

CITY OF HOUSTON

Title VI Program

Title VI Plan Table of Contents

A. Introduction / Title VI Assurances	page 2
B. Notice to the Public	page 4
C. Procedure for Filing a Title VI Complaint	page 5
D. Title VI Complaints, Investigations, Lawsuits <i>and</i> Evidence of Agency Staff Title VI Training	page 7
E. Public Participation Plan	page 8
F. Language Assistance Plan	page 11
G. Advisory Bodies	page 15
H. Subrecipient Assistance	page 16
I. Subrecipient Monitoring	page 17
J. Equity Analysis of Facilities	page 18
K. Standards and Policies	page 19
L. Data Reporting and Collection	page 20
M. Transit Service Monitoring	page 21
N. Service and Fare Equity Changes	page 22

Attachments

Attachment 1 -- Title VI Complaint Form

A. Title VI Assurances

City of Houston agrees to comply with all provisions prohibiting discrimination on the basis of race, color, or national origin of Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 200d *et seq.*, and with U.S. DOT regulations, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act,” 49 CFR part 21.

City of Houston assures that no person shall, as provided by Federal and State civil rights laws, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity. City of Houston further ensures every effort will be made to ensure non-discrimination in all programs and activities, whether those programs and activities are federally funded or not.

City of Houston transit meets the objectives of the FTA Master Agreement which governs all entities applying for FTA funding, including City of Houston transit and its third-party contractors by promoting actions that:

- A. Ensure that the level and quality of transportation service is provided without regard to race, color, or national origin.
- B. Identify and address, as appropriate, disproportionately high and adverse effects of programs and activities on minority populations and low-income populations.
- C. Promote the full and fair participation of all affected Title VI populations in transportation decision making.
- D. Prevent the denial, reduction, or delay in benefits related to programs and activities that benefit minority populations or low-income populations.
- E. Ensure meaningful access to programs and activities by persons with Limited English Proficiency (LEP).

C. Notice to the Public

Notifying the Public of Rights under Title VI

City of Houston posts Title VI notices on our agency's website, in public areas of our agency, in our board room, and on our buses and/or paratransit vehicles.

City of Houston operates its programs and services without regard to race, color, or national origin, in accordance with Title VI of the Civil Rights Act of 1964. For more information regarding our Title VI obligations or to file a complaint please contact us at the phone number or address given below.

City of Houston
Attn: Title VI coordinator
601 S Grand Avenue
Houston, MO 65483
417-967-3348

If you believe you have been discriminated against on the basis of race, color, or national origin by, City of Houston transit you may file a Title VI complaint by completing, signing, and submitting the agency's Title VI Complaint Form.

How to file a Title VI complaint with City of Houston transit:

1. A complaint form may be obtained by picking up a form from City Hall.
2. In addition to the complaint process at City of Houston transit, complaints may be filed directly with the Federal Transit Administration, Office of Civil Rights, Region Title VI Program coordinator East Building, 5th Floor-TCR 1200 New Jersey Avenue, SE Washington, D.C. 20590.
3. Complaints must be filed within 180 days following the date of the alleged discriminatory occurrence and should contain as much detailed information about the alleged discrimination as possible.
4. The form must be signed and dated, and include your contact information. If information is needed in another language, contact 417-967-3348.

D. Procedure for Filing a Title VI Complaint

Filing a Title VI Complaint

The complaint procedures apply to the beneficiaries of City of Houston's programs, activities, and services.

RIGHT TO FILE A COMPLAINT: Any person who believes they have been discriminated against on the basis of race, color, or national origin by City of Houston may file a Title VI complaint by completing and submitting the agency's **Title VI Complaint Form**. Title VI complaints must be received in writing within 180 days of the alleged discriminatory complaint.

HOW TO FILE A COMPLAINT: Information on how to file a Title VI complaint is posted on our agency's website, and in public areas of our agency.

You may request a copy by writing to City of Houston, 601 S Grand Avenue, Houston, MO 65483. Information on how to file a Title VI complaint may also be obtained by calling City of Houston at 417-967-3348.

You may file a signed, dated complaint no more than 180 days from the date of the alleged incident. The complaint should include:

- Your name, address and telephone number.
- Specific, detailed information (how, why and when) about the alleged act of discrimination.
- Any other relevant information, including the names of any persons, if known, the agency should contact for clarity of the allegations.

Please submit your complaint form to City of Houston, 601 S Grand Avenue. Houston, MO 65483.

COMPLAINT ACCEPTANCE: City of Houston will process complaints that are complete. Once a completed Title VI Complaint Form is received, City of Houston will review it to determine if City of Houston transit has jurisdiction. The complainant will receive an acknowledgement letter informing them whether or not the complaint will be investigated by City of Houston transit.

INVESTIGATIONS: City of Houston will generally complete an investigation within 90 days from receipt of a completed complaint form. If more information is needed to resolve the case, City of Houston may contact the complainant. Unless a longer period is specified by City of Houston, the complainant will have ten (10) days from the date of the letter to send requested information to the City of Houston investigator assigned to the case.

If the requested information is not received within that timeframe the case will be closed. Also, a case can be administratively closed if the complainant no longer wishes to pursue the case.

LETTERS OF CLOSURE OR FINDING: After the Title VI investigator reviews the complaint, the Title VI investigator will issue one of two letters to the complainant: a closure letter or 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.

- A Letter of Finding (LOF) summarizes the allegations and provides an explanation of the corrective action taken.

If the complainant disagrees with City of Houston's determination, the complainant may request reconsideration by submitting the request in writing to the Title VI investigator within seven (7) days after the date of the letter of closure or letter of finding, stating with specificity the basis for the reconsideration. City of Houston will notify the complainant of the decision either to accept or reject the request for reconsideration within ten (10) days. In cases where reconsideration is granted, City of Houston will issue a determination letter to the complainant upon completion of the reconsideration review.

A person may also file a complaint directly with the Federal Transit Administration, at the FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 20590.

If information is needed in another language, contact City of Houston at 601 S Grand Avenue, Houston, MO 65483 or at 417-967-3348.

**E. Monitoring Title VI Complaints, Investigations, Lawsuits
and Documenting Evidence of Agency Staff Title VI Training**

Documenting Title VI Complaints/Investigations

All Title VI complaints will be entered and tracked in City of Houston’s complaint log. Active investigations will be monitored for timely response on the part of all parties. The agency’s Title VI Coordinator shall maintain the log.

Agency Title VI Complaint Log

Date complaint filed	Complainant	Basis of complaint R-C-NO	Summary of allegation	Pending status of complaint	Actions taken	Closure Letter (CL)	Letter of Finding (LOF)	Date of CL or LOF

Documenting Evidence of Agency Staff Title VI Training

City of Houston’s staff are given Title VI training, and agency can answer affirmatively to all the following questions:

1. Are new employees made aware of Title VI responsibilities pertaining to their specific duties?
2. Do new employees receive this information via employee orientation?
3. Is Title VI information provided to all employees and program applicants?
4. Is Title VI information prominently displayed in the agency and on any program materials distributed, as necessary?

F. Public Engagement Plan

Goal

The goal of the Public Engagement Plan is to have significant and ongoing public involvement, by all identified audiences, in the public participation process for major agency outreach efforts.

Objectives

- To understand the service area demographics and determine what non-English languages and other cultural barriers exist to public participation.
- To provide general notification of meetings and forums for public input, in a manner that is understandable to all populations in the area.
- To hold public meetings in locations that are accessible to all area stakeholders, including but not limited to minority and low income members of the community.
- To provide methods for two-way communication and information and input from populations which are less likely to attend meetings.
- To convey the information in various formats to reach all key stakeholder groups.

Identification of Stakeholders

Stakeholders are those who are either directly or indirectly affected by an outreach effort, system or service plan or recommendations of that plan. Stakeholders include but are not limited to the following:

- Board of Directors – the governing board of the agency. The role of the Board is to establish policy and legislative direction for the agency. The Board defines the agency’s mission, establishes goals, and approves then budget to accomplish the goals.
- Advisory Bodies – non-elected advisory bodies review current and proposed activities of the agency, and are encouraged to be active in the agency’s public engagement process. Advisory bodies provide insight and feedback to the agency.
- Agency Transit riders and clients
- Minority and low income populations, including limited English proficient persons
- Local jurisdictions and other government stakeholders
- Private businesses and organizations
- Employers
- Partner agencies

Elements of the Public Engagement Plan

It is necessary to establish a public participation plan that includes an outreach plan to engage minority and limited English proficient (LEP) populations.

Elements of the Public Engagement Plan include:

1. Public Notice

- a. Official notification of intent to provide opportunity for members of the general public to participate in public engagement plan development, including participation in open Board/council meetings, and advisory committees.

2. Public Engagement Process/Outreach Efforts:

- a. Public meetings
- b. Telephone
- c. Surveys

Events such as public meetings and/or open houses are held at City Hall easily accessible to public transit and compliant with the Americans with Disabilities Act.

3. Public Comment

- a. Formal public comment periods are used to solicit comments on major public involvement efforts around an agency service or system change.
- b. Comments are accepted through various means:
 - i. Website.
 - ii. Regular mail.
 - iii. Surveys
 - iv. Phone calls to City Hall at 417-967-3348

4. Response to Public Input

All public comments are provided to the Board of Directors prior to decision making. A publicly available summary report is compiled, including all individual comments.

Title VI Outreach Best Practices

City of Houston ensures all outreach strategies, communications and public involvement efforts comply with Title VI. City of Houston's Public Engagement Plan proactively initiates the public involvement process and makes concerted efforts to involve members of all social, economic, and ethnic groups in the public involvement process. Aligned with the above referenced communication tactics, City of Houston provides the following:

- a. Public notices published in non-English publications (if available).
- b. Title VI non-discrimination notice on agency’s website.
- c. Agency communication materials in languages other than English (subject to Safe Harbor parameters).
- d. Services for Limited English Proficient persons. Upon advance notice, translators may be provided.

2013 – 2016 Title VI Program Public Engagement Process

City of Houston will conduct a Public Engagement Process for the 2013-2016 Title VI Program. This process includes Community Meetings to seek input, provide education, and highlight key components of the Title VI Plan. Materials have been created to explain Title VI policies as well as provide education on how they relate to minority populations.

City of Houston will provide briefings to the Board of Directors and Advisory Bodies.

City of Houston transit will conduct a 30 day public comment period to provide opportunities for feedback on the 2013-2016 Title VI Program.

Comments are accepted during the public outreach period via:

- a. Email
- b. Mail
- c. Phone
- d. In person
- e. Survey available at City Hall

Summary of 2010-2012 Public Outreach Efforts

City of Houston transit surveyed citizens to determine their transportation needs, identify any issues with taxi service and to identify all modes of transportation used.

G. Language Assistance Plan

City of Houston Limited English Proficiency Plan

This limited English Proficiency (LEP) Plan has been prepared to address City of Houston's responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964; Federal Transit Administration Circular 4702.1B, dated October 1, 2012, which states that the level and quality of transportation service is provided without regard to race, color, or national origin.

Executive order 13166, titled "Improving Access to Services for Persons with Limited English Proficiency," 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 discriminations do not take place. This order applies to all state and local agencies which receive federal funds.

Service Area Description:

City of Houston transit provided services to individuals within the corporate city limits of the City of Houston.

City of Houston has developed this LEP Plan to help identify reasonable steps for providing language assistance to persons with limited English proficiency who wish to access services provided by City of Houston transit. As defined in Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English. This plan outlines how to identify a person who may need language assistance, and the ways in which assistance may be provided.

In order to prepare this plan, City of Houston transit undertook the **four-factor LEP analysis** which considers the following factors:

Four Factor Analysis

1. The number and proportion of LEP persons eligible to be served or likely to be encountered in the service area:

A significant majority of people in the City of Houston transit service area are proficient in the English language. Based on 2010 Census data, 0.1% of the population five years of age and older speak English “less than very well” – a definition of limited English proficiency

LEP Population in Texas County Service Area					
Population 5 years and over by language spoken at home and ability to speak English	Service Area Sector [1]	Service Area Sector [1]	Service Area Sector [1]	Service Area Total	Percentage of Population 5 Years and Older
Population 5 Years and Over	2151				
Speak English “less than very well”	0				
Spanish	25				1.28%
Speak English “less than very well”					
Other Indo-European					
Speak English “less than very well”					
Asian and Pacific Island					
Speak English “less than very well”					
All Other					
Speak English “less than very well”					

2. Frequency of Contact by LEP Persons with City of Houston’s transit Services:

The City of Houston transit staff reviewed the frequency with which office staff, dispatchers and drivers have, or could have, contact with LEP persons. To date, City of Houston transit has, on average, had zero requests for an interpreter. City of Houston transit averages zero phone calls per month.

<p>LEP Staff Survey Form</p> <p>City of Houston transit is studying the language assistance needs of its riders so that we can better communicate with them if needed.</p> <ol style="list-style-type: none"> How often do you come into contact with passengers who do not speak English or have trouble understanding you when you speak English to them? DAILY WEEKLY MONTHLY LESS THAN MONTHLY What languages do these passengers speak? What languages (other than English) do you understand or speak? Would you be willing to serve as a translator when needed?
--

Frequency of Contact with LEP Persons	
Frequency	Language Spoken by LEP Persons
Daily	
Weekly	
Monthly	
Less frequently than monthly	

3. The importance of programs, activities or services provided by City of Houston to LEP persons:

Outreach activities, summarized in City of Houston’s Title VI Public Engagement Plan, include events such as public meetings and/or open houses held at schools, churches, libraries and other non-profit locations, and include specific outreach to LEP persons to gain understanding of the needs of the LEP population, and the manner (if at all) needs are addressed.

Outside Organization LEP Survey
<p>Organization: City of Houston</p> <ol style="list-style-type: none"> 1. What language assistance needs are encountered? 2. What languages are spoken by persons with language assistance needs? 3. What language assistance efforts are you undertaking to assist persons with language assistance needs? 4. When necessary, can we use these services?

4. The resources available to City of Houston and overall cost to provide LEP assistance:

Strategies for Engaging Individuals with Limited English Proficiency include:

1. Language line. Upon advance notice, translators can be provided.
2. Language identification flashcards.
3. Based on our demographic analysis (Factor 1) City of Houston transit has determined that no language group(s) within its service area meets Safe Harbor criteria requiring written translated “vital documents” by language group(s).
4. One-on-one assistance through outreach efforts.
5. Website information.
6. To the extent feasible, assign bilingual staff for community events, public hearings and Board of Directors meetings and on the customer service phone lines.

City of Houston will provide assistance and direction to LEP persons who request assistance.

Staff LEP Training

The following training will be provided to City of Houston staff:

1. Information on City of Houston Title VI Procedures and LEP responsibilities.
2. Description of language assistance services offered to the public.
3. Use of Language Identification Flashcards.
4. Documentation of language assistance requests.

Monitoring and Updating the LEP Plan

The LEP Plan is a component of City of Houston's Title VI Plan requirement.

City of Houston will update the LEP plan as required. At minimum, the plan will be reviewed and updated when it is clear that higher concentrations of LEP individuals are present in the City of Houston service area. Updates include the following:

1. How the needs of LEP persons have been addressed.
2. Determine the current LEP population in the service area.
3. Determine as to whether the need for, and/or extent of, translation services has changed.
4. Determine whether local language assistance programs have been effective and sufficient to meet the needs.
5. Determine whether City of Houston's financial resources are sufficient to fund language assistance resources as needed.
6. Determine whether City of Houston has fully complied with the goals of this LEP Plan.
7. Determine whether complaints have been received concerning City of Houston's failure to meet the needs of LEP individual.

H. Advisory Bodies

Table Depicting Membership of Committees, Councils, By Race

Committee [examples]	Caucasian	Latino	African American	Asian American		Total
Population Committee						100%
Access Committee						100%
Citizens Advisory Council						100%

Description of efforts made to encourage minority participation on committees:

-
-
-
-
-

This is not applicable for the City of Houston Transit.

I. Subrecipient Assistance

Subrecipient Assistance

City of Houston transit does not have any subrecipients.

J. Subrecipient Monitoring

Subrecipient Monitoring

City of Houston transit does not have any subrecipients.

K. Equity Analysis of Facilities

City of Houston transit has not constructed any storage facilities, maintenance facilities, or operations centers in the last three years.

L. System-Wide Service Standards and Policies*

****applies to all fixed route providers (including those that do not meet volume threshold)***

This does not apply to City of Houston transit.

M. Requirement to Collect and Report Demographic Data*

****applies to providers that operate 50 or more fixed route transit vehicles in peak service; and 200,000+ population.***

This does not apply to City of Houston transit.

N. Requirement to Monitor Transit Service*

****applies to providers that operate 50 or more fixed route transit vehicles in peak service; and 200,000+ population.***

This does not apply to City of Houston transit.

O. Service and Fare Equity Analysis*

****applies to providers that operate 50 or more fixed route transit vehicles in peak service; and 200,000+ population.***

This does not apply to City of Houston transit.

CITY OF HOUSTON TRANSIT TITLE VI COMPLAINT FORM

“No person in the United States shall, on the basis 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.”

If you feel that you have been discriminated against in the provision of transportation services, please provide the following information to assist us in processing your complaint. Should you require any assistance in completing this form or need information in alternate formats, please let us know.

Please mail or return this form to:

City of Houston transit
Attn: Title VI coordinator
601 S Grand Avenue
Houston, MO 65483
FAX 417-967-4252

PLEASE PRINT

1. Complainant's Name:		
a. Address:		
b. City:	State:	Zip Code:
c. Telephone (include area code): Home () or Cell ()		Work
() -		() -
d. Electronic mail (e-mail) address:		
Do you prefer to be contacted by this e-mail address? () YES () NO		
2. Accessible Format of Form Needed? () YES specify: _____ () NO		
3. Are you filing this complaint on your own behalf? () YES If YES, please go to question 7. () NO If no, please go to question 4		
4. If you answered NO to question 3 above, please provide your name and address.		
a. Name of Person Filing Complaint:		
b. Address:		
c. City:	State:	Zip code:
d. Telephone (include area code): Home () or Cell ()		Work
() -		() -
e. Electronic mail (e-mail) address:		
Do you prefer to be contacted by this e-mail address? () YES () NO		
5. What is your relationship to the person for whom you are filing the complaint?		
6. Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party. () YES, I have permission. () NO, I do not have permission.		
7. I believe that the discrimination I experienced was based on (check all that apply): () Race () Color () National Origin (classes protected by Title VI) () Other (please specify)		

continued

TITLE VI COMPLAINT FORM – PAGE 2

8. Date of Alleged Discrimination (Month, Day, Year):		
9. Where did the Alleged Discrimination take place?		
10. Explain as clearly as possible what happened and why you believe that you were discriminated against. Describe all of the persons that were involved. Include the name and contact information of the person(s) who discriminated against you (if known). <i>Use the back of this form or separate pages if additional space is required.</i>		
11. Please list any and all witnesses' names and phone numbers/contact information. <i>Use the back of this form or separate pages if additional space is required.</i>		
12. What type of corrective action would you like to see taken?		
13. Have you filed a complaint with any other Federal, State, or local agency, or with any Federal or State court? () YES If yes, check all that apply. () NO a. () Federal Agency (List agency's name) b. () Federal Court (Please provide location) c. () State Court d. () State Agency (Specify Agency) e. () County Court (Specify Court and County) f. () Local Agency (Specify Agency)		
14. If YES to question 14 above, please provide information about a contact person at the agency/court where the complaint was filed.		
Name:	Title:	
Agency:	Telephone: () -	
Address:		
City:	State:	Zip Code:

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date is required:

Signature

Date

If you completed Questions 4, 5 and 6, your signature and date is required:

Signature

Date

CITY OF HOUSTON TITLE VI COMPLAINT FORM

“No person in the United States shall, on the basis 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.”

If you feel that you have been discriminated against in the provision of transportation services, please provide the following information to assist us in processing your complaint. Should you require any assistance in completing this form or need information in alternate formats, please let us know.

Please mail or return this form to:

City of Houston
Attn: Title VI coordinator
601 S Grand Avenue
Houston, MO 65483
FAX 417-967-4252
PLEASE PRINT

15. Complainant's Name:		
e. Address:		
f. City:	State:	Zip Code:
g. Telephone (include area code): Home () or Cell ()		Work
() -		() -
h. Electronic mail (e-mail) address:		
Do you prefer to be contacted by this e-mail address? () YES () NO		
16. Accessible Format of Form Needed? () YES specify: _____ () NO		
17. Are you filing this complaint on your own behalf? () YES If YES, please go to question 7. () NO If no, please go to question 4		
18. If you answered NO to question 3 above, please provide your name and address.		
a. Name of Person Filing Complaint:		
b. Address:		
c. City:	State:	Zip code:
d. Telephone (include area code): Home () or Cell ()		Work
() -		() -
e. Electronic mail (e-mail) address:		
Do you prefer to be contacted by this e-mail address? () YES () NO		
19. What is your relationship to the person for whom you are filing the complaint?		
20. Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party. () YES, I have permission. () NO, I do not have permission.		
21. I believe that the discrimination I experienced was based on (check all that apply):		
() Race () Color () National Origin (classes protected by Title VI)		
() Other (please specify)		

continued

TITLE VI COMPLAINT FORM – PAGE 2

22. Date of Alleged Discrimination (Month, Day, Year):		
23. Where did the Alleged Discrimination take place?		
24. Explain as clearly as possible what happened and why you believe that you were discriminated against. Describe all of the persons that were involved. Include the name and contact information of the person(s) who discriminated against you (if known). <i>Use the back of this form or separate pages if additional space is required.</i>		
25. Please list any and all witnesses' names and phone numbers/contact information. <i>Use the back of this form or separate pages if additional space is required.</i>		
26. What type of corrective action would you like to see taken?		
27. Have you filed a complaint with any other Federal, State, or local agency, or with any Federal or State court? () YES If yes, check all that apply. () NO a. () Federal Agency (List agency's name) b. () Federal Court (Please provide location) c. () State Court d. () State Agency (Specify Agency) e. () County Court (Specify Court and County) f. () Local Agency (Specify Agency)		
28. If YES to question 14 above, please provide information about a contact person at the agency/court where the complaint was filed.		
Name:	Title:	
Agency:	Telephone: () -	
Address:		
City:	State:	Zip Code:

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date is required:

Signature

Date

If you completed Questions 4, 5 and 6, your signature and date is required:

Signature

Date

