.

If Yes, perform an Environmental Justice (EJ) analysis using census, geographic, and other data to determine if a low-income/minority population is disproportionately impacted. Continue.

- c. **Step 2: Will the adverse environmental impact of the proposed action disproportionately impact minority and low-income populations relative to the community-at-large?**

☐ Yes ☐ No

If Yes, continue.

If No, compliance with this section is complete. Document the determination of no disproportionate impacts. Mark box “A” above.

- d. **Step 3: Has mitigation measures been considered and does the mitigation plan include input from public participation of the affected population?**

Mitigation or avoidance of adverse impacts must be considered to the extent practicable; and, public participation processes must involve the affected population(s) in the decision-making process.

If Yes, compliance with this section is complete. Continue.

If No, project cannot move forward until EJ mitigation is considered and public participation of the affected population is involved, per the Public Participation Plan.

- e. **Step 4:** Document findings and mitigation efforts. Provide log to Title VI Coordinator by May 14 of each year.

Complete the logs below to document environmental justice and public participation efforts, where applicable.

Project	Adverse human health and environmental impact	Impacted groups (underserved populations)	Description of Public Participation Plan	Dates of Public Participation Efforts	Public Participation Plan Findings/Conclusions	Efforts to mitigate, if any. If none, why not	Identify Source Documentation (e.g., Mapping of low-income and minority populations in the vicinity of the project site. EJ analysis. Mitigation Plan, meeting notices, public forums)	Other

For additional information see following resources:

EPA's "EJ View" Tool provides information relevant to EJ assessments: <http://epamap14.epa.gov/ejmap/entry.html>

Census data and maps also available at: <http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml>

Tract-level data on race & income: <https://geomap.ffiec.gov/FFIECGeocMap/GeocodeMap1.aspx>

EJ maps & analysis, by location: <http://www.scorecard.org/community/ej-index.tcl>

PREPARER:

Preparer's Signature

Date

Preparer's Name (printed)

Title (printed)

AUTHORIZED RESPONSIBLE OFFICIAL:

Authorized Responsible Dept. Head Signature

Date

ATTACHMENT J (1) DEMOGRAPHIC SURVEY (ENGLISH)

HARDIN COUNTY _____(NAME OF PROJECT) DEMOGRAPHIC SURVEY

Location: _____

Date: _____

Home Zip Code: _____

Voluntary Information

Please provide the following information about yourself. Please check appropriate box.

Sex

- ☐ Female
☐ Male

Age

- ☐ 1-21 ☐ 41-65
☐ 22-40 ☐ Over 65

Disability

- ☐ Yes
☐ No

Ethnicity/Race

- ☐ White (non-Hispanic)
☐ Asian
☐ American Indian
☐ Native American/other
Pacific Islander
☐ Black
☐ Hispanic
☐ Other: _____

First Language

- ☐ English
☐ Spanish
☐ Vietnamese
☐ Chinese dialect
☐ Russian
☐ Other: _____

Second Language

- ☐ English
☐ Spanish
☐ Vietnamese
☐ Chinese dialect
☐ Russian
☐ Other: _____

Household Income

- ☐ \$0-\$12,000
☐ \$12,000-\$24,999
☐ \$25,000-\$36,999
☐ \$37,000-\$48,999
☐ \$49,000-\$60,000
☐ 60,000+

Household size: _____ Adults _____ Children _____

Who are you representing?

Voluntary Information

(1) Minority population/organizations

- ☐ Asian
☐ American Indian
☐ Native American/other Pacific Islander
☐ Black
☐ Hispanic
☐ Other: _____

(3) Persons with disabilities

- ☐ Yes
☐ No

(4) Elderly population

- ☐ Yes
☐ No

(2) Low-income population

- ☐ Yes
☐ No

ATTACHMENT J (2) DEMOGRAPHIC SURVEY (SPANISH)

HARDIN COUNTY _____(NAME OF PROJECT) ENCUESTA DEMOGRÁFICA

Local: _____ Fecha: _____ El Código Postal de Su Hogar: _____

Informacion Voluntario

Favor de proveer la Informacion pedida de Ud. A continuacion. Favor de marcar circulo apropiado.

Sexo	Edad	Discapacidad	
☐ Mujer	☐ 1-21 ☐ 41-65	☐ Si	
☐ Hombre	☐ 22-40 ☐ Mayor 65	☐ No	
Etola/Rala	Lengua Materna	Segunda lengua	IngresoFamiliar
☐ Blanco (non-Hispanic)	☐ Inglés	☐ Inglés	☐ \$0-\$12,000
☐ Asiático	☐ Español	☐ Espanol	☐ \$12,000-\$24,999
☐ Indigena Americano	☐ Vietnamita	☐ Vietnamita	☐ \$25,000-\$36,999
☐ Hawaiano Nativo/otro	☐ Dialecto chino	☐ Dialecto chino	☐ \$37,000-\$48,999
☐ Nativo Polinesio	☐ Ruso	☐ Ruso	☐ \$49,000-\$60,000
☐ Negro	☐ Otro: _____	☐ Otro: _____	☐ 60,000+
☐ Hispano			
☐ Otro: _____			

Tamaño de la familia: _____Adultos _____Niños _____

A quién representa?

Informacion Voluntaria

(1) Población Minoría/organización

- ☐ Asiático
- ☐ Indigena Americano
- ☐ Hawaiano Nativo/otro Nativo Polinesio
- ☐ Negro
- ☐ Hispano
- ☐ Otro: _____

(2) Población de Bajos Ingresos

- ☐ Si
- ☐ No

(3) Personas con discapacidad

- ☐ Si
- ☐ No

(4) Población de Edad Avanzada

- ☐ Si
- ☐ No

ATTACHMENT K (1)

HARDIN COUNTY PUBLIC MEETING ON _____ PROJECT
COMMENT FORM (English)

This form is provided to document your comments regarding the Hardin County Project _____. Information about the project is available on _____ (website); search key phrase _____. Please use the space provided below to write comments, and attach additional pages if necessary. You may leave the form at the meeting, or mail it to the address provided below. Public comments will be accepted throughout the development of the project until _____. We appreciate your interest and value your input.

Did you attend a Public Meeting? (circle one) No Yes Meeting Location? _____

Comments:

:

:

:

:

:

Other information:

Will this project be a benefit to you? ☐ Yes ☐ No Please explain: _____

Will this project result in any burden on you? ☐ Yes ☐ No If this project will create a burden on you, please describe the burden: _____

If there are any measures which can mitigate the burden, please state: _____

Please mail your comments to:

(Department overseeing project)

Please Print:

Your Name: _____
Address: _____
Telephone: _____
Email: _____

Check each of the following boxes apply to you:

- ☐ I am employed by Hardin County
- ☐ I do business with Hardin County
- ☐ I could benefit monetarily from the project or other item about which I am commenting.

ATTACHMENTK (2)

HARDIN COUNTY PUBLIC MEETING ON _____PROJECT
HOJA PARA COMENTARIOS (Spanish)

Este formulario se le provee para documentar sus comentarios respecto al Hardin County proyecto _____ . Informacion del _____ esta disponible en el sitio web de Hardin County en _____ (website). Favor de usar et espacio a continuacion para escribir sus comentarios, y si necesita, agregue hojas adicionales. Puede dejar et formulario en la reunion, o mandarlo por correo a la direccion a continuacion. Se aceptarfi comentarios del publico durante todo el periodo de desarrollo del _____ de _____. Apreciamos su interes y valoramos sus opiniones.

Asistio a una de las reuniones publicas? (marque uno) No Si
El local de la reunion?? _____

Commentarios:

Other information:

¿Este proyecto será un beneficio para usted? ☐ Si ☐ No Por favor explique: _____

¿Este proyecto resultará en algún agobio para usted? ☐ Si ☐ No Si este proyecto creará una agobio para usted, por favor describa el agobio: _____

Si hay medidas que pueden mitigar el agobio, indique: _____

Favor de mandar sus comentarios por correo a:

Favor de escribir en letra de molde:

(Department overseeing project)

Nombre: _____

Direccion: _____

Phone: _____

Correo Electronico: _____

Revise cada una de las siguientes casillas de casos:

- ☐ Soy empleado de Hardin County
- ☐ Hago comercio con Hardin County
- ☐ Yo podria beneficia reconmmicamente de este proyecto u otro asunto sobre lo cual estoy comentando .

ATTACHMENT L – Sample Title VI/Non-Discrimination Plan Compliance Letter (to send to all department heads/elected officials)

Today's Date

John/Jane Doe
(DC Address)

Dear Ms/Mr. Doe:

The Hardin County Title VI Coordinator/Human Resources Director is responsible for initiating and monitoring Title VI activities and compliance. The effectiveness of the Hardin County Title VI Non-discrimination program requires the participation and compliance of all Hardin County departments and elected officials.

First, attached is a copy of the Hardin County Title VI/Non-Discrimination Plan. Each department/elected official should make sure their employees receive a copy of the plan. Additionally, each department/elected official should have their employee sign an acknowledgment of receipt (Attachment D), which should be retained in the department/elected official's employee file.

Second, Attachment A (1)-(2), is the County's Title VI policy statement in Spanish/English. This statement will be available on the County's website at <https://www.co.hardin.tx.us/page/HumanResources>. The department/elected official should make sure that this statement is posted, in English and Spanish, in a conspicuous location in their department or building.

Third, Attachments F1-2 are the Title VI complaint forms in English and Spanish. The Title VI Complaint Forms (along with Attachment H) should be posted in a conspicuous location in the department or building. All Title VI complaints should be immediately referred to the Title VI Coordinator for handling, per the Title VI Complaint Procedure. See, e.g., Attachment F (3). Additionally, the department head/elected official should provide a log of all Title VI complaints received, to the Title VI Coordinator, by the 1st of each month (Attachment G). Please note that other statutory obligations may require an investigation on the part of the department/elected official, and the Title VI Coordinator's investigation does not supplant that obligation.

Fourth, pursuant to Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency," the County must take reasonable steps to provide meaningful access to services for individuals who are limited English proficient ("LEP"). In an effort to ensure compliance with Executive Order 13166, the County has developed the Language Assistance Plan attached to the Title VI/Non- Discrimination Plan. Each department/elected official shall provide a list of persons who speak languages other than English (Attachment E (3)) to the Title VI Coordinator by August 31, 2015. Each department/elected official should also:

- Perform a four-factor analysis, as set forth in the LEP Plan;
- Have vital documents or vital information contained within a document translated when a significant number or percentage of the LEP population is likely to be affected by the program/activity, especially if it contains information that is critical for obtaining services and/or benefits or is required by law (including documents warning of any danger or hazard), if fee is reasonable and resources available.

- Maintain a log of language requests, in the form attached to the Title VI/Non-Discrimination Plan, Attachment E (5), and provide a copy of the completed log to the Title VI Coordinator by the **1st of each month**; and
- Complete the LEP Annual Report (Attachment E (4)).

The department/elected official should submit Annual Report to the Title VI Coordinator no later than **May 14th** of each year.

Fifth, pursuant to Executive Order 12898, federal agencies (and often their sub-recipients) must develop a strategy that “identifies and addresses disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.” Any department/elected official receiving federal funds, who engage in any project/activity that might have human health or environmental effects on minority populations and low-income populations, must engage in public participation and an Environmental Justice analysis. The Department and Elected Official should involve the public, per the Environmental Justice and Public Participation plan (Attachment I), and document its efforts. The Department/Elected Official should submit a log on its Public Participation and Environmental Justice efforts, if applicable, to the Title VI Coordinator no later than May 14th of each year (Attachment I (2)). The log should include:

- The name of the projects/activities/programs;
- Any traditionally underserved population burdened by the project or activity;
- Public outreach efforts; and,
- Any strategy used to address negative impacts, including mitigation measures.

Sixth, the department/elected official should collect and analyze data/statistics to determine, among other things: 1) the population benefiting from the projects/activities/programs (by race, color, national origin, sex, or low income ; 2) burdens on minority and low-income populations, of its federally funded program or activity; and 3) whether projects are being done in the areas where the most need is anticipated and that the populations protected under Title VI are benefitting from the program in a manner that is nondiscriminatory. Attachment L. The department/elected official should submit this information to the Title VI Coordinator no later than **May 14** of each year.

Seventh, the department/elected official receiving TxDOT funds should make sure the assurances and language (Attachment B, Appendixes A and E) are incorporated in any contract (and any solicitations or bids). Additionally, the following should be incorporated as set forth below:

- Attachment B, Appendix B. Appendix B shall be inserted, as a covenant running with the land, in any deed from the United States affecting a transfer of real property, structures, or improvements thereon, or interest therein. E.g. between the U.S. and the County, if the U.S. transfers any property to the County, Appendix D must be incorporated in the language of the deed, as a covenant, which will run with the land henceforth.
- Attachment B, Appendix C. Appendix C shall be inserted, as a covenant running with the land, in any future transfers entered into by the Recipient, with other parties, for the real property acquired or improved under the programs administered by the Recipient.

Example 1: a County department/division, which receives federal funds, wishing to transfers any real property (that was acquired or improved by the County department/division) to a third party, must incorporate Appendix C as a covenant, which will run with the land henceforth

- Attachment B, Appendix D. Appendix D shall be inserted, as a covenant running with the land, in any future leases, permits, licenses, and similar agreements entered into by the Recipient with other parties for the construction or use of or access to space on, over or under real property acquired, or improved under the programs administered by the Recipient.

Example 1: a County department/division, which receives federal funds, wishing to lease a space (i.e., grant access to real property that was acquired or improved by the County department/division) to a third party, must incorporate Appendix C as a covenant, which will run with the land henceforth.

- Attachment B, Appendix F. Appendix F, FHWA-1273, must to be attached to all construction contracts funded under Title 23 (Federal Highway Administration) for \$10,000 or more.

Other federal agencies will likely have their own assurances requirements. The department/elected official is responsible for coordinating with the Title VI Coordinator to make sure the appropriate assurances are completed and incorporated in their contracts.

This communication is not an exhaustive list of the Title VI requirements for departments/elected officials that are recipients or sub-recipients of federal funds or programs. The department/elected official is responsible for complying with Title VI and the County's Title VI Plan. The Title VI Coordinator will work with the department/elected official to ensure compliance. Please note that the Title VI Coordinator will integrate the Department's language assistance and environmental justice efforts, along with Title VI compliance, into an annual Title VI Update Report.

The department/elected official should also be aware that most federal grants have numerous compliance requirements (many incorporated by statutory reference). It is the recipient departments/elected official's responsibility to be aware of, and comply with, the federal funding/grant requirements. If the department/elected official has any questions regarding the County's Title VI Non-Discrimination Plan, it should contact the Title VI Coordinator.

Sincerely,

Hardin County Human Resources
Hardin County Director of Human Resources Director and Title VI Coordinator

ATTACHMENT M (1)

Sample Letter Acknowledging Receipt of Complaint

Today's Date

John/Jane Doe
1234 Main St.
Hardin, Texas

75201 Dear Ms/Mr.

Doe:

This letter is to acknowledge receipt of your complaint against Hardin County alleging _____.

An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact this office by telephoning 214-653-7638, or write to me at the following address:

Hardin County Human Resources
Hardin County Title VI Coordinator
300 W Monroe, Room B107
Kountze, TX 77625
(409) 246-5164 (phone)
(409) 246-5139 (fax)
HR@co.hardin.tx.us (email)

Sincerely,

Hardin County Human Resources
Hardin County Director of Human Resources Director and Title VI Coordinator

ATTACHMENT M (2)

**Sample Letter Notifying Complainant
that the Complaint Is Substantiated**

Today's Date

John/Jane Doe
1234 Main St.
Hardin, Texas

75201 Dear Ms/Mr.

Doe:

The matter referenced in your letter of _____(date) against Hardin County alleging Title VI violation has been investigated.

(An/Several) apparent violation(s) of Hardin County's policies related to Title VI of the Civil Rights Act of 1964, including those mentioned in your letter, and (was/were) identified. Efforts are underway to correct these deficiencies.

Thank you for calling this important matter to our attention. You were extremely helpful during our review of the program.

Sincerely,

Hardin County Human Resources
Hardin County Director of Human Resources Director and Title VI Coordinator

ATTACHMENT M (3)

**Sample Letter Notifying Complainant
that the Complaint Is Not Substantiated**

Today's Date

John/Jane Doe
1234 Main St.
Hardin, Texas

75201 Dear Ms/Mr.

Doe:

The matter referenced in your complaint of ____ (date) against Hardin County, alleging _____ has been investigated.

The results of the investigation did not indicate that the provisions of Title VI of the Civil Rights Act of 1964 had been violated. As you know, Title VI prohibits discrimination based on race, color, or national origin in any program receiving federal financial assistance. Hardin County has analyzed the materials and facts pertaining to your case for evidence of the County's failure to comply with any of the civil rights laws. There was no evidence found that any of these laws have been violated.

I therefore advise you that your complaint has not been substantiated, and that I am closing this matter in our files. You have the right to appeal this closing letter to the County Administrator within five (5) working days from receipt of the closing letter or file a complaint externally with the U.S. Department of Transportation or other applicable federal agency. You may also file a complaint with the Texas Department of Transportation:

Texas Department of Transportation
Civil Rights Division
Attn: Title VI Program Administrator
125 E. 11th Street
Austin, TX 78701

Federal Highway Administration – Texas
Attn: Civil Rights Specialist
300 E. 8th St.
Austin, TX 78701

Federal Highway Administration
Office of Civil Rights
HCR-20, Room E81-320
1200 New Jersey Avenue, SE
Washington, DC 20590

Thank you for taking the time to contact us. If I can be of assistance to you in the future, do not hesitate to call me.

Sincerely,

Melinda Herrington
Hardin County Director of Human Resources Director and Title VI Coordinator