



## TITLE VI/NONDISCRIMINATION PLAN

### Acknowledgement of Receipt Data Collection & Reporting

**(Packet 2)**

Department/Office: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Contact No.: \_\_\_\_\_

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

The reports included in this packet will be due by Monday, February 3, 2020. Please submit to the Department of Human Resources Attn: Diana M. Munoz or via email to [titlevi@co.hidalgo.tx.us](mailto:titlevi@co.hidalgo.tx.us).

1. Employee Acknowledgement of Receipt
2. Employee Language Report
3. LEP – Request Log Sample 1
4. LEP – Request Log Sample 2
5. LEP Annual Report
6. Environmental Justice Compliance Checklist
7. Environmental Justice Demographic Survey – English
8. Environmental Justice Demographic Survey – Spanish
9. Environmental Justice Log
10. Public Meeting Comment Form – English
11. Public Meeting Comment Form – Spanish
12. External Complaint Form – English
13. External Complaint Form – Spanish
14. External Complaint Process Flowchart

#### ACKNOWLEDGEMENT

*I hereby acknowledge the receipt and training requirements of the above mentioned documents:*

\_\_\_\_\_  
*Signature*

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## TITLE VI/NONDISCRIMINATION PLAN

Acknowledgement of Receipt  
Display Materials

**(Packet 1)**

Department/Office: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Contact No.: \_\_\_\_\_

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

### ACKNOWLEDGEMENT

*I hereby acknowledge the receipt of the following documents:*

1. External Complaint Poster – English
2. External Complaint Poster – Spanish
3. LEP Interpreter Services Poster
4. Title VI – Brochure English
5. Title VI – Brochure Spanish
6. U.S. Census Bureau – “I Speak” card

\_\_\_\_\_  
*Signature*



## MEMORANDUM

**To:** All Hidalgo County Elected Officials, Department Heads, and Title VI Liaisons

**From:** Valde Guerra, Hidalgo County Executive Officer

**Date:** January, 13, 2020

**Subject:** *2019 Title VI Nondiscrimination Plan Annual Reporting*

### Hidalgo County Commissioners Court

**Richard F. Cortez**  
*County Judge*

**David L. Fuentes**  
*Commissioner, Precinct 1*

**Eduardo "Eddie" Cantu**  
*Commissioner, Precinct 2*

**Joe M. Flores**  
*Commissioner, Precinct 3*

**Ellie Torres**  
*Commissioner, Precinct 4*

### Executive Office

**Valde Guerra**  
*Executive Officer*

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Edinburg, Texas 78539

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(956) 292-7034 | F  
www.co.hidalgo.tx.us | W

As you might remember from the Title VI-Nondiscrimination training and my previous emails, various reporting requirements are coming up due in our office in preparation of our Title VI annual work plan and accomplishments report to TxDOT for the reporting period of September 1, 2019 – December 31, 2019 (FY 2019).

We are now in the phase of gathering information from County Offices/Departments to comply with this task.

I am asking that you please submit all necessary reporting information you have gathered and forward it to the Title VI email at: [Titlevi@co.hidalgo.tx.us](mailto:Titlevi@co.hidalgo.tx.us) by the established deadline of **February 01, 2020**.

Once again, thank you for all you do to support our training and compliance efforts.

Valde Guerra,  
Title VI Coordinator

**TITLE VI**  
**of the Civil Rights Act of 1964**

**COUNTY OF HIDALGO**  
**EMPLOYEE TRAINING**

**2019**

EXHIBIT C

# Hidalgo County Title VI Employee Training Overview



1. Title VI Background & Requirements
2. Hidalgo County Title VI Plan
  - Limited English Proficiency (LEP) Plan
  - Environmental Justice Plan
  - Public Participation Plan
3. Title VI Complaint Process
4. Office/Department Reporting Requirements & Annual Report

The following is an overview of the Hidalgo County Title VI Plan and Requirements.

## Title VI: Background & Requirements



**WHAT IS TITLE VI?** It is part of the Federal Civil Rights Act of 1964. It has been expanded over the years to include several protected categories. The County currently has a Title VI Nondiscrimination Plan in place that states:

*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, 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.*

## Types of Discrimination may include:



- Disparate Treatment: An intentional decision to treat individuals differently based on a protected class.
- Disparate Impact: A policy or practice that is neutral on its face; however, has a disproportionate "adverse impact" on members of a protected group.

--OR--

Retaliation is when an adverse action is taken against a covered individual because she or he engaged in a protected activity (such as filing a complaint).

# Title VI Background & Requirements

## Purpose of Title VI:

The County receives federal funds which can come directly from the federal government or through a state pass through agency. As such, the County must make certain efforts, including but not limited to:

- Complying with Federal and State laws to ensure equal access to all persons to the County's programs and activities.
- Making every effort to prevent discrimination in any County-sponsored program or activity, whether those programs and activities are federally funded or not.
- Ensuring public funds are distributed equitably for public benefit.
- County's contractor's and sub-recipients must also adhere to these requirements.

**Hidalgo County must comply with Title VI requirements in order to receive federal funds. It is extremely important for all Hidalgo County employees to assist with complying with Title VI requirements.**

# Title VI Background & Requirements

## POTENTIAL TITLE VI VIOLATIONS, MAY INCLUDE:

Restricting a County constituent from enjoying a service, facility or any other advantage, privilege or other benefit provided to others.

- *Example: Denying certain constituents the ability to reserve a County park area based on their race.*

Failing to provide information in a language other than English where significant numbers of potential or actual beneficiaries are of limited English speaking ability.

- *Example: Failing to provide language translation assistance to LEP individuals who speak only Spanish and are applying for services.*

Program or project that has a disproportionate adverse impact on a protected group.

- *Example: Not providing full and fair participation by communities which may be effected by a program or project like a garbage disposal area or transportation service.*

# Hidalgo County Title VI Plan



- **County Title VI Plan**: The full plan may be found at the County's Executive Office and Human Resources Department or online at: <https://www.hidalgocounty.us/2071/TitleVINondiscrimination-Plan>
- **Implementation**: County Offices/Departments are to understand and implement the Title VI Plan, direct staff to comply and reinforce its importance, and, if applicable, include relevant assurances in contracts and subcontracts.
- **County Data**: The County will be obtaining information from each office/department on an annual basis for its annual status and compliance report to the State.
- **Remedial Measures**: The County, through its Title VI/Nondiscrimination Coordinator, will actively attempt to prevent Title VI deficiencies and violations, and will take necessary steps to ensure compliance its requirements.

# Hidalgo County Title VI Plan: Limited English Proficiency (LEP)

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

- A LEP individual is a person who does not speak English as his or her primary language and who has a limited ability to speak, read, write, or understand English.
- County Offices/Departments must make a meaningful attempt to provide LEP persons with a means of effective communication.

## Hidalgo County Title VI Plan: LEP Plan



- County programs may encounter Spanish speaking LEP persons at a high frequency. As such, County Offices/Departments should be prepared to address these encounters by having employees who are fluent in Spanish easily accessible.
  - Other less encountered languages may be addressed using other methods such as the I-Speak Card, the voluntary employee language report and other outside language assistance measures.
  - Employees who encounter a LEP individual at their Offices/Department are to inform their immediate supervisor. The Office/Department will then reach out to the County Human Resources Office for language assistance measures. *(If the encountered language is Spanish, then the matter should be addressed as indicated above; however, assistance remains available through the Human Resources Department as needed.)*
- Please refer to the Title VI Plan for more specific details and discussion.***

## Hidalgo County Title VI Plan: LEP Plan

- Offices/Departments should post signs in public areas such as intake areas, customer service areas and other entry points to the department and place statements in outreach documents indicating that language assistance is available.
- Offices/Departments should determine if any “**Vital Documents**” or information contained within a document should be translated when a significant number or percentage of LEP population is likely to be affected by the program/activity and it contains information that is critical for obtaining services and/or benefits. (i.e. Spanish).
- Examples of Vital Documents include, but are not limited to:
  - public service announcements; warning of hazard or danger; complaint, consent, release or waiver forms; claim or application forms; letters or notices pertaining to the reduction, denial or termination of services or programs or that require a response from the LEP person; notices of rights, requirements, or responsibilities; time-sensitive notices; and documents, meeting notices, flyers or agendas for which the target audience is expected to include LEP individuals.*
- **Translation should be on the same document, if at all possible.**

## Title VI Plan: Environmental Justice Plan

The County's Environmental Justice Plan identifies and addresses the effects of all County programs, policies, and activities on minority and low-income populations.

When a County office/department is considering a project or program, it should develop strategies to address disproportionately high and adverse human health or environmental effects of their programs on minority and low-income populations.

County office/departments should promote nondiscrimination in these programs, and provide minority and low-income communities access to public information and an opportunity for public participation in matters relating to human health or the environment.

County offices/departments are asked to do the following when considering and/or planning a project/program:

- Identify those populations that will be affected by it.
- If a disproportionate effect on minority and low-income populations is anticipated, follow mitigation procedures.
- If mitigation options do not sufficiently eliminate the disproportionate effect, then discuss and, if necessary, implement reasonable alternatives.
- Each department/office will oversee this process and review the final resulting project documents to ensure compliance with federal regulations.

*Please refer to the Title VI Plan for more specific details and discussion.*

## Hidalgo Co. Title VI Plan: Public Participation Plan

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The purpose of the County's public participation plan is to inform the public as to the nature and significance of proposed County actions (*e.g.*, *issuing a permit, approving a project, approving a fee change*) and to allow the public the opportunity to express their opinions and concerns regarding that action.

A County Office/Department may do this in several ways, including, but not limited to: *Commissioner's Court Meetings, public outreach, websites, publications, media campaigns, scheduled community meetings, direct notification, social media and State and Regional organizations.*

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

*Please refer to the Title VI Plan for more specific details and discussion.*

## Hidalgo Co. Title VI Plan: Complaint Process

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The County Title VI Plan provides a complaint process for any person who, based on race, religion, color, national origin, sex, age, or disability believes that he/she has been excluded from participation in, denied benefits or services of any program or activity administered by the County of Hidalgo or its subrecipients, consultants and contractors.

Complaint forms are available online.

Complaints will be reviewed by the County and decisions will be forwarded to appropriate state or federal agency.

**Refer to the Title VI Plan for entire Complaint Procedure.**

# Hidalgo County Title VI Plan: Conclusion



- Annual Report: The Title VI Coordinator will collect Title VI related information from County Offices/Departments for an annual report to the Texas Department of Transportation to verify compliance.
- The plan may be updated at certain times.
- Employees should review and sign the *Acknowledgement of Receipt: Title VI/Nondiscrimination Policy and Limited English Proficiency (LEP) Plan Form*.
- Employees may bring Title VI related questions to their Supervisor and/or the Human Resources Department.