

# Title VI Program LIMITED ENGLISH PROFICIENCY PLAN

## Texarkana Metropolitan Planning Organization

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## Introduction

About the Texarkana Metropolitan Planning Organization (MPO):

The Texarkana MPO is the administrative agency for the Texarkana Urban Transportation Study (TUTS). The purpose of the MPO is to provide local citizens and elected officials the opportunity to be involved in the transportation planning process. The Texarkana MPO consists of a Policy Committee, a Technical Committee, and the MPO Staff. The MPO serves the cities of Texarkana, AR, Nash, Texarkana, and Wake Village, TX, and portions of Miller and Bowie Counties, and is responsible for continuous, comprehensive, and coordinated transportation planning within the MPO Study Area. The MPO study area is comprised of approximately 195 square miles in northeast Texas and southwest Arkansas.

### *Member Jurisdictions*

Texarkana, AR	Miller County, AR
Nash, TX	Bowie County, TX
Texarkana, TX	Arkansas Department of Transportation (ArDOT)
Wake Village, TX	Texas Department of Transportation (TxDOT)
Ark-Tex Council of Governments (ATCOG)	

### *Committee Membership:*

The MPO has two non-elected bodies, the Policy Board and the Technical Committee. The Policy Board is comprised of elected officials and department directors from member jurisdictions, the number of which is based on population. Individual representatives are not selected by the MPO, but by the member organizations themselves. Likewise, the Technical Committee is comprised of engineering, planning, and administrative professionals from member jurisdictions, the number of which is based on population. Like the Policy Board, representatives are not selected by the MPO, but by the member organizations themselves.

### **Title VI Requirement:**

As a sub-recipient of federal financial assistance for transportation planning, 49 CFR Part 21 and 23 CFR Part 200 requires the Texarkana Metropolitan Planning Organization (MPO) to comply with various non-discrimination laws including Title VI of the Civil Rights Act of 1964. Title VI forbids discrimination against any person in the United States because of race, color, or national origin by any agency receiving federal funds. As a recipient of federal funding, the MPO must ensure that all its programs and activities are operated in a non-discriminating manner. To ensure compliance with the law, the MPO must implement a system of procedures and actions that will protect against discrimination.

### *Preparation of an Equity Analysis*

The MPO has not constructed any facility, such as a vehicle storage facility, maintenance facility, operation center, etc. that could require a Title VI Equity Analysis.

### *Environmental Justice:*

Presidential Executive Order 12898, entitled Federal Actions to Address Environmental Justice in *Minority Populations and Low-Income Populations*, promulgated on February 11, 1994, expanded the scope of previous guidance to include identifying and avoiding “disproportionately high and adverse” effects on minority and low-income populations. The United States Department of Transportation (U.S. DOT) Order 6640.23 requires the

Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) to implement the principles of environmental justice in all programs, policies, and activities.

The three principles of environmental justice are:

- 1) To avoid, minimize, or mitigate disproportionately high and adverse human health or environmental effects, including social and economic effects, on minority populations and low-income populations.
- 2) To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
- 3) To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority populations and low-income populations.

## **Notice of Non-discrimination**

The required notice to the public that follows is posted in the MPO office, on the MPO website, and is included in the MPO plans and documents.

The **Texarkana Metropolitan Planning Organization** (MPO) makes every effort to comply with the Americans With Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, Title VI Of The Civil Rights Act of 1964 and other federal equal opportunity laws and therefore does not discriminate on the basis of race, sex, color, age, national origin, religion or disability, in admission or access to and treatment in MPO programs and activities, as well as the MPO's hiring or employment practices.

Complaints of alleged discrimination and inquiries regarding the MPO's nondiscrimination policies may be directed to Study Director – EEO/DBE (ADA/504/Title VI Coordinator), P.O. Box 1967, Texarkana, TX 75504, (903) 798-3927 (Voice/TTY 711), or the following email address: [txkmpo@txkusa.org](mailto:txkmpo@txkusa.org)

Free language assistance for LEP individuals is available upon request. This notice is available from the ADA/504/Title VI Coordinator in large print, on audiotape and in Braille.

## **Title VI Complaint Procedure**

Any person who believes she or he has been discriminated against based on race, color, or national origin by the Texarkana Metropolitan Planning Organization (hereinafter referred to as "the MPO") may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form. The MPO will process all complaints that are complete.

Once the MPO receives the complaint, we review it to determine if it is complete, and whether the office has jurisdiction. The complainant will receive an acknowledgement letter, sent within 3 days, informing her/him whether the complaint will be investigated by our office or forwarded to TxDOT or ArDOT, or to request such information as may be required to complete the complaint. A complaint must meet the following criteria for acceptance: The complaint must be filed within 180 days of the alleged occurrence; the allegation must involve a covered basis such as race, color, or national origin; and the allegation must involve an MPO service.

The MPO has 90 days from then date of the acceptance of a completed complaint to investigate the complaint. If more information is needed to resolve the case, the MPO may contact the complainant to request that information. The complainant has 10 business days from the date of the letter to send the requested information to the investigator. If the investigator is not contacted by the complainant, or does not receive the additional

information within 10 business days, the MPO can administratively close the case. A case can also be administratively closed if the complainant no longer wishes to pursue their case or if, after a reasonable search, the complainant cannot be reached.

After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. An LOF summarizes the allegations, the interviews conducted regarding the alleged incident, and it explains whether any disciplinary action, additional training of the staff member, or other action will occur. Information regarding the rights of the complainant to appeal and instructions for initiating such an appeal will also be included. If the complainant wishes to appeal the decision, she/he has 30 days after the date of the letter of the LOF to notify the MPO of an intent to appeal and to provide a formal letter of appeal outlining the grounds for the appeal.

A copy of the MPO Title VI Complaint Form may be found in Appendix C.

A person may also file a complaint directly with the Federal Transit Administration, at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590. Upon request, any documentation of the investigation completed by the MPO will be provided to the FTA Office of Civil Rights in furtherance of their investigation.

### *Public Transportation-Related Title VI Investigations, Complaints, or Lawsuits*

There are no current transit related Title VI complaints, investigations, or lawsuits involving the MPO, nor have there been any since the date of the last submission. A log of complaints will be maintained. A sample of that log appears in Appendix B.

## **Public Engagement**

### *Public Participation Plan (PPP)*

The MPO's plan for soliciting public participation, the Public Participation Plan (PPP), can be found on the MPO website<sup>1</sup> or a copy can be picked up at the MPO offices.

"The purpose of the PPP is to ensure that public participation is an integral part of the transportation planning process and that decisions are made with the benefit and consideration of public perspectives. This policy provides a mechanism for bringing diverse viewpoints and values into the decision-making process. Early and continuous public involvement enables the MPO to make better informed decisions, improves quality through collaborative efforts, and builds mutual understanding and trust between the MPO and the public it serves."

The MPO uses a variety of tools to engage the community to participate in the planning process. These tools include, but are not limited to Comment Periods, Board/Committee Meetings, Focus Groups, MPO Speakers, the MPO's webpage, Public Notification List, Press Releases, Public Meetings, Studies and Reports, Surveys, and Visualization Tools. The schedule for review and public comment periods on plans and proposals are laid out in the PPP.

All MPO meetings are held open to the public in accordance with Texas Open Meeting laws. Most meetings are held in the Texarkana, TX City Council Chambers, a building accessible via transit as well as accessible for the disabled. The PPP involves notification of public meetings in the Texarkana Gazette, as well as posting notices at 10 locations throughout the community as designated in the PPP. Public meetings in preparation for the pending

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<sup>1</sup> [www.texarkanampmo.org/documents/program-documents/Public\\_Participation\\_Plan\\_3P\\_Amendment1.pdf](http://www.texarkanampmo.org/documents/program-documents/Public_Participation_Plan_3P_Amendment1.pdf)

update to the Metropolitan Transportation Plan 2040 were held at locations distributed throughout the MPO study area, with attention paid to the accessibility of the meeting locales via public transit routes and schedules.

### *Limited English Proficiency (LEP)*

The MPO has adopted a plan for reaching out to persons with a Limited English Proficiency (LEP). The full text of this plan can be found on page 10 of this document, on the MPO website under Program Documents<sup>2</sup> or copies can be picked up at the MPO offices. The preparation of this report was necessitated by Executive Order 13166, titled *Improving Access to Services for Persons with Limited English Proficiency*.

Due to the limited size of the local LEP population the MPO’s LEP Plan does not have formal outreach techniques to reach these populations, however the plan has identified ways in which the populations might be reached if the need should arise for LEP outreach.

Ongoing monitoring occurs, such as tracking the number of LEP individuals the MPO encounters annually, how their needs were addressed, determinations of the size of the local LEP population, and reviews of demographic data to access whether needs for translation services have changed, reassessing the cost of providing LEP services and whether the goals of the LEP Plan fulfilled, and were any complaints received.

## **Demographic Profile of the Metropolitan Area**

### Population

The following table shows the population of the TUTS area municipalities plus the entirety of Miller and Bowie counties.

Texarkana Urban Transportation Study Area				
Population Change from 2010-2015 Est.				
City / County	Census 2010	Census 2015 Est	% Change	2020 Projection (straight-line)
Texarkana, AR	29,919	30,127	0.7%	30,336
Texarkana, TX	36,411	37,088	1.9%	37,778
Wake Village	5,492	5,479	-0.2%	5,466
Nash	2,960	3,083	4.2%	3,211
Red Lick	1,008	1,044	3.6%	1,081
Leary	734	690	-6.0%	649
Miller Co	43,462	43,652	0.4%	43,843
Bowie Co	92,565	93,155	0.6%	93,749

### Minority Population

Using the 2015 Census estimates, the following tables shows trends amongst minority populations for the entirety of Miller and Bowie counties, whose total population has grown by 0.4 and 0.6% respectively since the 2010 Census. The population of persons identifying as “White only” grew by 2.4% in Miller County and by 4.2% in Bowie County. The Black or African American alone group showed a slight increase from 2010 and the 2015 estimates. Those of the American Indian and Alaska Native group showed the greatest percent of change, 207.8% in Miller County and 103.5% in Bowie County. The Asian group showed a decrease in Miller County and an increase in Bowie County. Native Hawaiian and other Pacific Islander and Hispanic or Latino person showed an increase in both Miller and Bowie Counties. Persons of Some Other Race alone and Two or More races showed an

<sup>2</sup> [www.texarkanampo.org/documents/program-documents/Texarkana\\_MPO\\_Title\\_VI\\_Program.pdf](http://www.texarkanampo.org/documents/program-documents/Texarkana_MPO_Title_VI_Program.pdf)

increase in Miller County and a decline in Bowie County. The minority population of Miller and Bowie counties make up approximately 30% of the total population.

	Miller Co				% change 2010-2015
	2010	% of total	2015 Est.	% of total	
Total Population	43,462	100.00%	43,652	100.00%	0.4%
White alone	31,134	71.63%	31,871	73.01%	2.4%
Black or African American alone	10,667	24.54%	11,400	26.12%	6.9%
American Indian and Alaska Native	293	0.67%	902	2.07%	207.8%
Asian	198	0.46%	67	0.15%	-66.2%
Native Hawaiian and Other Pacific Islander alone	17	0.04%	18	0.04%	5.9%
Some Other Race alone	415	0.95%	442	1.01%	6.5%
Two or More races	738	1.70%	843	1.93%	14.2%
Hispanic or Latino (any race)	1,038	2.39%	1,297	2.97%	25.0%

	Bowie Co				% change 2010-2015
	2010	% of total	2015 Est.	% of total	
Total Population	92,565	100.00%	93,155	100.00%	0.6%
White alone	63,641	68.75%	66,339	71.21%	4.2%
Black or African American alone	22,387	24.19%	23,967	25.73%	7.1%
American Indian and Alaska Native	694	0.75%	1,412	1.52%	103.5%
Asian	734	0.79%	1,277	1.37%	74.0%
Native Hawaiian and Other Pacific Islander alone	51	0.06%	169	0.18%	231.4%
Some Other Race alone	3,077	3.32%	2,265	2.43%	-26.4%
Two or More races	1,981	2.14%	1,841	1.98%	-7.1%
Hispanic or Latino (any race)	6,062	6.55%	6,616	7.10%	9.1%

### Low Income:

Per the American Community Survey, the percentage of families and people whose income in the past 12 months is below the poverty level is 16.6% in Bowie County, and 16.0% in Miller County. This is down the 2010 Census data which showed a 18.7% in Bowie County and 20.1% in Miller County. Even though the low-income percentages have declined since 2010, percentages for Miller and Bowie Counties are still higher than the national percentage of 11.3%.

### Elderly Population:

Per the American Community Survey 5-Year Estimates, 15.1% of Bowie County's population (14,029 people) were 65 years of age or older in 2015. This is an increase from 14.2% (13,103 people) in 2010. In Miller County 14.7% of the population (6,413) were 65+ in 2015, and 13.8% of the population (5,982 people) in 2010.

## **Program Assessment**

### *Minority Population Mobility Needs Assessment Procedures.*

In the development of the Public Participation Plan, as well as other planning activities, the MPO sought out and considered the needs of those traditionally underserved by existing transportation systems, including minority households.

The MPO strives to include all the public, including protected classes, in its planning activities. The interested parties list includes many community action organizations that work with and represent minorities. Racial minorities make up more than 30% of the MPO population, with majority located in the core of the city near city hall, where most of the MPO public meetings and events are held. The Policy Board includes elected officials which represent minority constituents and meet with them regularly. These members of the committees are chosen by their respective jurisdictions and not the MPO, itself.

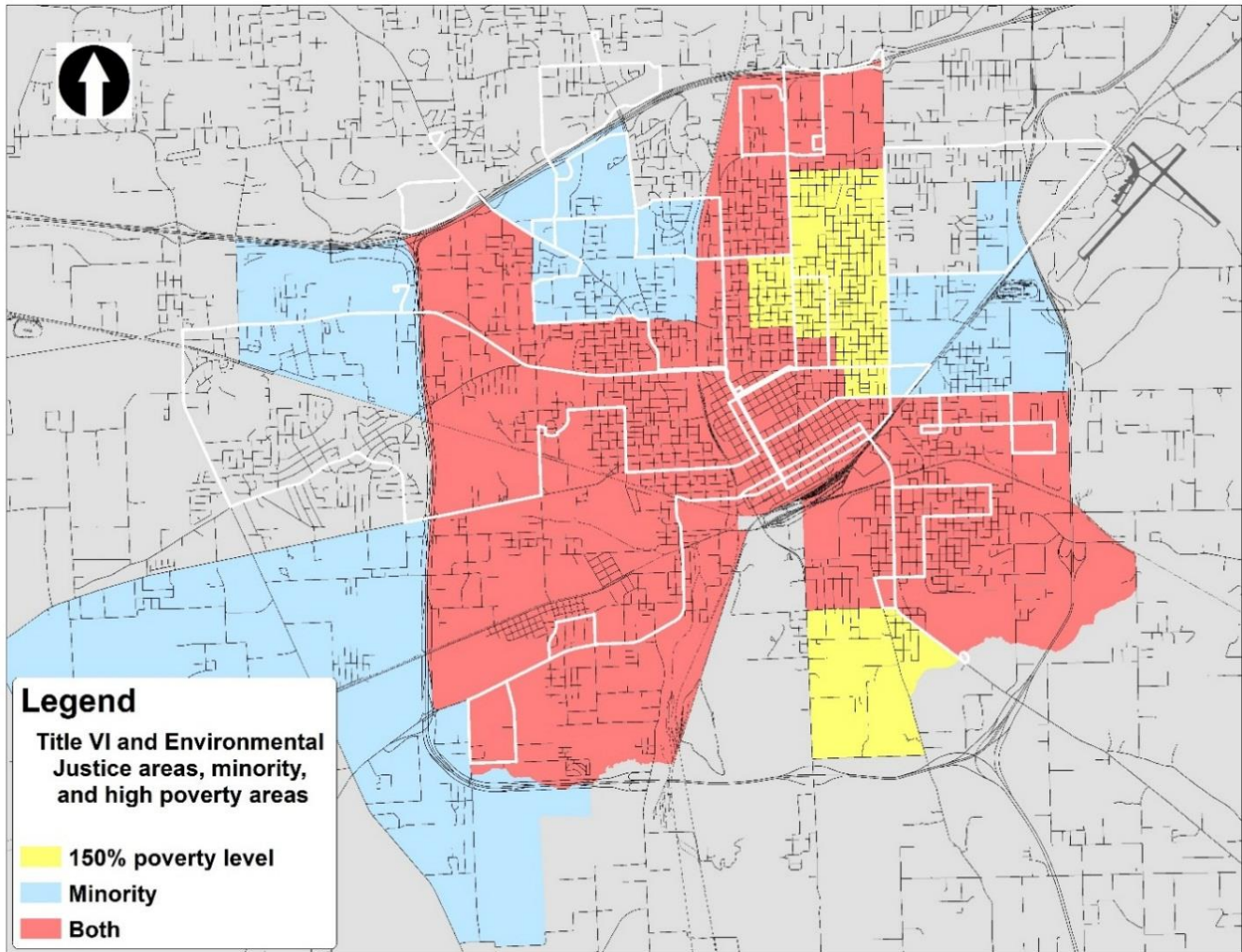
### *Disparate Impact Analysis*

In recent and forthcoming years, a large share of transportation projects included in the Metropolitan Transportation Plan (MTP), the MPO's long range planning document, the projects over which the MPO has influence or involvement, have been projects intended to increase capacity or otherwise accommodate growth where it is occurring. As with most American communities Texarkana's growth is on its urban fringes. For Texarkana that means growth in the Pleasant Grove area, North of I-30, as well as points to the west of Hwy 59/I-369. In terms of Title VI and Environmental Justice (EJ), this reality can be viewed both positively and negatively.

### *Primary Transportation Investments*

- Transit funds (Operating and Capital investments in T-line, TRAX, and paratransit services.)
- I-30 access road redevelopment
- Downtown streetscape project
- Highway and Bridge rehabilitation and widening (Throughout the MPO area; largely peripheral routes and interstates)
  - These are primarily classified as "Grouped Projects" and their selection and funding is outside the control or influence of the MPO.
- Hwy 71 S/East Street/Hickory St. Bridge replacement
- Hwy 67/Nix Creek Bridge replacement/rehabilitation
- Nix Creek Trail enhancements (Bridge to the Boys & Girls Club, a segment at Hobo Jungle Park, and connection of current trail east to Pinehurst St) within the College Hill neighborhood
- Cowhorn Creek Corridor bicycle and walking path, Swampoodle Creek Corridor bicycle and walking path

## Environmental Justice and Title VI Populations Map



Note: The white lines represent fixed route transit.

The areas described do not have a large minority population, nor a large population below 150% of the poverty level. As the projects are not occurring within these areas, EJ populations are not adversely effected nor adversely burdened by the projects, however, on the flip side, the benefits of these projects, once completed also do not accrue to these populations. They benefit only in so far as the projects serve as a benefit to the greater Texarkana region.

An exception to this is the imminent replacement of the Hwy 71 (Hickory St/East St) bridge. This bridge is the primary access route to the College Hill neighborhood in SE Texarkana, AR. This neighborhood is home to a large minority and low-income population. This project, in addition to replacing the bridge, will add sidewalks and bike routes to both the northbound and southbound sides of the bridge greatly improving mobility options for this part of town.

The Highway 67 Bridge over Nix Creek is also included in the MTP for replacement. While enhancements to the bridge, such as pedestrian facilities, have not been finalized, the bridge is adjacent to or within census blocks which have a high minority and low-income population and would serve these communities.

Additionally, investments in public transportation in Texarkana largely benefit the low-income population. The local transit system benefits from substantial support of both federal and state funds. The map above includes the routes of Texarkana's fixed-route transit (T-Line). It is clear in the map that the routes largely serve the Title VI/EJ neighborhoods.

There is no evidence that low income and minority populations suffer "disproportionately high and adverse human health and environmental effects, including social and economic effects" from the transportation activities of the MPO. The dispersion of transportation projects throughout the MPO area ensures that the burdens and benefits of the projects are born and reaped by all residents.

## **Other Ongoing Title VI/Environmental Justice Activities**

### *Annual Report*

The MPO will produce a Title VI/Nondiscrimination Annual Work Plan & Accomplishments Report modeled after that produced by TxDOT. The report will:

- Provide an overview of an MPO's current policies, procedures, and practices to ensure nondiscrimination.
- Self-monitor programs to track, regulate, and observe their processes to ensure compliance with Title VI and maintain a record of how compliance with Title VI/Nondiscrimination requirements is maintained.

### *Contracts and RFPs*

Ensure nondiscrimination in the award of contracts relating to projects receiving federal financial assistance.

Include the appropriate special provision and Title VI language in all contracts.

- The clauses of Appendix A from the U.S. DOT Standard Title VI Assurances are inserted in every contract subject to the Act and the Regulations
- A copy of Form FHWA-1273, "Required Contract Provisions Federal-Aid Construction Contracts," which ensures nondiscrimination in the selection of employees and subcontractors, will be physically attached to all federal-aid construction contracts of \$10,000 or more.
- The MPO will ensure subrecipients insert this information in all its subcontracts.

Include the Title VI/Nondiscrimination paragraph from the U.S. DOT Standard Title VI Assurances in all solicitations for bid or Requests for Proposals.

- "The Recipient, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full 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."

Have a signed copy of the DOT standard assurances to establish full and affirmative compliance with Title VI of the Civil Rights Act of 1964 and other nondiscrimination authorities. Ensure head of agency re-signs standard assurances every three years or within 30 days of the accession of a new agency head.

### *Data and Analysis*

The MPO will collect and analyze data to ensure that transportation programs, services, facilities, and projects effectively meet the needs of “all persons” without discrimination. The MPO will integrate Environmental Justice considerations/analysis into the evaluation of all MPO activities.

# Limited English Proficiency Plan

## *Introduction*

This Limited English Proficiency Plan has been prepared to address the Texarkana MPO responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq, and Executive Order 13166 its implementing regulations, which state that no person shall be subjected to discrimination on the basis of race, color or national origin.

Executive Order 13166, titled *Improving Access to Services for Persons with Limited English Proficiency*, directs each Federal agency that is subject to the requirements of Title VI to publish guidance for its respective recipients clarifying that obligation and indicates that differing treatment based upon a person's inability to speak, read, write or understand English is a type of national origin discrimination. It directs each federal agency to publish guidance for its respective recipients clarifying their obligation to ensure that such discrimination does not take place. This order applies to all federal agencies and all programs and operations of entities that receive funding from the federal government, including state agencies, local agencies and government, private and non-profit entities, and sub-recipients (such as the Texarkana MPO).

The Texarkana Metropolitan Planning Organization is the federally recognized Metropolitan Transportation Planning Organization that serves as a forum for continuing, cooperative, and comprehensive transportation decision making by state and local governments.

Staff and elected officials from State and local governments and area transportation agencies serve on the Texarkana MPO's Technical Committee and Policy Board and provide technical review, comments, recommendations, and policy decisions on the MPO's work products and plans.

## *Plan Summary*

Limited English Proficiency individuals are those who do not speak English as their primary language and have a limited ability to read, write, speak, or understand English as a result of their national origin. These individuals may be entitled to language assistance with respect to a particular type of service, benefit, or encounter.

The Texarkana MPO has developed this Limited English Proficiency (LEP) Plan to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to MPO services as required by Executive Order 13166.

In developing the plan, while determining the MPOs extent of obligation to provide LEP services, the MPO undertook a U.S. Department of Transportation four factor LEP analysis which considers the following:

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

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

**FACTOR 1:** The number or proportion of LEP persons eligible to be served or likely encountered by the Texarkana MPO program, activity or service.

The Texarkana MPO has had very limited contact with the LEP population. Over the past ten years, there has been no contact at public meetings, through Board or Committee members, through phone contact, or by personal visit.

The number and type of such encounters will be periodically analyzed to determine the breadth and scope of the language service required.

When this document was first adopted it has been determined that 4.9% of the population speaks a language other than English. Of those 1,091 persons, 306 have limited English proficiency; that is, they speak English “not well” or “not at all”, this is 1.2% of the overall population in the MPO study area boundary. According to the Census Bureau 2015 estimates, 5.73% of the MPO boundary area speaks a language other than English. Of the 3,849 persons, 1737 speak English less than “very well,” which is 2.45% of the population (U.S. Census Bureau, 2011-2015 American Community Survey 5-Year Estimates)<sup>3</sup>.

The Texarkana MPO adheres to the philosophy of affording all citizens an equal opportunity to participate in each transportation program or activity.

**FACTOR 2:** The frequency with which LEP individuals come into contact with and MPO Program:

The MPO staff reviewed the frequency with which the MPO could have contact with LEP persons. While the Texarkana MPO has received some requests from vision-impaired and handicapped individuals in the last ten years, the MPO has not experienced any requests for interpreters and no requests for translated MPO documents. The MPO does keep a list of available Spanish translators that can offer assistance should the need arise.

The identified areas where a LEP person is most likely to interact with the Texarkana MPO’s operations are:

- Public meetings
- Information Requests
- Office Staff

**FACTOR 3:** The nature and importance of the Program, Activity, or Service provided by the Texarkana MPO to the LEP Community.

There is no large geographic concentration of any type of LEP individuals in the Texarkana MPO study area boundary. The overwhelming majority of the population, 94.3% speak only English.

As a result, there is a lack of social service professional and leadership organizations within the study area boundary that focuses on outreach to LEP individuals.

It is the MPO’s intent to provide meaningful access to all participants and eligible persons, however, the availability of resources may limit the provision of language services in some instances.

The majority of information that we provide is not confidential. Documents and maps represent the bulk of our communication with the public.

Services that are most likely to encounter LEP individuals are the fixed route bus system and the paratransit services provided by Texarkana Urban Transit District. A copy of their LEP Plan may be viewed at [www.t-linebus.org](http://www.t-linebus.org)

**FACTOR 4:** The resources available to the MPO and the overall costs:

The Texarkana MPO reviewed its available resources that could be used for providing LEP assistance. Currently, the budgetary impact to the MPO is minimal based on past and recent experiences such as the lack of contact or requests by LEP individuals.

<sup>3</sup>[https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS\\_15\\_1YR\\_S1701&prodType=table](https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_15_1YR_S1701&prodType=table)

### *Plan for Assisting Persons of Limited English Proficiency*

- Examine record requests for language assistance from past meetings and events to anticipate the possible need for assistance at upcoming meetings;
- When Texarkana MPO sponsored workshops or conferences are held, set up a sign-in sheet table, have a staff member greet and briefly speak to each attendee. To informally gauge the attendee's ability to speak and understand English, ask a question that requires a full sentence reply;
- Have the Census Bureau's "I Speak Cards" at the workshop or conference sign-in sheet table. While staff may not be able to provide translation assistance at this meeting, an inventory of those needs will help staff plan for language needs at a future meeting;
- Post a notice of available language assistance in the Texarkana MPO reception area.

### *Monitoring and Updating the LEP Plan*

The Texarkana MPO will update the LEP as required by U.S. DOT. Updates will include the following:

- The number of documented LEP person contacts encountered annually.
- How the needs of LEP persons have been addressed.
- Determination of the current LEP population in the service area.
- Review of demographic data to determine whether the need for translation services has changed.
- Determine whether Texarkana MPOs available resources, such as technology, staff, and financial costs have changed;
- Has the Texarkana MPO fulfilled the goals of the LEP Plan and
- Were any complaints received?

### *Outreach Techniques*

The Texarkana MPO does not have a formal practice of outreach techniques due to the lack of LEP population and resources available in the service area. However, the following are a few options that the Texarkana MPO will incorporate when and/or if the need arises for LEP outreach:

If staff knows that they will be presenting a topic that could be of potential importance to a LEP person or if staff will be hosting a meeting or a workshop in a geographic location with a known concentration of LEP persons, meeting notices and agendas will be printed in an alternative language, based on known LEP population in the area.

The MPO will continue to keep a list of Spanish translators should the need arise for them to be utilized.

### *MPO Staff Training*

All MPO staff will be provided with the LEP Plan and will be educated on procedures to follow. This information will also be part of the MPO staff orientation process for new hires. Training topics are listed below:

- Understanding the Title VI policy and LEP responsibilities;
- What language assistance services the MPO offers;
- Use of LEP "I Speak Cards";
- How to access AltaVista Babel Fish translator via: [http://balefish.yahoo.com/translate\\_txt](http://balefish.yahoo.com/translate_txt);
- Documentation of language assistance requests;
- How to handle a Title VI and/or LEP complaint.

TEXARKANA METROPOLITAN PLANNING ORGNIZATION

RESOLUTION #3-2018

**A RESOLUTION BY THE POLICY BOARD OF THE TEXARKANA METROPOLITAN PLANNING ORGANIZATION ADOPTING THE TEXARKANA METROPOLITAN PLANNING ORGANIZATION LIMITED TITLE VI PROGRAM AND THE ENGLISH PROFICIENCY (LEP) PLAN UPDATE.**

**WHEREAS,** the Texarkana Metropolitan Planning Organization (MPO) for the Texarkana metropolitan planning area, is responsible for performing transportation planning activities within the Texarkana Metropolitan Planning Area Boundary; and

**WHEREAS,** the Federal Transit Administration requires recipients to report certain general information to determine compliance with Title VI; and

**WHEREAS,** the collection and reporting of this information constitutes a recipient's Title VI Program; and

**WHEREAS,** to ensure compliance with 49 CFR Section 21.9 (B), the FTA require that all recipients document their compliance with this chapter by submitting a Title VI Program to the FTA's regional civil rights officer once every three years; and

**WHEREAS,** in accordance with Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et sq., and Executive Order 13166 – *Improving Access to Services for Persons with Limited English Proficiency*, the Texarkana MPO, as a recipient of federal funding, has developed the Texarkana MPO LEP Plan; and

**WHEREAS,** the plans has been developed in accordance with requirements of the Federal Transit Administration; and

**NOW, THEREFORE, BE IT RESOLVED** by the Policy Board of the Texarkana Metropolitan Planning Organization:

**SECTION 1:** the Study Director of the Texarkana MPO is hereby authorized to submit the Texarkana MPO Title VI and LEP Plan Update to Arkansas Department of Transportation (ArDOT) and Texas Department of Transportation (TxDOT).

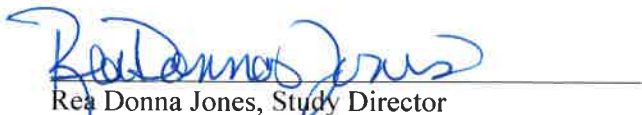
**SECTION 2:** this resolution shall be in effect immediately upon its adoption.

**ADOPTED** during Regular Session on the 20<sup>th</sup> day of November 2017.



Robert Bunch, Chairman  
Policy Board

I hereby certify that this resolution was adopted by the Texarkana Metropolitan Planning Organization for the Texarkana Metropolitan Area in regular session of November 20, 2017.



Rea Donna Jones, Study Director  
Texarkana Metropolitan Planning Organization

**APPENDIX: Record of Complaints, Investigations and Lawsuits - Form**



**Texarkana Metropolitan Planning Organization**

Cities of Texarkana, AR ♦ Texarkana, TX ♦ Wake Village, TX ♦ Nash, TX ♦ Miller County, AR ♦ Bowie County, TX

**List of Transit-Related Title VI Investigations, Complaints, and Lawsuits for the Texarkana Metropolitan Planning Organization**

A list alleging discrimination on the basis of race, color, or national origin containing the following:

1. Active investigations conducted by FTA and entities other than FTA;
2. Lawsuits; and
3. Complaints naming the recipient.

	<b>Date (Month, Day, Year)</b>	<b>Summary: (include basis of the complaint: race, color, or national origin; other pertinent information )</b>	<b>Status</b>	<b>Action(s) Taken (and date); Disposition (and date)</b>
<b>Investigations</b>				
1.				
2.				
<b>Lawsuits</b>				
1.				
2.				
<b>Complaints</b>				
1.				
2.				



220 Texas Blvd. ♦ P.O. Box 1967 ♦ Texarkana, Texas 75504 ♦ [www.texarkanampo.org](http://www.texarkanampo.org)

Phone (903) 798-3927 ♦ Fax (903) 798-3773 ♦ E-mail [txkmpo@txkusa.org](mailto:txkmpo@txkusa.org)

## APPENDIX: MPO Title VI Complaint Form



### Texarkana Metropolitan Planning Organization

P.O. Box 1967, 220 Texas Blvd. 2<sup>nd</sup> Floor, Texarkana, TX 75504  
903-798-3927 Bus 903-798-3773 Fax

#### TITLE VI COMPLAINT FORM

The Texarkana Metropolitan Planning Organization 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 provided by the Title VI of the Civil Rights Act of 1964, as amended. The Title VI complaints must be filed within 180 calendar days from the date of the alleged discrimination.

Date of Filing: \_\_\_\_\_ Work Phone: \_\_\_\_\_  
Name: \_\_\_\_\_ Home Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ E-mail Address: \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_

Indicate on what ground(s) you believe you have been discriminated against (check all that apply):

Age  Color  Disability  National Origin  Race  Religion  Sex

Indicate the person(s) who you believe discriminated against you:

Name(s): \_\_\_\_\_  
Work Location (if known): \_\_\_\_\_  
Work Phone: \_\_\_\_\_  
Date of alleged incident: \_\_\_\_\_

If you have an attorney representing you concerning the matters raised in this complaint, please provide the following:

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Work Phone: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

Explain why you believe discrimination has occurred. If there were witnesses, please provide names, addresses and telephone numbers. Be sure to include how other persons were treated differently than you. Attach additional pages as necessary and any written material pertaining to your case.

What remedy are you requesting? Please be specific:

Have you filed or do you intend to file a charge or complaint concerning the matters raised in this complaint with any other agencies (Federal, State, or local):

Yes

No

If so, please provide the following information:

Agency: \_\_\_\_\_

Address: \_\_\_\_\_

Name of Investigator (if known): \_\_\_\_\_

Phone Number: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Date Filed: \_\_\_\_\_

Status of case: \_\_\_\_\_

I confirm that I have read the above charge(s) and it is true to the best of my knowledge.

Print of typed name of the complainant: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Completed forms must be submitted to the Texarkana Metropolitan Planning Organization.  
If you require any assistance in filing out this form please call 903-798-3927.

The United States Department of Transportation (USDOT) Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

The **Texarkana Metropolitan Planning Organization** (hereinafter referred to as the "Recipient") HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the Department of Transportation (DOT), through **Federal Transit 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 Non-discrimination In Federally-Assisted Programs Of The Department Of Transportation-Effectuation Of Title VI Of The Civil Rights Act Of 1964);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

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

**General Assurances**

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

*"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, "for which the Recipient receives Federal financial assistance from DOT, including the **Federal Transit Administration**.*

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination 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 non-discrimination 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 **Texarkana Urban Transportation Study**:

1. The Recipient agrees that each "activity," "facility," or "program" as defined in subsections § 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 **Texarkana Urban Transportation Study** and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

“The **Texarkana Metropolitan Planning Organization**, in accordance with Title VI of the Civil Rights Act of 1964, (78 Stat. 252, 42 U.S.C §§ 2000d to 2000d-4) and Title 49, Code of Federal Regulations, Department of Transportation, Sub-Title A, Office of the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidden that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full 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 Act 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. That 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, permits, 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, sub-grantees, 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 Act, 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 Act, the Regulations, and this Assurance.

By signing this ASSURANCE, **Texarkana Metropolitan Planning Organization** also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) will all applicable provision governing the [*insert Agency name*] 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 [*insert Agency name*]. You must keep records, reports, and submit the material for review upon request to [*insert Agency name*], 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.

**Texarkana Metropolitan Planning Organization** 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 the (*Name of Appropriate Program*). This ASSURANCE is binding on [*insert State*], other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the (*Name of Appropriate Program*). The person(s) signing below is authorized to sign the ASSURANCE on behalf of the Recipient.

Texarkana Metropolitan Planning Organization  
(Recipient)

by \_\_\_\_\_  
(Signature of Authorized Official)

DATED: \_\_\_\_\_

## 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 Non-discrimination in Federally-assisted program of the U.S. Department of Transportation, (**Title of Modal Operating Administration**), as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontractors, 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 Non-discrimination 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, or 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 (**Title of Modal Operating 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 (**Title of Modal Operation Administration**), as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the (Title of Modal Operating Administration) may determine to be appropriate, including, but not limited to:
  - a. withholding of payments to the contractor under the contract until the contractor complies, and/or
  - b. cancellation, termination or suspension of the contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take such action with respect to any subcontractor or procurement as the Recipient or the (**Title of Modal Operating 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 with 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 such litigation to protect the interests of the United States.

## 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 provision of Assurance 4:

NOW, THEREFORE, the Department of Transportation as authorized by law and upon the condition that the **Texarkana Metropolitan Planning Organization** will accept title to the lands and maintain the project constructed thereon in accordance with (**Name of Appropriate Legislative Authority**), the Regulations for the Administration of (**Name of Appropriate Program**), and the policies and procedures prescribed by (**Title of Modal Operating 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, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the **Texarkana Metropolitan Planning Organization** 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 **Texarkana Metropolitan Planning Organization** 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 **Texarkana Metropolitan Planning Organization**, its successors and assigns.

The **Texarkana Metropolitan Planning Organization**, 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 **Texarkana Metropolitan Planning Organization** 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, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended [, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to 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).

## APPENDIX C

### CLAUSES FOR TRANSFER OR REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in all deeds, licenses, leases, permits, or similar instruments entered into by the **Texarkana Metropolitan Planning Organization** 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 said 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 other requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, **Texarkana Metropolitan Planning Organization** will have the right to terminate the (lease, License, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued. \*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the **Texarkana Metropolitan Planning Organization** 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 **Texarkana Metropolitan Planning Organization** and its assigns. \*

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

## APPENDIX D

### CLAUSES FOR CONTRACTION/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 **Texarkana Metropolitan Planning Organization** 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 Non-discrimination covenants, **Texarkana Metropolitan Planning Organization** will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued. \*
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, **Texarkana Metropolitan Planning Organization** will there upon revert to and vest in and become the absolute property of **Texarkana Metropolitan Planning Organization** and its assigns. \*

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

## 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 non-discrimination statutes and authorities; including but not limited to:

### **Pertinent Non-Discrimination Authorities:**

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 U.S.C. § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Title 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 U.S. Department of Transportation regulations at 49 CFR parts 37 and 38;
- The Federal Aviation Administration’s Non-discrimination statute (49 U.S.C. § 47123), (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures Non-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.).