

Title VI/Nondiscrimination Annual Work Plan & Accomplishments FY 2017

County of Hidalgo, Texas

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Introduction

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

This Title VI/Nondiscrimination Annual Work Plan & Accomplishment Report documents Hidalgo County's Title VI Program accomplishments for federal fiscal year (FY) 2017 and goals for FY 2018. The report is prepared in accordance with 23 CFR 200.9 and the Federal Highway Administration's Title VI/Nondiscrimination Program.



This section contains the Title VI accomplishments of the County of Hidalgo's Executive Office that are not included in the other sections of this report.

Title VI/Nondiscrimination Component

Title VI Assurances:

In FY 2017, The Standard DOT Assurances were initially adopted and signed by the County Commissioners' Court on August 9, 2016 and again on January 24, 2017, due to a change on the Commissioner's Court and pursuant to the plan. The Title VI Assurances are located in the County of Hidalgo's Title VI/Nondiscrimination Plan. The Title VI Assurances were previously provided to and approved by DOT.

Dissemination of Title VI Information:

In FY2017, the County of Hidalgo adopted the Title VI/Nondiscrimination Plan, and the County's Executive Officer was appointed as the County's Title VI/Nondiscrimination Coordinator. The Title VI Plan was previously provided to and approved by DOT. The Plan was provided to all County Departments/Elected Offices for dissemination to employees through memorandums dated September 12, 2016 and July 06, 2017. Employees were to sign acknowledgment of receipt forms. Additionally, the Title VI Policy Statement and External Complaint Process Posters were provided in both English and Spanish to elected official/departments for placement in a conspicuous location in their respective departments or buildings. (See Exhibit A) Further, a copy of the Title VI Plan was made available to all our County constituents through the County of Hidalgo's website. (See Exhibit B).

Title VI Contract Requirements:

In FY2017, a memorandum was sent to each County department and elected office to ensure and monitor that the required language from the U.S. DOT Standard Title VI Assurances is included in all solicitations for bid or Requests for Proposals and in every contract. The County's Purchasing Department has ensured the required



language was included in procurement packets and incorporated into contract templates.



This section describes FY2017 accomplishments and FY2018 goals related to internal monitoring, including the data collection and Limited English Proficient (LEP) component, of the County of Hidalgo's Title VI Program

Internal Monitoring Program

Title VI Reviews Conducted During FY2017

Reviews of the Title VI/Nondiscrimination data are conducted annually.

Title VI Data Collection/Analysis/Reporting

In FY2017, the County Executive Officer, Title VI/Nondiscrimination Coordinator notified all county departments of the Title VI Plan requirement to submit a data analysis report that included a description of how Title VI factors were addressed, where data was obtained, and the results. Notification was sent via memorandum. (See Exhibit A).

Limited English Proficiency

Each department/office is responsible for ensuring compliance with the County's adopted LEP Plan. Annually, each department/office must reevaluate the changes in demographics, services and programs, and other factors that should be considered when determining LEP needs.

Additionally, each department/office is responsible for submitting annual reports to the County Executive Officer, Title VI/Nondiscrimination Coordinator documenting the number of LEP individuals served and the type of service provided. The Title VI/Nondiscrimination Coordinator notified each department/office via memorandum to submit the LEP annual reports documenting the number of LEP individuals served and the type of service provided. (See Exhibit A). The Coordinator will continue to work with all County departments throughout the year to ensure the LEP requirements are met and reported annually.



Title VI Results of Reviews Conducted During FY2017

Review of requested information provided by county departments were determined to be following the Title VI/Nondiscrimination Plan. However, Title VI Coordinator found that multiple departments were not in compliance with plan requirements, such as, employee acknowledgements of the County's Title VI/Nondiscrimination Plan and required reporting of LEP encounters were not obtained.

Please note, compliance with the required reporting of verbal LEP encounters is difficult, if not impossible, as discussed further in the LEP section below.

The County Executive Office, Title VI Coordinator, recommends departments implement and track the necessary information to ensure compliance of all plan requirements and reporting.

FY2018 Goals

The County Executive Officer, Title VI Coordinator, will continue to work with all County department to ensure compliance with the County's Title VI/Nondiscrimination Plan. The County's FY2018 Goals include:

1. Exploring training opportunities to ensure compliance with Title VI, specifically in collecting Title VI related data and analyzing the data to identify and address any potential avenues of discrimination.
2. Continue compliance efforts to ensure required Title VI information and procedures are implemented by all County departments, specifically Special Emphasis Areas, including ensuring all employees meet the requirements detailed on the County's adopted Title VI/Nondiscrimination Plan.
3. Review of current adopted Title VI/Nondiscrimination Plan to provide changes that will possibly provide a more efficient and effective alternative to ensure county departments comply with required information under the Title VI Plan.



*This section describes
FY2017
accomplishments and
FY2018 goals related to
external monitoring of
the County of Hidalgo's
Title VI Program*

External Monitoring Program

Title VI Reviews Conducted During FY2017

In FY2017, reviews of the Title VI/Nondiscrimination data and other plan requirements are conducted annually.

Dissemination of Title VI Information

In FY2017, the County Executive Officer, Title VI/Nondiscrimination Coordinator notified all county departments of the Title VI Plan requirement to follow the required external notifications (i.e. posters and notices). Notification was sent via memorandum. (See Exhibit A). Additionally, the County posted the Title VI/Nondiscrimination Plan and complaint forms on the county website to make available to employees and the general public.

Title VI Results of Reviews Conducted During FY2017

Title VI Coordinator found that multiple departments were not in compliance with plan requirements, such as, posting of external office posters of the County's Title VI/Nondiscrimination Plan and providing the required reporting of LEP encounters. The County Executive Office, Title VI Coordinator, recommends departments implement and track the necessary information to ensure compliance of all plan requirements and reporting.

FY2018 Goals

The County Executive Officer, Title VI/Nondiscrimination Coordinator, will continue to work with all County departments to ensure compliance with the County's Title VI/Nondiscrimination Plan and explore the development of a Title VI Brochure to provide relevant information to the general public.



Limited English Proficiency (LEP)

In FY2017, one annual report was submitted to the Title VI Coordinator. This annual report assists the County to accurately identify and address the changing needs of their LEP communities which, in turn, can help inform the Title VI Coordinator whether there should be changes to the quantity or type of language assistance services.

From September 1, 2016 through August 31, 2017, the only reporting County department, Urban County Program, reported a total number of 295 Limited English Proficiency encounters. The most frequently requested language was Spanish. The LEP service most frequently used was oral interpretation (in person) and the most frequent method rendered was the LEP person's family/friend. There were no LEP related expenditures reported.

Furthermore, departments reported a total of 50 documents translated upon request, and 20 vital documents translated.

There were no LEP complaints received for FY2017.

The Title VI Coordinator will continue to remind all County Departments/Offices of the need to document and report Title VI/Nondiscrimination related information to the extent practicable. Further efforts will be made to obtain lists from various departments of individuals who fluently write or speak a language other than English for distribution to department heads and elected officials. The County will make additional efforts to inform the public of language assistance services.

As noted in the County's LEP Plan, a large portion of the County's population speaks the English language less than very well. Further, the Spanish language is spoken by a large portion of individuals in the County. As such, a significant number of verbal LEP encounters occur in Spanish. As indicated above, due to the significant frequency and volume of these verbal encounters on a daily basis, it is difficult and highly impractical for County Offices/Departments to report/document these LEP encounters. However, each office/department generally has several bilingual staff members readily available to assist these individuals and address these LEP encounters.



Environmental Justice

The County of Hidalgo addresses environmental justice issues and outreach through general and grant funded programs through our county departments/offices that provide social services to disproportionate families or the minority population through CDBGs, rental assistance, housing repairs, food vouchers and so on.

Our County will continue to strive in ensuring compliance of all federal requirements including but not limited to compliance with Title VI/Nondiscrimination Plan. Our Title VI Coordinator, in coordination with county departments, will gather data to establish demographic characteristics and trends. The data will assist in identifying and engaging traditionally underserved populations, including those covered under existing Environmental Justice policies, as well as populations with Limited English Proficiency (LEP).



This section describes Title VI related accomplishments for FY2017. The special emphasis area(s) included are:

- *Purchasing Department*

Special Emphasis Areas

Purchasing Department

The Purchasing Agent is the Chief Procurement Officer of the County of Hidalgo. By statute, the Purchasing Agent is responsible to direct and oversee the county procurement process for all elected/appointed officers and Commissioners' Court departments. The Purchasing Department is the point of contact for doing business with the County of Hidalgo.

The Purchasing Department provides an equitable and competitive access to the County procurement process to all responsible vendors.

Dissemination of Title VI Information

Contract proposals, which are available to the general public by hard copy upon request, include the Title VI assurance requirements.

Contract Administration

The U.S. Department of Transportation Standard Title VI Assurances was adopted by the County of Hidalgo Commissioners' Court on July 19, 2016. Subsequent to the adoption of the Title VI/Nondiscrimination Plan and DOT Title VI Assurances, all County of Hidalgo solicitations for bid included the Title VI/Nondiscrimination paragraph from the U.S. DOT Standard Title VI Assurances. The resulting contracts created after the adoption of the County's Title VI Plan include the clauses of Appendix A through E of the U.S. DOT Standard Title VI and form FHWA-1273 is physically attached to all federal-aid construction contracts. The action plan for the distribution and circulation of the County of Hidalgo Title VI/Nondiscrimination Policy Statement was incorporated into the County's adopted Title VI/Nondiscrimination Plan.

Title VI Liaison

The Purchasing Department has not designated a Title VI Liaison for their office.



Complaints

The Purchasing Department did not report any external complaints during this reporting period.

Procurement

All subcontractors and vendors who receive payments from the County of Hidalgo, where funding originates from any federal assistance are subject to the provisions of Title VI of the Civil Rights Act of 1964 and 49 CFR Part 21, both as explained in the Federal Transit Administration Circular 4702.1A. Written contracts include nondiscrimination language, either directly or through the bid specification package which becomes an associated component of the contract. Further accomplishments implemented during this Annual Report include the addition of the nondiscrimination clause that is required in every contract with the County of Hidalgo handled through the Purchasing Department.

Limited English Proficiency

The Purchasing Department did not submit a LEP Annual Report for FY2017. However, when a significant number or portion of the population eligible to be served by the County of Hidalgo needs information in a language other than English to participate in federally funded program, the County of Hidalgo shall take every reasonable efforts to provide information in appropriate languages. The Title VI Coordinator will work with the Purchasing Department to ensure compliance with reporting requirements under the Title VI/Nondiscrimination Plan.

Training

The Purchasing Department did not report any formal training conducted regarding Title VI for their staff; however, they have taken steps in understanding applicable Title VI information and implementing the same into County procurement materials.



This section provides an overview of training activities conducted by the County of Hidalgo's Title VI Coordinator for FY2017.

Title VI Training Summary

Training provided by the County of Hidalgo

The Title VI Coordinator did not provide an annual training to each department/office, however, will work on developing and implementing a training program for the upcoming fiscal year.

Training attended by the County of Hidalgo

None.



Title VI Complaints Summary

The County of Hidalgo did not receive any internal or external discrimination complaints related to Title VI for FY2017.



Commissioners' Court Acknowledgement

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

This annual report was adopted by the County of Hidalgo Commissioner's Court on the 19th day of December, 2017.

Hidalgo County Commissioners' Court

Ramon Garcia, Hidalgo County Judge

David Fuentes
Commissioner, Precinct 1

Eduardo Cantu
Commissioner, Precinct 2

Jose M. Flores
Commissioner, Precinct 3

Joseph Palacios
Commissioner, Precinct 4



Exhibit A – Memorandums submitted to County Departments/Offices

Memo dated September 12, 2016



Hidalgo County Commissioners' Court

Ramon Garcia
County Judge

A.C. Cuellar, Jr.
Commissioner, Precinct 1

Eduardo Cantu
Commissioner, Precinct 2

Joe M. Flores
Commissioner, Precinct 3

Joseph Palacios
Commissioner, Precinct 4

Executive Office

Valde Guerra
Executive Officer

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Edinburg, Texas 78539

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MEMORANDUM

To: All Hidalgo County Elected Officials and Department Heads
From: Valde Guerra, Hidalgo County Executive Officer
Date: September 12, 2016
Subject: Title VI/ Nondiscrimination Plan

On August 9, 2016, Commissioners' Court approved the implementation of the Title VI/Nondiscrimination Plan.

The Hidalgo County Title VI/Nondiscrimination Coordinator is responsible for initiating and monitoring Title VI activities and compliance. The effectiveness of the County's Title VI/Nondiscrimination program requires the participation and compliance of all Hidalgo County elected offices and departments.

This communication is not an exhaustive list of the Title VI requirements for elected officials/departments that are recipients or subrecipients of federal funds or programs. Elected officials/Department heads are responsible for complying with the Title VI and the County's Title VI Plan. The Title VI/Nondiscrimination Coordinator will work with the elected official/department to ensure compliance.

The elected official/department should also be aware that most federal grants have numerous compliance requirements (many incorporated by statutory reference). It is the recipient elected official/department's responsibility to be aware of, and comply with, the federal funding/grant requirements. If the elected official/department has any questions regarding the County's Title VI Nondiscrimination Plan, we encourage to contact the Title VI/Nondiscrimination Coordinator to the following Title VI designated email: titlevi@co.hidalgo.tx.us.

I. Dissemination of the Hidalgo County Title VI/Nondiscrimination Plan and related forms

Attached is a copy of the Hidalgo County Title VI/Nondiscrimination Plan. Each elected official/department should make sure their employees receive a copy of the plan. Additionally, each elected official/department should have their employee sign an acknowledgement of receipt, Attachment 04 of the Title VI Plan, which should be retained in the elected official/department's employee file.

Furthermore, Attachment 01, is the County's Title VI Policy Statement in English and Spanish. This statement will be available on the County's website. The elected official/department should make sure that this statement is posted, in English and Spanish, in a conspicuous location in their department or building.





Hidalgo County Commissioners' Court

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Attachment 15 are the Title VI complaint forms in English and Spanish. The Title VI Complaint Forms (along with Attachment 16) should be posted in a conspicuous location in the department or building. All Title VI complaints should be immediately referred to the Title VI Coordinator for handling, per the Title VI Complaint Procedure. Additionally, the elected official/department head should provide a log of all Title VI complaints received, to the Title VI Coordinator, by the 1st of each Month. Please note that other statutory obligations may require an investigation on the part of the elected official/department and the Title VI/Nondiscrimination Coordinator's investigation does not supplant that obligation.

2. Limited English Proficient (LEP)

Pursuant to Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency", the County must take reasonable steps to provide meaningful access to services for individuals who are Limited English Proficient (LEP). In an effort to ensure compliance with Executive Order 13166, the County has developed the Language Assistance Plan attached to the Title VI/Nondiscrimination Plan. Each elected official/department shall provide a list of employees who speak languages other than English, Attachment 05, to the Title VI/Nondiscrimination Coordinator by October 15, 2016. Each elected official/department should also:


- Perform a four factor analysis, as set forth in the LEP Plan;
- Have vital documents or vital information contained within a document translated when a significant number or percentage of the LEP population is likely to be affected by the program/activity, especially if it contains information that is critical to obtaining services and/or benefits or is required by law (including documents warning of any danger or hazard), if fee is reasonable and resources available.
- Maintain a log of language requests, in the form attached to the Title VI/Nondiscrimination Plan, Attachment 07, and provide a copy of the completed log to the Title VI/Nondiscrimination Coordinator by the 1st of each month; and
- Complete the LEP Annual Report (Attachment 08)

The elected official/department should submit Annual Report to the Title VI/Nondiscrimination Coordinator not later than August 31st of each year.

3. Environmental Justice and Public Participation Plans

Pursuant to Executive Order 12898, federal agencies (and often their subrecipients) must develop a strategy that "identifies and addresses disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations." Any elected official/department receiving federal funds, who engage in any project/activity that might have human health or environmental





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effects on minority populations and low-income populations, must engage in public participation and an Environmental Justice analysis. The elected official and departments should involve the public, per the Environmental Justice and Public Participation Plans included under the Title VI/Nondiscrimination Plan, and document its efforts. The elected official/department should submit a log on its efforts, if applicable, to the Title VI/Nondiscrimination Coordinator no later than August 31st of each year. The log should include:

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

Please note that the Title VI Coordinator will integrate the department’s language assistance and environmental justice efforts, along with the Title VI compliance, into an annual Title VI Update Report.

4. Title VI Data Collection and Analysis

Elected officials/departments should collect and analyze data/statistics to determine, among other things:

- 1) the population benefiting from the projects/activities/programs (by race, color, national origin, sex, or low-income;
- 2) burdens on minority and low-income populations, of its federally funded program or activity; and
- 3) whether projects are being done in the areas where the most need is anticipated and that the populations protected under Title VI are benefiting from the program in a manner that is nondiscriminatory.

The elected official/department should submit this information to the Title VI/Nondiscrimination Coordinator no later than August 31st of each year.

5. Title VI Assurances

Elected officials/departments receiving TXDOT funds should make sure that assurances and language are properly incorporated in related contracts. Elected officials/departments should coordinate with the Purchasing Department to ensure the necessary language related to the Title VI Program is included in their contracts.



Exhibit A – Memorandums submitted to County Departments/Offices

Memo dated July 06, 2017



Hidalgo County Commissioners' Court

Ramon Garcia
County Judge

David L. Fuentes
Commissioner, Precinct 1

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MEMORANDUM

To: All Hidalgo County Elected Officials and Department Heads
From: Valde Guerra, Hidalgo County Executive Officer
Date: July 6, 2017
Subject: Title VI/ Nondiscrimination Plan



The following is a reminder regarding compliance with Title VI/Nondiscrimination Plan provisions.

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

The plan describes various goals, including seeking to ensure that people affected by the County's programs and projects receive the services, benefits, and opportunities to which they are entitled without regard to the above referenced protected categories, providing an avenue for complaint and establishing procedures for annual review.

If you have not already done so, please refer to the attached memo and Title VI Nondiscrimination Plan to familiarize yourself with the Plan's contents and its specific dissemination, posting and reporting requirements to ensure compliance. This information is also available online under the County's Administrative Policies at:

<https://tx-hidalgocounty.civicplus.com/index.aspx?NID=2071>

Department Heads and Elected Officials responsibilities for Title VI requirements include, but are not limited to the following: (See pg. 11 of Title VI Plan)

1. Environmental Justice compliance on all TXDOT or other federally funded projects;
2. Collecting and analyzing data to numerically assess the reach and impact of its program funds;
3. Comply with Limited English Proficiency Plan and Environmental Justice/Public Participation monitoring and reporting requirements; and





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4. Coordinate with Title VI/Nondiscrimination Coordinator to ensure all required information is provided in a timely manner.

Please pay particular attention to the various logs and/or reports which should be maintained and returned to the Title VI/Nondiscrimination Coordinator by August 31 of each year.

For assistance with the requirements of this plan, please feel free to contact the Title VI/Nondiscrimination Coordinator at the County's Executive Office.



Exhibit B – County Title VI Webpage

Home » County Government » Commissioners Court » Commissioners Court Executive Office » Title VI/Nondiscrimination Plan

Title VI/Nondiscrimination Plan

The County of Hidalgo, as a recipient of Federal financial assistance and under Title VI of the Civil Rights Act of 1964 and related statutes, ensures that no person shall on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment per 42 U.S.C. §20009-3), color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation in any federally or non-federally funded program or activity administered by the County of Hidalgo.

Title VI/Nondiscrimination Coordinator

The Title VI Coordinator is authorized to ensure compliance with the provisions of the County's policy of nondiscrimination and with the law. The Title VI Coordinator is responsible for initiating, monitoring, and ensuring Hidalgo County's compliance with Title VI requirements and will ensure implementation of Hidalgo County's nondiscrimination policy.

If you believe you have been subjected to discrimination under Title VI, you may submit a complaint to Hidalgo County. Please send your complaint to:

Hidalgo County Executive Office
 ATTN: Title VI/Nondiscrimination Coordinator
 2818 South Business Highway 261
 Edinburg, Texas 78539
 Fax: (956)292-7034

Complaint forms can be obtained at the Hidalgo County's Title VI Coordinator's office located at the same address above or through the links below:

- Complaint Form English
- Complaint Form Spanish

Title VI/Nondiscrimination Plan

[Complete Title VI/Nondiscrimination Plan](#)

You can view the plan by individual sections below:

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- E. County Organizational Chart
- F. Roles & Responsibilities
- G. Title VI Plan Administration
- H. Limited English Proficiency (LEP) Plan
- I. Environmental Justice Plan
- J. Public Participation Plan
- K. Title VI Complaint Processing Procedures
- L. Annual Work Plan & Accomplishment Report Process
- M. Glossary
- N. Summary of Attachments

Attachment 01: Title VI Nondiscrimination Statement – [English/Spanish](#)
 Attachment 02: [Title VI Assurances](#)
 Attachment 03: [Form F.H.W.A.1273](#)
 Attachment 04: [Acknowledgement of Receipt of Title VI Plan](#)
 Attachment 05: [Employee Language Report](#)
 Attachment 06: [LEP Interpreter Services Poster](#)
 Attachment 07: [LEP Requests Log](#)
 Attachment 08: [LEP Annual Report](#)
 Attachment 09: [Environmental Justice Checklist](#)
 Attachment 10: [Environmental Justice Demographic Survey – English/Spanish](#)
 Attachment 11: [Environmental Justice Log](#)
 Attachment 12: [Public Meeting Comment Form – English/Spanish](#)
 Attachment 13: [External Complaint Form – English/Spanish](#)
 Attachment 14: [External Complaint Process Flowchart](#)
 Attachment 15: [External Complaint Log](#)
 Attachment 16: [External Complaint Poster – English/Spanish](#)

For additional information please contact the Title VI/Nondiscrimination Coordinator, County of Hidalgo Executive Office at (956) 292-7655 or [via email](#).

Para obtener información adicional, por favor póngase en contacto con el Coordinador / No Discriminación Título VI, Condado de Hidalgo Oficina Ejecutiva al (956) 292-7655 o al [correo electrónico](#).



Jury Duty



Public Information



Employment



Pay Online



Commissioners Court



Elections