

## RESOLUTION

NO. RS10-2017-80

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEBURNE, TEXAS ADOPTING THE UPDATE OF THE CITY/COUNTY TRANSPORTATION TITLE VI POLICY AND AUTHORIZING THE CITY MANAGER TO SIGN THE TITLE VI POLICY DOCUMENT; PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS**, as City/County Transportation is the recipient of federal grant funds, it is required that a Title VI Policy be adopted by the City Council and submitted to the Federal Government; and

**WHEREAS**, the most recent policy was updated in 2014 with the City Council approving in January 2015 and Federal regulation requires that the policy be updated every three years; and

**WHEREAS**, the policy has been updated and reviewed by the Texas Department of Transportation and is also in compliance with federal regulations; and

**WHEREAS**, amendments to note within the policy and exhibits are:

- The following statement to the public "City County Transportation is committed to ensuring that no person is excluded from participating in, or denied the benefits of, or be subject to discrimination in the receipt of its services or programs on the basis of race, color, national origin, or any other characteristics protected by law, including Title VI of the Civil Rights Act of 1964, as amended. Further, under the Americans with Disabilities Act (ADA) of 1990, no entity shall discriminate against an individual with a physical or mental disability in connection with the provision of transportation service."

- Process and form for Title VI complaints
- Limited English Proficiency Plan.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLEBURNE, TEXAS, THAT:**

**SECTION ONE.** The City Council of the City of Cleburne hereby authorizes the City Manager to sign the City of Cleburne City/County Transportation's Title VI Project Description Service Plan.

**SECTION TWO.** This Resolution shall become effective immediately upon its passage.

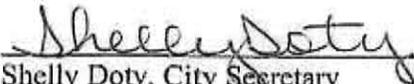
**PASSED AND APPROVED** this the 24th day of October, 2017, at a Regular Meeting of the City Council of the City of Cleburne, Texas.

CITY OF CLEBURNE

BY: 

\_\_\_\_\_  
Scott Cain, Mayor

ATTEST:

  
\_\_\_\_\_  
Shelly Doty, City Secretary



**THE CITY OF CLEBURNE  
(CITY/COUNTY TRANSPORTATION)**

**Project Description  
Service Plan**

**Title VI  
Civil Rights Act of 1964**

[Revised: October 24, 2017]

**THE CITY OF CLEBURNE  
(CITY/COUNTY TRANSPORTATION)**

**Project Description – Service  
Title VI Plan**

**Introduction:**

This document is intended to outline service standards that are offered by The City of Cleburne’s Transportation program, herein referred to as City/County Transportation.

The mission of City/County Transportation is to improve mobility by providing safe, efficient, customer-orientated transportation throughout Johnson County.

City/County Transportation, a rural transit district - Political Sub Division of the State provides seamless transportation service to the general public of Johnson County. Services under this agreement will be provided in the geographical service area of Johnson County. City/County Transportation provides demand response and a commuter bus route service. Services are provided for a fee; which is determined by the City of Cleburne’s City Council. There are 16 revenue producing vehicles currently in service.

**Program Objectives:**

The Title VI Plan objectives are as follows:

- a. To ensure that the level and quality of public transportation service is provided in an equitable and nondiscriminatory manner;
- b. To promote full and fair participation in public transportation decision-making without regard to race, color, or national origin;
- c. To ensure meaningful access to transit-related programs and activities by persons with limited English proficiency (LEP Plan).

**Title VI Notice to the Public:**

City/County Transportation’s Title VI Notice to the Public is on public display in the reception area of City/County Transportation’s offices, in the meeting room, on the City website, and in all transit vehicles. The Title VI Notice to the Public can also be found on

the City of Cleburne's website Cleburne.net at the following link: <http://www.cleburne.net/documentcenter/view/7> (**Exhibit A**)

### **Title VI Complaint Procedures and Complaint Form:**

City/County Transportation maintains procedures for filing Title VI-related complaints as set forth by the guidelines of Title VI, FTA Circular 4702.1B (**Exhibit B**) and the FTA-adopted Title VI Complaint Form (**Exhibit C**).

City/County Transportation maintains a table detailing investigations, violations, complaints, and/or lawsuits involving Title VI policy as prescribed by FTA Circular 4702.1B (**Exhibit D**).

Complaints may also be addressed to Texas Department of Transportation, Attn: TxDOT-PTN, 125 East 11<sup>th</sup> Street, Austin, Texas 78701-2483.

### **General Information:**

City/County Transportation's administrative office hours are Monday-Friday 7:00 a.m. – 5:00 p.m. and are located at 206 N. Border St., Cleburne, TX 76033.

### *Project Service / Title VI Plan*

Persons with transportation needs outside the scheduled hours of operations may contact the agencies administrator to discuss extended service. Transportation is coordinated through the dispatch office located at 206 N. Border St., Cleburne, TX 76033.

The City/County Transportation fleet consists of ADA-Compliant vehicles, which are available to the citizens of Johnson County. In addition, a successful *written* maintenance plan has been established to limit downtime and ensure dependable service. Back-up vehicles are maintained to reduce and/or eliminate service interruption. City/County Transportation does contract with or provide funding to any sub-recipients for services.

### **Governance**

As City/County Transportation is a part of the City of Cleburne, the City of Cleburne is governed by elected officials as set forth in the City Charter. The Cleburne City Council consists of a mayor and four councilmembers serving two-year terms. The City Council is elected by the citizens of Cleburne, and registered voters cast votes for candidates in their respective single member district. City/County Transportation does not have a non-elected membership that serves as the Council for City/ County Transportation. The councilmembers are elected by the voters within their individual their four individual single member districts and the mayor is elected at-large.

Table of Elected Members of the Council for City/County Transportation:

Name of elected official	Title	Elected District
Scott Cain	Mayor	At large
Robert O. Kelly, D.D.S,	Mayor Pro Tem	Single Member District 1
Gayle White	Councilmember	Single Member District 2
Dale Sturgeon	Councilmember	Single Member District 3
John Warren	Councilmember	Single Member District 4

**Training/Screening Requirements:**

The City/County Transportation drivers are trained and certified in the field of passenger assistance, defensive driving, and CPR/First Aid. Drivers have extensive training in wheelchair applications, as well as passenger loading and unloading.

City/County Transportation is a drug and alcohol free workplace. Employees and applicants are required to submit to pre-employment, random and reasonable suspicion drug/alcohol screening. City/County Transportation follows the City of Cleburne’s drug and alcohol policy to include the federal guidelines in regards to any and all drug and alcohol screening procedures.

City/County Transportation, through the City of Cleburne, obtains Motor Vehicle Reports (MVR), on an annual basis, to ensure that clients are transported in a safe manner.

**Service Description:**

The North Central Texas Council of Governments (NCTCOG) has been designated as the Metropolitan Planning Organization for the Dallas-Fort Worth Metropolitan area.

The interlocal agreement is made and entered into by and between the **North Central Texas Council of Governments, acting as the Project Manager** and **City/County Transportation (The City of Cleburne), acting as the Service Provider**. The Project Manager and the Service Provider may each be referred to as a Party and may collectively be referred to as Parties to Federally-funded Grant Programs. Funding under this agreement shall provide transit options to the designated service area, in an amount proportional to the funding.

**Service Area:**

The service area of this agreement shall be the area within Johnson County; designated by the U.S. Census Bureau as the Dallas-Fort Worth-Arlington urbanized area.

**Effective Date of Contract:**

The term of this agreement shall take effect on the date executed by the parties and remain in effect until the service provider receives notice that the FTA has closed out all projects associated with this agreement or until the agreement is terminated.

**Termination:**

Either party may terminate this agreement by giving 60 days written notice to the other party. After receiving funds under this agreement, the service provider may not terminate the agreement prior to providing policy and procedure compliance documentation to the project manager as outlined in the agreement.

*Project Services / Title VI Plan*

The parties may terminate this agreement at any time by mutual concurrence. Any and all of the terms of this agreement may be suspended or terminated in the event that the Federal government suspends or terminates the *Master Agreement*. Closeout of any or all projects under the agreement by the Federal Transit Administration does not invalidate any continuing obligations imposed by this agreement.

**Amendments:**

The agreement embodies all parties relating to its subject matter, supersedes all prior understandings and may be amended, modified, or supplemented only by an instrument or instruments in writing executed by all of the parties.

**Severability:**

In the event any one or more of the provisions contained in the agreement shall be, for any reason, held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision and this agreement shall be revised so as to cure such invalid, illegal, or unenforceable provision(s) to carry out as near as possible the original intent of the parties.

If future federal, State, or local statute, ordinance, regulation, rule, or action render this agreement, in whole or in part, are found to be illegal, invalid, unenforceable, or impractical, the parties agree to delete and/or modify such portions that are rendered invalid, unenforceable and/or impractical. The provisions of the agreement shall be considered severable, and if, for any reason, any provision is determined to be invalid under current or future law, regulations, or rule, such invalidity shall not impair the operations of or otherwise affect the valid portions of the instrument.

**Budget:**

Grant funds will be utilized to support this project. City/County Transportation shall comply with the guidelines and requirements pertaining to local share, which is necessary to support this project.

**Payments:**

City/County Transportation shall be reimbursed for eligible costs for projects included in the program of projects as identified by the FTA Master agreement.

*Project Services / Title VI Plan*

City/County Transportation shall match the total reimbursement with an approved local share in an amount that is identified in the program of projects. The local share shall be documented and submitted to the NCTCOG.

By the tenth (10) working day of each month, City/County Transportation shall provide to the NCTCOG a monthly invoice including a written progress report for the preceding calendar month's work. Each invoice must list total expenses by budget category and include supporting receipts, installation reports, monthly progress reports, and documentation of local share match, identification of security expenses, and other necessary documentation determined by the NCTCOG.

**Insurance:**

City/County Transportation shall comply with the insurance requirements imposed by State and local laws, regulations and ordinances and as defined in the agreement.

**Disputes and Remedies:**

City/County Transportation and the North Central Texas Council of Governments shall negotiate in good faith towards resolving any disputes that arise under the agreement. City/County Transportation policy shall be utilized to resolve any disputes that occur as a result of services provided.

Consent, approval, notice, requests, proposals, or demand from one party to another shall be in writing and shall be delivered to:

**Project Manager:** North Central Texas Council of Governments  
Attention: Gypsy Gavia  
616 Six Flags Drive  
PO Box 5888  
Arlington, Texas 76005-5888

**Service Provider:** City of Cleburne  
City/County Transportation  
Attn: Terry Leake  
10 N. Robinson  
PO Box 677  
Cleburne, Texas 76033

*Project Service / Title VI Plan*

Roles and responsibilities of those listed can be found in the agreement and Master Agreement between the North Central Texas Council of Governments and City/County Transportation, which is kept on file at the facility located at 206 N. Border, Cleburne, TX 76033. The program of projects, included in the signed agreement, shall serve as the program scope of work and budget. There shall be one program of projects for each fiscal year for which funding is allocated. City/County Transportation shall submit a program of projects for each fiscal year, as requested.

**Policies and Procedures:**

City/County Transportation policies and procedures, to include the agencies drug and alcohol policy, shall be utilized in the performance of service for the grant agreement. City/County Transportation shall comply with applicable federal requirements and the NCTCOG shall review current procedures and work cooperatively with City/County Transportation to modify these policies and procedures as needed to ensure compliance with the federal requirements.

City/County Transportation preventive maintenance policies and procedures will be utilized in the performance of this project. City/County Transportation shall comply with applicable federal requirements as they apply to the preventive maintenance program.

**Summary of Transit-related Title VI Investigations, Complaints and Lawsuits Over the Past Three Years**

Over the past three years (2014 through 2017), there have been no Transit-related Title VI investigations, complaints, and laws filed with the City/County Transportation.

**Public Participation Plan:**

City/County Transportation has established policies regarding public participation. The general public may contact the City/County Transportation administrative office by phone or email to discuss areas of interest. City/County Transportation utilizes outreach methods such as public notices and public meetings to ensure public participation. Information about City/County Transportation is included periodically in the City of

Cleburne's monthly free e-newsletter "The Burne". In addition, City/County Transportation conducts periodic customer surveys to ascertain public input. The last survey was conducted in April 2016. Survey forms are made available to passengers and other interested members of the community on the buses, at the Transportation Office and on the City's website.

City/County Transportation endeavors to engage traditionally underserved segments of the population through the following programs:

- a. City/County Transportation LEP Program adopted in 2012 (**Exhibit E**);
- b. Contracts with Logisticare (program for transportation of elderly & disabled citizens), and;
- c. Contract with AAA (Area Agency on Aging), whereby Title III-B and III-C service are provided, and;
- d. Contract with Tarrant County Public Health, to transport Johnson County residents to Tarrant County Public Health facility in Fort Worth, Texas.

*Project Services / Title VI Plan*

**Contact Information:**

The following persons shall be involved in the program of projects and administration of operating policies and procedures for City/County Transportation:

**Contact Names:**

**Terry Leake**  
Director of Finance  
817-645-0911  
**[Terry.Leake@cleburne.net](mailto:Terry.Leake@cleburne.net)**

**Jo Harper**  
Operations Supervisor  
817-641-1800  
**[Jo.Harper@cleburne.net](mailto:Jo.Harper@cleburne.net)**

**Erin Keller**  
Dispatcher  
817-641-1800  
**[Erin.Keller@cleburne.net](mailto:Erin.Keller@cleburne.net)**

**Laura Rodriguez**  
Dispatcher  
817-641-1800  
**[Laura.Rodriguez@cleburne.net](mailto:Laura.Rodriguez@cleburne.net)**

A copy of the agencies fare schedule and hours of operations are attached and shall be used as a reference guide. Additional documentation and policies; pertaining to this project shall be maintained and kept separate and/or highlighted for the purpose of identifying this project.

*Project Service / Title VI Plan*

## **Title VI Description and Program:**

### **BACKGROUND:**

- Title VI of the Civil Rights Act of 1964 requires transit providers to develop service standards to assure that service is provided in an equitable, nondiscriminatory manner. To address this requirement, the Federal Transit Administration [FTA] requests information on the system-wide service policies and standards used by the local transit system, which relate to the provision of service.

### **FEDERAL REQUIREMENTS:**

FTA requires standards for service levels and quality. Transit providers must develop, implement and monitor their unique standards. This document describes City/County Transportation service standards.

Providers must submit an updated report every three (3) years. The guidelines for compliance with Title VI regulations are published in FTA Circular 4702.1B.

### **TRIENNIAL UPDATE OF PLAN:**

The plan will be updated at least once every three years and approved by the City Manager.

### **CITY/COUNTY TRANSPORTATION SERVICE STANDARDS:**

City/County Transportation:

- Serves an urbanized area of less than 200,000
- Employs less than 50
- Receives less than \$1,000,000 in operating assistance
- Receives less than \$1,000,000 in capital assistance
- Receives less than \$25,000 in planning assistance
- Does not operate a fixed route system
- Provides Demand Response Service
- Owns vehicles which are lift equipped and complies with ADA requirements

### *Project Service / Title VI Plan*

City/County Transportation shall provide transportation services to the urbanized area of Johnson County. City/County Transportation provides demand response “curb-to-curb” services. Fixed route service is not offered.

City/County Transportation; through its demand response and dispatch scheduling; provides full “*on demand transportation services*” as the agencies schedule allows. Trips

are scheduled on a first call basis without discrimination to eligibility, race, color or national origin. City/County Transportation charges a fee for services. Fees are equal to all passengers and are based on the agencies established fare schedule; as it is approved by The City of Cleburne's City Council.

City/County Transportation shall not deny, exclude and or discriminate against any individual on the grounds of race, color, or national origin. Individuals who believe they have been denied the benefits of, excluded from participation in, or subject to discrimination on the grounds of race, color, or national origin by City/County Transportation or a City/County Transportation employee can file a complaint with City/County Transportation under the Title VI of the Civil Rights Act of 1964. Policies and Procedures have been established to assist in resolving any such complaints.

  
Signature \_\_\_\_\_ Date 10/25/17

**Hours of Operation:**

City of Cleburne: Monday – Friday: 7:00 a.m. to 8:00 p.m.  
Saturday: 8:00 a.m. to 5:00 p.m.  
Sunday: Closed

City of Burleson: Monday – Friday: 8:00 a.m. to 5:00 p.m.  
Saturday-Sunday: No service provided

County: Monday-Friday: 6:00 a.m. to 6:00 p.m.  
Saturday-Sunday: No service provided

**Fares:**

Cities of Cleburne & Burleson: \$3.00 per one way trip  
County: \$3.00 every 5 miles (\$15 max one-way)  
Interurban: \$3:00 per stop (\$9 max one-way)

**Passes:**

Three types of passes are available for the cities of Cleburne & Burleson and County

- Regular Pass (\$60 value).....\$55
- Reduced Pass (\$60 value).....\$30
  - ♦ Students 18 or younger

- ♦ Seniors 60 years of age or older
- ♦ Disabled Individuals with a Doctor's note

Two types of passes are available for the Interurban Route (these passes are also transferable to the Fort Worth T routes and the TRE)

- Monthly Regular Pass.....\$50
- Monthly Reduced Pass.....\$25
  - ♦ Students 18 or younger
  - ♦ Seniors 60 years of age or older
  - ♦ Disabled



## EXHIBIT A

### Notifying the Public of Rights Under Title VI

## City/County Transportation, Cleburne, Texas

### Right of Service

- City County Transportation is committed to ensuring that no person is excluded from participating in, or denied the benefits of, or be subject to discrimination in the receipt of its services or programs on the basis of race, color, national origin, or any other characteristics protected by law, including Title VI of the Civil Rights Act of 1964, as amended. Further, under the Americans with Disabilities Act (ADA) of 1990, no entity shall discriminate against an individual with a physical or mental disability in connection with the provision of transportation service.
- You may file a complaint 180 days after the date of alleged discrimination. The complaint should include the following information:
  - Address and contact information
  - How, when, where, and why you believe you were discriminated against
  - Your name
- City/County Transportation, Cleburne Texas, operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with City/County Transportation
- For more information on City/County Transportation's civil rights program, and the procedures to file a complaint, contact (817)641-1800 or 1(866)913-1800, or visit our administrative office at 206 N. Border St., Cleburne, TX 76033. For more information, visit [www.cleburne.net](http://www.cleburne.net)
- A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5<sup>th</sup> Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590. Complaints may also be addressed to Texas Department of Transportation, Attn: TxDOT-PTN, 125 East 11<sup>th</sup> Street, Austin, Texas 78701-2483.
- If information is needed in another language, contact (817)641-1800.
  - *Si la información se necesita en otra lengua, el contacto (817) 641-1800*



## **EXHIBIT B**

### **CITY/COUNTY TRANSPORTATION**

### **TITLE VI COMPLAINT PROCEDURE**

Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by City/County Transportation (hereinafter referred to as "CCT") may file a Title VI complaint by completing and submitting the agency's Title VI Complaint Form. CCT investigates complaints received no more than 180 days after the alleged incident. CCT will process complaints that are complete. The complaint form is available on the City of Cleburne's website [www.cleburne.net](http://www.cleburne.net) at the following link:  
<http://www.cleburne.net/documentcenter/view/6>

Once the complaint is received, CCT will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by our office. Additionally, CCT will notify their Public Transportation Coordinator at the Texas Department of Transportation by email or fax of any Title VI-related complaints received within 10 working days of the receipt of the complaint, including a paper or electronic copy of the complaint form.

CCT has 60 days to investigate the complaint. If more information is needed to resolve the case, CCT may contact the complainant. The complainant has 30 business days from the date of the letter to send requested information to the investigator assigned to the case. If the investigator is not contacted by the complainant or does not receive the additional information within 30 business days, CCT can administratively close the case. A case can be administratively closed also if the complainant no longer wishes to pursue their case.

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 and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or other action will occur. If the complainant wishes to appeal the decision, she/he has 30 days after the date of the letter or the LOF to do so.

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. Also, a person may file a complaint directly with Texas Department of Transportation, Attn: TxDOT-PTN, 125 East 11<sup>th</sup> Street, Austin, Texas 78701-2483.



EXHIBIT C

CITY/COUNTY TRANSPORTATION

TITLE VI COMPLAINT FORM

<b>Section I:</b>				
Name:				
Address:				
Telephone (Home):			Telephone (Work):	
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
<b>Section II:</b>				
Are you filing this complaint on your own behalf?			Yes*	No
*If you answered "yes" to this question, go to Section III.				
If not, please supply the name and relationship of the person for whom you are complaining:				
Please explain why you have filed for a third party:				
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.			Yes	No
<b>Section III:</b>				
I believe the discrimination I experienced was based on (check all that apply):				
<input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin				
Date of Alleged Discrimination (Month, Day, Year):				
<p>Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.</p>				

<b>Section IV</b>		
Have you previously filed a Title VI complaint with this agency?	Yes	No
<b>Section V</b>		
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?		
<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, check all that apply: <input type="checkbox"/> Federal Agency:		
<input type="checkbox"/> Federal Court		<input type="checkbox"/> State Agency
<input type="checkbox"/> State Court		<input type="checkbox"/> Local Agency
Please provide information about a contact person at the agency/court where the complaint was filed.		
Name:		
Title:		
Agency:		
Address:		
Telephone:		
<b>Section VI</b>		
Name of agency complaint is against:		
Contact person:		
Title:		
Telephone number:		

You may attach any written materials or other information that you think are relevant to your complaint. Signature and date are required below.

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Signature \_\_\_\_\_ Date \_\_\_\_\_

Please submit this form in person at the address below, or mail this form to: City/County Transportation Title VI Coordinator  
 206 N. Border  
 Cleburne, TX 76033

Complaints can also be filed with Texas Department of Transportation, Attn: TxDOT-PTN, 125 East 11<sup>th</sup> Street, Austin, Texas 78701-2483. City/County Transportation will notify their Public Transportation Coordinator at the Texas Department of Transportation by email or fax of any Title VI-related complaints received within 10 working days of the receipt of the complaint, including a paper or electronic copy of the complaint form.



EXHIBIT D  
**City/County Transportation  
Title VI Complaint Log**

	<b>Date (Month, Day, Year)</b>	<b>Summary (include basis of complaint: race, color, or national origin)</b>	<b>Status</b>	<b>Action(s) Taken</b>
<b>Investigations</b>	10/01/2017	No Title VI investigations of record		
1.				
2.				
<b>Lawsuits</b>	10/01/2017	No Title VI lawsuits of record		
1.				
2.				
<b>Complaints</b>	10/01/2017	No Title VI complaints of record		
1.				
2.				



**Exhibit E**

**Title VI**

**Civil Rights Act of 1964**

**City of Cleburne**

**Limited English Proficiency Plan**

October 2017

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## INTRODUCTION

This Limited English Proficiency Plan has been prepared to address the City of Cleburne – City/County Transportation’s (CCT) responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English proficiency 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 its implementing regulations, which state that no person shall be subjected to discrimination on the basis of race, color, no 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 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 state and local agencies which receive federal funds, including all CCT departments receiving federal grant funds.

### Plan Summary

CCT has developed this *Limited English Proficiency Plan* to help identify reasonable steps for providing language assistance to persons with limited English proficiency (LEP) who wish to access services provided. As defined 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, the ways in which assistance may be provided, staff training that may be required, and how to notify LEP persons that assistance is available.

In order to prepare this plan, CCT used the four-factor analysis which considers the following factors:

1. The number or proportion of LEP persons in the service area who may be served by CCT.
2. The frequency with which LEP persons come in contact with CCT services.
3. The nature and importance of services provided by CCT to the LEP population.
4. The interpretation services available to CCT and overall cost to provide LEP assistance. A summary of the results of the four-factor analysis is in the following section.

### MEANINGFUL ACCESS: FOUR-FACTOR ANALYSIS

**Factor 1: The number or proportion of LEP persons in the service area who may be served or are likely to require CCT services.**

1. *2010 U.S. Census Data.* - CCT staff reviewed the 2010 U.S. Census and determined the LEP population to be 5.8% as outlined below:

A. Johnson County – 136,954 total population over age 5

Language Spoken At Home	# of LEP persons	% of population
Spanish	7,262	5.3%
European	141	0.1%
Asian	541	0.4%
Other	39	0.0%
<b>Total for County</b>	<b>7,983</b>	<b>5.8%</b>

B. Southern Tarrant County – 69,020 total population over age 5 (Crowley, Mansfield, Rendon)

Language Spoken At Home	# of LEP persons	% of population
Spanish	3,028	4.4%
European	321	0.5%
Asian	600	0.9%
Other	13	0.0%
<b>Total for County</b>	<b>3,962</b>	<b>5.7%</b>

C. Total Service Area – 205,975 total population over age 5

Language Spoken At Home	# of LEP persons	% of population
Spanish	10,290	5.0%
European	462	0.22%
Asian	1,141	0.55%
Other	52	0.03%
<b>Total for Service Area</b>	<b>11,945</b>	<b>5.8 %</b>

2. *Texas Education Agency.* CCT staff reviewed the student report card data, for the eleven school districts in the CCT service area, for the 2011-2012 school year and found the LEP population 10.0% as outlined below:

Language Spoken At Home	Total # of students	# of LEP students	% of student population
Johnson Co. ISD's	21,373	2,496	11.7%
Split County ISD's	57,925	5,437	9.4%
<b>Total for Service Area</b>	<b>79,298</b>	<b>7,933</b>	<b>10.0%</b>

Of the 10% LEP school children the language distribution is outlined below:

Language Spoken	# of students	% of LEP population
Spanish	5,889	74.2%
European	124	1.6%
Asian	965	12.2%
Other	955	12%
<b>Total Service Area</b>	<b>7,933</b>	<b>100%</b>

**Factor 2: The frequency with which LEP persons come in contact with CCT services.**

CCT conducted an in office survey of previous encounters with LEP persons in May 2012. The results of the survey showed CCT has minimal contact with LEP persons. To date, CCT has had three (3) requests for interpreters and no requests for translated program documents.

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**Factor 3: The nature and importance of services provided by CCT to the LEP population.**

There is no large geographic concentration of any type of LEP individuals in CCT's service area. The overwhelming majority of the population, 85.5%, speak only English. As a result, there are few social, service, professional and leadership organizations within the CCT service area that focus on outreach to LEP individuals.

**Factor 4: The interpretation services available to CCT and overall cost to provide LEP assistance.**

CCT staff has reviewed its available resources that could be utilized to provide LEP assistance and found the following resources are available.

1. The CCT website has the ability to be translated into 65 different languages via Google translate.
2. CCT currently employs two bi-lingual drivers to assist with LEP passengers riding on one of our vehicles. CCT also employs a bi-lingual dispatcher to aide in making reservations. City of Cleburne has 16 certified bilingual staff members (Spanish) as throughout the City that are available to act as an interpreter for walk-in or call-in LEP individuals, if existing bilingual CCT staff members are unavailable.
3. Due to budgetary constraints, CCT ~~currently does not have any written materials that have been translated into other languages only~~ has written materials translated into Spanish. Funds available for LEP services would be derived entirely from existing CCT operating funds, and compete with other operational requirements and necessities.

### LANGUAGE ASSISTANCE

A person who does not speak English as their primary language and who has a limited ability to read, write, speak or understand English may be a Limited English Proficient person and may be entitled to language assistance with respect to CCT services. Language assistance can include interpretation, which means oral or spoken transfer of a message from one language into another language and/or translation, which means the written transfer of a message from one language into another language.

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How the CCT staff may identify an LEP person who needs language assistance:

- Post notice of LEP Plan and the availability of interpretation or translation services free of charge in languages LEP persons would understand.
- All CCT staff will be provided with "I Speak" cards to assist in identifying the language interpretation needed, if the occasion arises.
- All CCT staff will be informally surveyed periodically on their experience concerning any contacts with LEP persons during the previous year.
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- When CCT sponsors an informational meeting or event, an advanced public notice of the event will be published including special needs related to offering a translator (LEP) or interpreter (sign language for hearing impaired individuals). Additionally, a staff person may greet participants as they arrive. By informally engaging participants in conversation, it is possible to gauge each attendee's ability to speak and understand English. Although translation may not be able to be provided at the event, it will help identify the need for future events.

#### **Language Assistance Measures**

Although the percentage of overall LEP population is low in CCT's service area, that is, persons who speak English "not well" or "not at all", CCT will strive to offer the following measures:

1. CCT staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating English.
2. The following resources will be available to accommodate LEP persons:
  - a. Interpreters for the Spanish language are available and will be provided within a reasonable time period.
  - b. Language interpretation will be accessed for all other languages through Catholic Charities.

#### **STAFF TRAINING**

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The following training will be provided to all staff:

- Information on the Title VI Policy and LEP responsibilities.
- Description of language assistance services offered to the public.
- Use of the "I Speak" cards.
- Documentation of language assistance requests.
- How to handle a potential Title VI/LEP complaint.

All contractors or subcontractors performing work for CCT will be required to follow the Title VII LEP guidelines.

### TRANSLATION OF DOCUMENTS

CCT staff weighed the cost and benefits of translating documents for potential LEP groups. It was determined that passenger used vital documents and notices would be translated into Spanish. Considering the expense of translating the documents, the likelihood of frequent changes in documents and other relevant factors, at this time it is an unnecessary burden to have any documents translated into any language other than Spanish.

Due to the very small local LEP population, CCT staff does not have a formal outreach procedure in place. Translation resources have been identified and are limited in this region. However, when and if the need arises for LEP outreach, CCT will consider the following:

- When staff prepares a document, or schedules a meeting, for which the target audience is expected to include LEP individuals, then documents, meeting notices, flyers, and agendas will be printed in an alternative language based on the known LEP population.

### MONITORING

Monitoring and Updating the LEP Plan -CCT will update the LEP Plan as required. At a minimum, the plan will be reviewed and updated when data from the 2020 U.S. Census is available, or when it is clear that higher concentrations of LEP individuals are present in the CCT service area. 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.
- Determination as to whether the need for translation services has changed.
- Determine whether local language assistance programs have been effective and sufficient to meet the need.
- Determine whether CCT's financial resources are sufficient to fund language assistance resources needed.
- Determine whether CCT fully complies with the goals of this LEP Plan.
- Determine whether complaints have been received concerning the agency's failure to meet the needs of LEP individuals.
- Maintain a Title VI complaint log, including LEP to determine issues and basis of complaints.
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#### DISSEMINATION OF THE CCT LEP PLAN

- Post signs at conspicuous and accessible locations notifying LEP persons of the LEP Plan and how to access language services.
- State on agendas and public notices in the language that LEP persons would understand that documents are available in that language upon request at 817-641-1800.

  
Signature

  
Date