



## Brown County Title VI Plan

<u>Table of Contents</u> .....	1-3
Introduction.....	3
Discrimination under Title VI.....	4
Authorities.....	5
Title VI Policy Statement.....	5
Standard DOT Assurances.....	5
Organization and Staffing.....	6
Primary Program Area Description & Review Procedures.....	7
Data Collection and Analysis.....	8
Title VI Complaint Procedures.....	9
Scope of Title Vi Complaints.....	9
How to File a Formal Title VI Complaint.....	9
Complaint Log.....	22
Notice of Rights.....	23
Notification to Beneficiaries.....	23
Public Involvement.....	23
Limited English Proficiency Persons Accommodations.....	25
LEP Four Factor Analysis.....	27
Training.....	31
Attachment A: Nondiscrimination Assurance of Compliance with Title VI of Civil Rights Act of 1964.....	32
Attachment B: Title VI/ Nondiscrimination Policy Statement.....	33
Attachment C: Nondiscrimination Policy Statement for Contractors.....	34
Appendix A	
Appendix B	
Appendix C	
Appendix D	
Attachment D: Brown County U.S. DOT Standard Title VI/Non- Discrimination Assurances.....	35

Attachment E: Brown County Judge's Department Hierarchy Chart.....	36
Attachment F: Brown County U.S. Census Bureau Information.....	37



*Brownwood, Texas in 1945.*

## Introduction

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in any program or activity receiving federal financial assistance. Several other federal legal authorities supplement Title VI by extending protections based on age, sex, and disability. In addition, the Civil Rights Restoration Act of 1987 clarified Title VI enforcement by mandating that Title VI requirements apply to *all* programs and activities of federal-aid recipients regardless of whether any particular program or activity involves federal funds. Taken together, these laws require recipients and subrecipients of federal funds to ensure all programs and services are delivered to the public without discrimination.

**Brown County**, as a recipient of federal financial assistance, will ensure full compliance with Title VI of the Civil Rights Act of 1964; 49 C.F.R. Part 21 (Department of Transportation Regulations for the Implementation of Title VI of the Civil Rights Act of 1964); 49 C.F.R. Part 21; and related statutes and regulations. Brown County, acknowledges it is subject to and will comply with Federal Highway

## Administration Title VI Assurances.

This plan explains how Brown County incorporates the requirements of Title VI and related legal authorities into its operations. The plan will be used as a reference for Brown County, and an informational resource for the public. The plan will be updated every 3 years to reflect changes in Title VI compliance operations.

### Discrimination under Title VI

It is the responsibility of every Brown County, employee to prevent, minimize, and eradicate any form of discrimination. There are two types of discrimination prohibited under Title VI and its related statutes: (1) disparate treatment that alleges similarly situated persons are treated differently because of their race, color, or national origin (i.e., intentional discrimination); and (2) disparate impact/effects when a facially neutral policy, procedure, or practice results in different or inferior services or benefits to members of a protected group. The focus of disparate impact is on the consequences of a decision, policy, or practice rather than the intent.

Prohibited forms of discrimination may include, but not be limited to, the following:

- ☐ The denial of services, financial aid, or other benefits provided under a program;
- ☐ Distinctions in the quality, quantity, or manner in which a benefit is provided;
- ☐ Segregation or separation of persons in any part of the program;
- ☐ Restriction in the enjoyment of any advantages, privileges, or other benefits provided to others;
- ☐ Differing standards or requirements for participation;
- ☐ Methods of administration that directly or indirectly, or through contractual relationships would defeat or impair the accomplishment of effective nondiscrimination; or
- ☐ Discrimination in any activities or services related to a highway, infrastructure or facility built or repaired in whole or in part with federal funds.

Brown County, efforts to prevent such discrimination must address, but not be limited to, how a program or activity:

- ☐ Impacts the public;
- ☐ Provides accessibility;
- ☐ Provides equal access to benefits;
- ☐ Encourages participation;
- ☐ Initiates contracting and training opportunities;
- ☐ Investigates complaints;
- ☐ Allocates funding; and
- ☐ Prioritizes projects.

## Authorities

The authorities applicable to [Brown County](#), Title VI/Nondiscrimination Program include:

- **Title VI of the Civil Rights Act of 1964** (42 U.S.C. §2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- **49 CFR Part 21** (entitled *Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of The Civil Rights Act of 1964*);
- **23 CFR Part 200** (FHWA's Title VI/Nondiscrimination Regulation);
- **28 CFR Part 50.3** (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964); and,
- **Texas Administrative Code** §9.4, Civil Rights – Title VI Compliance

## Title VI Policy Statement

It is the policy of [Brown County](#), that no person shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any operation of [Brown County](#), as provided by Title VI of the Civil Rights Act of 1964 and related statutes.

This policy applies to all operations of [Brown County](#),, including its contractors and anyone who acts on behalf of [Brown County](#),. This policy also applies to the operations of any department or agency to which [Brown County](#), extends federal financial assistance. Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance.

The nondiscrimination statement signed by [Brown County](#) , is included as [Attachment A & B](#).

## Standard DOT Assurances

The U.S. DOT requires that federal financial assistance be provided on the condition that the recipient provides an assurance that its programs and activities will be conducted in compliance with Title VI of the Civil Rights Act of 1964. The requirement is located at 49 CFR 21.7(a). To support the implementation of this requirement, the U.S. DOT provided an assurances agreement in U.S. DOT Order 1050.2A that federal fund recipients and

subrecipients must sign as a condition of receiving federal financial assistance.

The assurances agreement provides specific non-discrimination language, *Brown County*, is required to include in bid solicitations or requests for proposal, contracts, and real estate agreements. Brown County, is committed to ensuring the necessary language is used as prescribed in the assurances agreement. In accordance with this requirement, *Brown County*, has a Title VI/Non- Discrimination Policy for Contractors. **Attachment C.**

In accordance with this requirement, *Brown County*, has signed the U.S. DOT Standard Title VI/Non- Discrimination Assurances. The document is attached as **Attachment D.**

### Organization and Staffing

County Judge Office is ultimately responsible for assuring full compliance with the provisions of Title VI of the Civil Rights Act of 1964 and related statutes and has directed that non-discrimination is required of all agency employees, contractors, and agents pursuant to 23 C.F.R. Part 200 and 49 C.F.R. Part 21.

*Brown County*, has assigned *Stephanie Upfold, Civil Court Coordinator/ ADA & Title VI Coordinator* to perform the duties of the Title VI Coordinator and ensure implementation of the agency's Title VI program. The position of *ADA & Title VI Coordinator* is located within County Judge Office.

The Title VI Coordinator is responsible for:

- Maintaining and updating the Title VI plan on the agency's behalf;
- Ensuring relevant agency staff receive the necessary Title VI training;
- Ensuring prompt processing of Title VI complaints and referral to Texas Department of Transportation.
- Developing procedures for the collection and analysis of statistical data;
- Developing a program to conduct Title VI reviews of program areas; and
- Developing Title VI information for dissemination internally and externally;

*Brown County* is committed to ensuring that no person on the basis of race, color, national origin (limited English proficiency), sex, age, religion, disability, sexual orientation, or veteran status, or any other group of people protected under Federal or State nondiscrimination statutes, laws, regulations, or other requirements, shall be excluded from participating in, be denied the benefits of, or otherwise be subjected to discrimination

or retaliation in any program or activity receiving Federal financial assistance that is administered by Brown County, its subrecipients, and/or its contractors. Any person or organization believing they have been a victim of discrimination based on race, color, or national origin (limited English proficiency) may file a complaint with the agency in question or with the Brown County Title VI Coordinator / Regulatory Compliance Officer.

For more Title VI information, please contact:

Brown County Title VI Coordinator

200 South Broadway, Brownwood, Texas 76801.

Phone: 325-643-2828. Email: [stephanie.upfold@browncountytexas.gov](mailto:stephanie.upfold@browncountytexas.gov)

## Primary Program Area Descriptions & Review Procedures

The Brown County engages in the following program areas:

Program Area and General Description	Title VI/Non-Discrimination Concerns and Responsibilities	Review Procedures for Ensuring Non-Discrimination
Right of Way: Issues public right of way permits for construction, transportation, business, and other activities.	Public right of way permits and relocations should not create unfair burdens.	Reviewing permits and relocations to ensure nondiscrimination. Ensure demographic data is part of necessary right of way templates or forms.
Coordinates relocation of citizens whose property has been acquired for a right of way.	Collecting demographic data from property owners who may be subject to right of way activities.  Ensuring property owners impacted by right of way activities are made aware of their right to be free from discrimination on the basis of race, color, or national origin under Title IV of the Civil Rights Act of 1964	Ensure Title IV notice is consistently provided to property owners impacted by right of way activities.
Contracting:	Maintaining an open and fair bidding process for all contracts.	Reviewing contracts for necessary Title VI language.
Develops and manages contracts and contracting opportunities, including specifications, bidding process, and contract execution.	Ensure Title VI Assurances appendices are included in contracts as specified within the assurances document.	Reviewing any available data on contract recipients to ensure nondiscrimination in contracting.  Reviewing bidding procedures to ensure nondiscrimination and equal opportunity.



**Public Engagement:**  
Coordinates public engagement activities for planning and project development, as well as relationship-building engagement activities.

Comprehensive public participation to ensure all citizens have an opportunity to voice their opinions.

Collecting demographic data from public engagement activities regarding demographics of public participants.

Providing language access as needed.

Disseminating Title VI information to the public to ensure they are aware of their rights to be free from discrimination.

Reviewing public engagement activities periodically to determine whether engagement opportunities were offered to all communities.

Reviewing public engagement activities periodically to determine whether engagement opportunities were offered to all communities.

Documenting language access requests.

**Maintenance:**  
Services roadways and right of ways, including, but not limited to, providing Repair Signage Drainage Snow and ice removal

Ensuring no communities are subject to a disparate lack of maintenance services based on a protected class.

Reviewing resources provided to the community and determining whether any protected class communities have disproportionately benefited or been harmed by the delivery of maintenance services.

## Data Collection and Analysis

Program Area	Type of Data Collected & Process for Collecting	Purpose for Collecting the Data)
Right of Way	Collecting demographic data from property owners who may be subject to right of way.	Ensuring right of way activities are not disproportionately affected.
Contracting	Identifying contractors who are a: Disadvantaged Business Enterprise (DBE) Historically Underutilized Business (HUB) Small Business Enterprise (SBE)	Ensuring equal opportunity in contracting to all individuals and groups.
Planning	Reviewing data from the U.S. Census Bureau and other credible sources to determine demographic make-up of the local community.	Ensuring project impacts do not disproportionately impact any individuals or groups based on a protected class status.
Public Engagement	Reviewing data from the U.S. Census Bureau and other credible sources to determine demographic make-up of the local community.  Providing demographic questionnaires to public engagement participants and including demographic questions in public surveys.	Ensuring communications and interactions with the public sufficiently reach all local demographics.



Maintenance      Reviewing maintenance activities by geography and demographic makeup of communities receiving the maintenance services

Ensuring no communities are subject to a disparate lack of maintenance services based on a protected class.

Potential sources of data and analysis tools include:

- Brown County Census Data \* **Attachment F.**
- School Districts
- Forms or Surveys from the public
- Field Observations

## **Title VI Complaint Procedures**

### **Scope of Title VI Complaints**

No person or groups of persons shall, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by AGENCY NAME, and its contractors on the grounds of race, color, or national origin.

The scope of Title VI covers all internal and external activities of AGENCY NAME.

The following types of actions are prohibited under Title VI protections (See 49 C.F.R. 21.5):

- Excluding individuals or groups from participation in programs or activities
- Document Title | 2
- Denying program services or benefits to individuals or groups
  - Providing a different service or benefit or providing them in a manner different from what is provided to others
  - Denying an opportunity to participate as a member of a planning, advisory or similar body that is an integral part of the program
  - Retaliation for making a complaint or otherwise participating in any manner in an investigation or proceeding related to Title VI of the Civil Rights Act of 1964

### **How to File a Formal Title VI Complaint**

Any person(s) or organization(s) believing they have been discriminated against on the basis of the protected classes stated above by Brown County or its contractors may file a Title VI complaint. Discrimination complaints must be received no more than 180 days after the alleged incident unless the time for filing is extended by the processing agency. Complaints should be in writing and signed and may be filed by mail, fax, in person, or e-mail. A

complaint should contain the following information:

- A written explanation of the alleged discriminatory actions;
- The complainant's contact information, including, if available: full name, postal address, phone number, and email address;
- The basis of the complaint (e.g., race, color, national origin, etc.);
- The names of specific persons and respondents (e.g., agencies/organizations) alleged to have discriminated;
- Sufficient information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity that receives Federal financial assistance; and
- The date(s) of the alleged discriminatory act(s) and whether the alleged discrimination is on-going.

Complainants are encouraged to submit complaints directly to the Texas Department of Transportation (TxDOT).

### **Title VI / Nondiscrimination Statement**

#### **Brown County Title VI / Nondiscrimination Statement**

Brown County is committed to ensuring that no person on the basis of race, color, national origin (limited English proficiency), sex, age, religion, disability, sexual orientation, or veteran status, or any other group of people protected under Federal or State nondiscrimination statutes, laws, regulations, or other requirements, shall be excluded from participating in, be denied the benefits of, or otherwise be subjected to discrimination or retaliation in any program or activity receiving Federal financial assistance that is administered by Brown County, its subrecipients, and/or its contractors. Any person or organization believing they have been a victim of discrimination based on race, color, or national origin (limited English proficiency) may file a complaint with the agency in question or with the Brown County Title VI Coordinator / Regulatory Compliance Officer. For more Title VI information, please contact: Brown County Title VI Coordinator 200 South Broadway, Brownwood, Texas 76801. Phone: 325-643-2828. Email: [stephanie.upfold@browncountytexas.gov](mailto:stephanie.upfold@browncountytexas.gov).

### **FILING A TITLE VI DISCRIMINATION COMPLAINT**

Any person or organization believing they have been a victim of discrimination based on race, color, or national origin (limited English proficiency) may file a complaint with the agency in question or with the Brown County Title VI Coordinator

To submit a complaint please complete the "Title VI Discrimination Complaint" form. Complaint forms can be obtained via the link below. Please send your complaint to:

Brown County Title VI Coordinator  
200 South Broadway, Brownwood, Texas 76801.  
Phone: 325-643-2828.  
Email: [stephanie.upfold@browncountytexas.gov](mailto:stephanie.upfold@browncountytexas.gov).

BROWN COUNTY TITLE VI DISCRIMINATION FORM  
Send Complaint Form to:  
Brown County Title VI Coordinator  
200 South Broadway, Brownwood, Texas 76801. Phone: 325-643-2828.  
Email : [stephanie.upfold@browncountytexas.gov](mailto:stephanie.upfold@browncountytexas.gov).

**SECTION 1: COMPLAINANT CONTACT INFORMATION**

**Name:**

\_\_\_\_\_

**Address (street, city, state, zip code)**

\_\_\_\_\_

**Email address:**

\_\_\_\_\_

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

**Preferred method of contact:**

\_\_\_\_\_

**Best time to contact you:** \_\_\_\_\_

**SECTION TWO: COMPLAINT INFORMATION:**

**1. LOCATION/ DEPARTMENT THAT ALLEGED ACT OR EVEN OCCURRED:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

**2. DATE OF ALLEGED ACT OR EVEN OCCURRED (mm-dd-yyyy):**

\_\_\_\_\_.

**3. You are alleging discrimination on which basis? (Check all that apply)**

☐ Race      ☐ Color      ☐ National Origin      ☐ Limited English Proficiency

**4. Please explain what happened to you (you may use additional pages if necessary).  
Attach any supporting documents to your complaint.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Lined writing area with horizontal ruling lines.

Lined area for writing or drawing.

BROWN COUNTY TITLE VI DISCRIMINATION FORM

**SECTION 3: COUNTY EMPLOYEE INVOLVED IN THE ALLEGED DISCRIMINATORY ACT:**

**NAME:**

\_\_\_\_\_

**POSITION IN OFFICE:**

\_\_\_\_\_

**SECTION 4: NAMES OF WITNESSES WHOM WE MAY CONTACT FOR INFORMATION TO SUPPORT/CLARIFY YOUR COMPLAINT.**

**Name:**

\_\_\_\_\_

**Address (street, city, state, zip code)**

\_\_\_\_\_

**Email address:**

\_\_\_\_\_

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

**Name:**

\_\_\_\_\_

**Address (street, city, state, zip code)**

\_\_\_\_\_

**Email address:**

\_\_\_\_\_

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

BROWN COUNTY TITLE VI DISCRIMINATION FORM

**SECTION 5: COMPLAINT FILED**

**Have you filed, or intend to file a complaint regarding the matter raised with any of the following? If yes, please provided the filing dates. (Check all that apply)**

☐ **U.S Department of Transportation (DOT)**  
\_\_\_\_\_ (mm/dd/yyyy)

☐ **Federal Highway Administration (FHWA)**



**[ ] Federal Transit Administration (FTA)**

**[ ] U.S. Department of Justice (DOJ)**

**[ ] Other:** \_\_\_\_\_

**Have you discussed the complaint with any Brown County representative? If yes, please provide the name, position and date of discussion**

NAME:

---

**POSITION IN OFFICE:**

---

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

**Briefly explain how you would like to see this complaint to be resolved. (You may use additional pages if necessary).**

This image shows a full page of blank, lined paper. It features approximately 28 evenly spaced horizontal grey lines across its entire width, providing a template for handwriting practice or general note-taking. The margins are consistent on all sides.

---

---

☐ By Checking this box, certify that I am the individual submitting this document. Unsigned complaints will not be accepted.

Signature (Required) \_\_\_\_\_

Date: \_\_\_\_\_ (mm/dd/yyyy)

**BROWN COUNTY**  
**TITLE VI DISCRIMINATION COMPLAINT FORM**

**PURPOSE:** The purpose of this form is to assist you in filing a discrimination complaint. You are encouraged, but not required, to use this form to file your complaint. If you choose to write a letter, you must submit a signed copy of your complaint, it must contain all of the information requested in this form and be signed by you or your authorized representative.

You may send your complaint by mail or email to 200 South Broadway, Suite 111, Brownwood, Texas 76081 telephone number 325-643-2828 or Email the complaint to [stephanie.upfold@browncountytexas.gov](mailto:stephanie.upfold@browncountytexas.gov) . You must submit a signed copy of your complaint. If you send your form by email, be sure to attach the signed copy. Incomplete information or an unsigned form may delay the processing of your complaint. For help completing the form or signed letter, you may contact the Title VI Coordinator at 325-643-2828.

**FILING DEADLINE:** A complaint must be filed within 180 calendar days from the date of the alleged act of discrimination. Complaints sent by mail will be considered filed on the postmark date. Complaints sent by email or fax will be considered filed on the date the complaint is received and acknowledged by the Title VI Coordinator / Regulatory Compliance Officer. If the complaint is not filed on time, the complainant must include a "good cause" explanation for the delay and request a waiver of this filing requirement. Examples of "good cause" may include:

1. You could not reasonably have been expected to know of the discriminatory act within the 180-day period; or
2. You were seriously ill or incapacitated.

**Title VI Discrimination Complaint Form |**

Title VI Coordinator will review the complaint and determine whether the complaint contains enough information about the alleged discrimination to proceed.

If the Title VI Coordinator / Regulatory Compliance Officer needs more information in order to clarify the complaint, the Title VI Coordinator may contact the complainant. If the complainant fails to provide the requested information in a timely basis, the County may close the complaint.

**POLICY:** Brown County is committed to ensuring that no person on the basis of disability be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination or retaliation in any program or activity receiving assistance that is administered by Brown County, its subrecipients and/or its contractors.

**PRIVACY ACT STATEMENT( 5 U.S.C. § 552a)**

**AUTHORITIES:** Collection of this information is authorized by Americans with Disabilities Act of 1990 (42 U.S.C. § 12101).

**PURPOSE:** The information solicited on this form is used for processing complaints of discrimination under the statutes listed in the "Authorities" section of this notice.

**DISCLOSURE:** Providing this information is voluntary. Failure to complete this form may lead to a delay in processing of the complaint, or rejection of the complaint due to an inadequate basis to continue processing. If your complaint is dismissed you will be notified.

The information you provide in this complaint may be disclosed to outside parties where the County determines that disclosure is: 1) relevant and necessary; 2) necessary for enforcement proceedings against a program that the County finds to have violated laws or regulations; 3) in response to a Congressional office if you have requested that the Congressional office inquire about your complaint or; 4) to the United States Civil Rights Commission in response to its request for

information.

For more information or assistance, you may contact the Title VI Coordinator at 200 South Broadway, Suite 111, Brownwood, Texas 76081 telephone number 325-643-2828 or Email the complaint to [stephanie.upfold@browncountytexas.gov](mailto:stephanie.upfold@browncountytexas.gov)

Complaints shall state, as fully as possible, the facts and circumstances surrounding the alleged discrimination.

### **Complainant Assistance**

The County shall also provide appropriate assistance to complainants, including those persons with disabilities, or who may be limited in their ability to communicate in English. In cases where the complainant is unable or incapable of providing a written statement, a verbal complaint may be made. The Civil Rights Officer will interview the complainant and if necessary assist the person in converting the verbal complaint to writing. All complaints must, however, be signed by the complainant or his/her representative.

### **Procedure**

These procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies or to seek private counsel for complaints alleging discrimination. The complainant may file a signed, written complaint up to 180 calendar days from the date of the alleged act of discrimination or the date the person(s) became aware of the alleged act(s) of discrimination.

The purpose of the *Title VI Discrimination Complaint* form is to assist you in filing a complaint. You are encouraged, but not required, to use the form to file your complaint. If you choose to write a letter, it **must** contain all of the information requested in the form and be signed by you or your authorized representative.

### **Process**

The County shall make every effort to address all complaints in an expeditious and thorough manner.

The County will within fifteen (15) working days of receipt of a complaint alleging discrimination based on the protected classes of the County's Nondiscrimination Statement for a service or benefit provided by the County.

The complainant will be contacted in writing no later than thirty (30) working days after receipt of the complaint should additional information be needed. If the complainant fails to provide the requested information in a timely basis, the County may administratively close the complaint.

Should a cause be warranted, the County will complete the process within ninety (90) calendar days of receipt of a complaint. If additional time is needed, the complainant will be notified. A written report will be prepared and shall include a summary description of the incident, findings and recommended corrective action. If required, the report will be forwarded to the appropriate state or federal agency.

A final written response letter will be provided to the complainant, the respondent, and/or the respondent department. In the letter notifying complainant that the complaint is not substantiated, the complainant will be advised of his/her right to appeal with the County within five (5) working days from receipt of the closing letter or that they may file a complaint externally with the U.S. Department of Justice, Office of Civil Rights, or appropriate federal agency. If there is no appeal or no findings, the complaint will be closed.

The County maintains all complaint records that outline the complaint identifiers as specified by

federal regulation.

Complaints can also be filed by completing and submitting Brown County's Title VI Complaint Form available at <https://www.browncountytexas.gov/page/brown.Accessibility> or by sending an email or letter with the necessary information to:

**Brown County**

**Mailing Address:** 200 South Broadway, Suite 111 Brownwood, Texas 76801

**Email :** [stephanie.upfold@browncountytexas.gov](mailto:stephanie.upfold@browncountytexas.gov)

**Phone :** [325-643-2828](tel:325-643-2828)

If necessary, the complainant may call the phone number above and provide the allegations by telephone. The Title VI Coordinator will transcribe the allegations of the complaint as provided over the telephone and send a written complaint to the complainant for correction and signature.

Complaints can also be filed directly with the following agencies:

**Federal Highway Administration Office of Civil Rights**

**HCR-20, Room E81-320**

**1200 New Jersey Avenue, SE, Washington, DC 20590**

**Complaints alleging violations of Title VI filed against a subrecipient to TxDOT (e.g. City, County, College or University, contractor, consultant, etc.) may be filed in writing with TxDOT at: [CivilRights@txdot.gov](mailto:CivilRights@txdot.gov) or**

**Texas Department of Transportation Civil Rights Division**

**Attn: Title VI Program Manager**

**125 E. 11th Street, Austin, Texas 78701**

**Additionally, complaints filed against subrecipients to TxDOT may be filed with FHWA or the**

**U.S. Department of Justice at:**

**Federal Coordination and Compliance Section - NWB Civil Rights Division**

**U.S. Department of Justice, 950 Pennsylvania Avenue, N.W. Washington, D.C. 20530**

After submitting a complaint, the complainant will receive correspondence informing them of the status of the complaint within ten (10) business days from [Brown County](#).

Complaints received by Brown County Title VI Coordinator are forwarded to the TxDOT Office

of Civil Rights (OCR). TxDOT OCR will forward the complaint to the FHWA Texas Division Office, along with a preliminary processing recommendation. The FHWA Texas Division Office will forward the complaint to FHWA Headquarters Office of Civil Rights (HCR).

FHWA HCR is responsible for all determinations regarding whether to accept, dismiss, or transfer Title VI complaints. There are four potential outcomes for processing complaints:

- **Accept:** if a complaint is timely filed, contains sufficient information to support a claim under

Title VI, and concerns matters under the FHWA's jurisdiction, then HCR will send to the complainant, the respondent agency, and the FHWA Texas Division Office a written notice that it has accepted the complaint for investigation.

- **Preliminary review:** if it is unclear whether the complaint allegations are sufficient to support a claim under Title VI, then HCR may (1) dismiss it or (2) engage in a preliminary review to acquire additional information from the complainant and/or respondent before deciding whether to accept, dismiss, or refer the complaint.

- **Procedural Dismissal:** if a complaint is not timely filed, is not in writing and signed, or features other procedural/practical defects, then HCR will send the complainant, respondent, and FHWA Texas Division Office a written notice that it is dismissing the complaint.

- **Referral\Dismissal:** if the complaint is procedurally sufficient but FHWA (1) lacks jurisdiction over the subject matter or (2) lacks jurisdiction over the respondent entity, then HCR will either dismiss the complaint or refer it to another agency that does have jurisdiction. If HCR dismisses the complaint, it will send the complainant, respondent, and FHWA Division Office a copy of the written dismissal notice. For referrals, FHWA will send a written referral notice with a copy of the complaint to the proper Federal agency and a copy to the USDOT Departmental Office of Civil Rights.



Complaints are not investigated by Brown County. FHWA HCR is responsible for investigating all complaints. FHWA HCR may also delegate the investigation to TxDOT OCR, who would then conduct all data requests, interviews, and analysis and create a Report of Investigation (ROI). TxDOT OCR will have sixty (60) business days from the date the investigation is delegated to prepare the ROI and send it to HCR. HCR will review the ROI and compose a Letter of Finding based on the ROI.

For further information about the FHWA investigation process and potential complaint outcomes, please visit the Questions and Answers for Complaints Alleging Violations of Title VI of the Civil Rights Act of 1964

## Complaint Log

*Brown County* maintains a complaint log to document all activity related to the complaint. Information captured includes:

- Complainant's name, and if provided, race, color, and national origin;
- Respondent's name;
- Basis(es) of the discrimination complaint;
- Allegation(s)/Issue(s) surrounding the discrimination complaint;
- Date the discrimination complaint was filed;
- Date the investigation was complete;
- Disposition;
- Disposition date; and
- Other pertinent information.

## Notice of Rights

In accordance with 23 CFR 200.9(a)(12), *Brown County* is required to develop Title VI information for dissemination to the general public and, where appropriate, in languages other than English. Notice of Brown County Title VI policies and procedures are listed in many places such as *ONLINE AND IN THE COUNTY JUDGES OFFICE*.

## Notification to Beneficiaries

*Brown County* website is continuously updated to ensure Title VI information is readily accessible to the public. The website informs the public of their rights under Title VI and provides information on how to file a complaint. Title VI information available on Brown County Website.

Includes:

- Brown County Title VI/Nondiscrimination Plan
- Title VI Nondiscrimination Agreement
- Title VI Nondiscrimination Statement
- Title VI Nondiscrimination Assurances

## Public Involvement

It is the goal of *Brown County* to provide continuous, effective and transparent access to all stakeholders. *Brown County* strives to inform all stakeholders about proposed plans and projects and seeks input when appropriate. *Brown County* utilizes the following methods to communicate.

Information regarding upcoming activities and opportunities for public participation in the planning process:

- *ONLINE ENGAGEMENT PLATFORMS*
- *MEDIA RELEASES*
- *VISUALIZATION PRESENTATIONS/TECHNIQUES*
- *LOCAL COMMUNITY PUBLIC MEETINGS*

- *Brown County WEB SITE*

Traditionally underserved communities can find it more difficult to engage with decision making entities due to scheduling conflicts, lack of transportation to public involvement events, language barriers, lack of childcare, etc. Genuine public involvement takes place at all levels and so *Brown County* aims to identify communities that may be affected by a project in order to plan appropriately and effectively for the potentially impacted groups. Sources of data used were listed above in the Data Gathering section. Brown County specifically uses the following sources to identify minority and populations with limited English proficiency.

- *US CENSUS TABLE P9 – HISPANIC OR LATINO AND NOT HISPANIC OR LATINO BY RACE*
- *ACS TABLE B16001 – LANGUAGE SPOKEN AT HOME BY ABILITY TO SPEAK ENGLISH FOR THE POPULATION 5 YEARS AND OVER.*

*Brown County* will use the following techniques to ensure that all members of the community have the opportunity to participate in the decision-making process:

- *PROVIDING VIRTUAL OPTIONS*
- *TRANSLATING DOCUMENTS INTO LANGUAGES OTHER THAN ENGLISH*

## Language Assistance and Limited English Proficiency

As a recipient or sub-recipient of federal US DOT funding, **Brown County** is required to take reasonable steps to ensure meaningful access to our programs and activities by limited-English proficient (LEP) persons. **Brown County** follows Executive Order 13166 in identifying and engaging limited English proficient (LEP) populations to ensure their involvement and knowledge of programs and activities in and around their community.

Limited English Proficient (LEP) persons is defined as persons for whom English is not their primary language and who have a limited ability to read, write, speak, or understand English. This includes those who have reported to the U.S. Census that they speak English less than very well, not well, or not at all.

**Brown County** policy for engaging Limited English Proficient Individuals is to provide translation services to individuals who request them, if reasonable accommodations can be made. In addition, **Brown County** proactively identifies communities with high concentrations of Limited English Proficient persons and employs tactics and strategies to effectively engage them in the planning process.

**The Brown County** Language Assistance Plan includes the following elements:

1. The results of the Four Factor Analysis, including a description of the LEP population(s), served.
2. A description of how language assistance services are provided by language
3. A description of how LEP persons are informed of the availability of language assistance service
4. A description of how the language assistance plan is monitored and updated
5. A description of how employees are trained to provide language assistance to LEP persons

### Four Factor Analysis Results: LEP Populations Served

#### **Item #1- Four Factor Analysis Results: LEP Populations Served:**

One language meets the Safe Harbor threshold-Spanish. **Brown County** is home to **38,095** people (**14.6%** of the population) who speak Spanish, The number of people who speak other languages and English less than very well all comprise under 0.4% of the population each, with the largest being Asian/Pacific Islander at **152** people being 0.04%.

#### **Item #2- Description of how Language Assistance Services are Provided by Language:**

**Brown County** has identified, developed, and uses the following:

- a) Based on the limited population of Spanish speakers who also speak English less than very well, **Brown County** designates the following as Vital Documents which will be translated to Spanish: Title VI Policy Statement, Title VI Notice to the Public, Title VI Complaint Form, and Title VI Complaint Procedures.
- b) **Brown County** has many local agencies, organizations, law enforcement, colleges/universities, local school districts and social service agencies that are available to assist with it LEP responsibilities.

- c) The **Brown County utilizes** police officers and firefighters **and local Individuals** who are bilingual or multilingual who use their skills in the community.
- d) Any other need for translated documents or interpretation services will be provided on an as-needed basis. That is, anyone requesting specific information in a non-English language will be provided it upon request The **County** will use its internal resources to meet this need, when available. Otherwise, the **County** will reach out to external partner agency resources, or hire a translator or interpreter as needed.
- e) Brown County strives to hire bilingual employees in various public-facing departments and customer service roles.

Item #3 - Description of how LEP Persons are Informed of the Availability of Language Assistance Service

- a. Brown County has many local agencies, organizations, law enforcement, colleges/universities, local school districts and social service agencies that make translation available to assist with it LEP responsibilities. Including printing translated documents.
- b. Any individual that needs information translated Brown County will utilize a translator or interpreter as needed.

Item #4 - Description of how the Language Assistance Plan is Monitored and Updated

Brown County will continue to update the LEP plan as required by U.S. DOT. At a minimum, the Title VI Plan will continue to be reviewed and updated every three (3) years in conjunction with the Title VI submission and use data from the U.S. Decennial Census or the American Community Survey as available, or when it is clear that the concentrations of LEP individuals are present in Brown County.

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 City.
- Determination as to whether the need for translation services has changed.
- Determine whether the City of Bryan has complied with the goals of this LEP Plan.
- Determine whether complaints have been received concerning the City of Bryan's failure to meet the needs of LEP individuals.

Item #5 - Description of how Employees are Trained to Provide Language Assistance to LEP Persons
--

The following training will be provided to the Brown County staff:

- Information on the Brown County Title VI Procedures and LEP responsibilities.
- Description of language assistance services offered to the public.
- Documentation of language assistance requests.
- How to handle or where to send a potential Title VI / LEP complaint.



## Log of LEP Encounters

<b>Date</b>	<b>Time</b>	<b>Language Spoken By Individual</b> <i>(if available)</i>	<b>Name and Phone Number of Individual</b> <i>(if available)</i>	<b>Service Requested</b>	<b>Follow Up Required</b>	<b>Staff Member Providing Assistance</b>	<b>Notes</b>

### LEP Four Factor Analysis

What does it mean to be Limited English Proficient (LEP)?

LEP individuals do not speak English as their primary language and therefore have a limited ability to read, write, speak, or understand English. Many LEP persons are in the process of learning English and may read, write, speak, and/or understand some English, but not proficiently. LEP status may be context-specific - an individual may have sufficient English language skills to communicate basic information (name, address etc.) but may not have sufficient skills to communicate detailed information in English.

### Background

Federal law prohibits discrimination based on national origin. National origin discrimination includes discrimination based on a person's inability to speak, read, write or understand English. Recipients of Federal funds must provide meaningful access to LEP individuals.

On August 11, 2000, Executive Order 13166, titled, "Improving Access to Services by Persons with Limited English Proficiency," was issued. Executive Order 13166 requires Federal agencies to assess and address the needs of otherwise eligible persons seeking access to federally conducted programs and activities who, due to LEP cannot fully and equally participate in or benefit from those programs and activities. Section 2 of the Executive Order 13166 directs each Federal department or agency "to prepare a plan to

improve access to...Federally conducted programs and activities by eligible LEP persons "

Framework for deciding when Language Services are needed

Brown County will take the following steps to ensure meaningful access to its programs, services, and activities for LEP individuals in a manner that balances the following four factors.

#### FOUR-FACTOR ANALYSIS

The Four Factor Analysis is a local assessment that considers:

- 1.The number or proportion of LEP persons eligible to be served or likely to be encountered by the agency;
- 2.The frequency with which LEP persons come into contact with the agency's services and programs;
- 3.The nature and importance of the agency's services and programs in people's lives; and
- 4.The resources available to the agency for LEP outreach, as well as the costs associated with that outreach.

Factor One: The number or proportion of LEP persons eligible to be serviced or likely to be encountered by Brown County.

The first step in determining the appropriate components of a Language Assistance Plan is understanding the proportion of LEP persons who may encounter our agency's services, their literacy skills in English and their native language, the location of their communities and neighborhoods and, more importantly, if any are underserved as a result of a language barrier.

To do this, the County evaluated the level of English proficiency and to what degree people in its service area speak a language other than English and what those languages are. Data for this review is derived from the United States Census and the American Community Survey. The census data for 2020 was utilized which has been included in **Attachment F**.

#### The Safe Harbor Provision

The U.S. Department of Transportation (U.S. DOT) has adopted the U.S. Department of Justice's Safe Harbor Provision. This provision outlines circumstances that can provide a "safe harbor" for U.S. DOT recipients (and sub-recipients) regarding translation of vital documents. Specifically, if a recipient provides written translation of vital documents for each LEP group that constitutes the lesser of 1,000 persons or five percent (5%) of the total population eligible to be served or likely to be affected or encountered, such action is considered strong evidence of compliance with the recipient's written translation obligations.

The Safe Harbor Provision only applies to the translation of written documents. It does not affect the agency's requirement to provide meaningful access to LEP individuals through oral language services.

A vital document is any document that is critical for ensuring meaningful access to the recipients' major activities and programs by beneficiaries generally and LEP persons

specifically. Whether or not a document (or the information it solicits) is "vital" may depend upon the importance of the program, information, encounter, or service involved, and the consequence to the LEP person if the information in question is not provided accurately or in a timely manner.

The data above shows that just one language meets the Safe Harbor threshold-Spanish. **Brown County** is home to **38,095** people (**14.6%** of the population) who speak Spanish, The number of people who speak other languages and English less than very well all comprise under **0.4%** of the population each, with the largest being Asian/Pacific Islander at **152** people being **0.04%**.

#### Designation of Vital Documents

Based on the limited population of Spanish speakers who also speak English less than very well, Brown County designates the following as Vital Documents which will be translated to Spanish. Title VI Policy Statement, Title VI Notice to the Public, Title VI Complaint Form, and Title VI Complaint Procedures.

Factor Two: The frequency with which LEP persons come into contact with Brown County services and programs.

Brown County recognizes the importance of taking measures to gauge LEP needs, but in the spirit of transparency, admits it has done less than planned in the past few years to fortify the Title VI Program.

While Community Development Department has a long history of tracking this information, the remainder of Brown County can improve. Moving forward the County plans to collect data on the frequency in which LEP persons come into contact with the County various departments and programs.

The Title VI Coordinator will create an annual survey to be sent to each department ("Departments" such as County Clerks, District Clerks, Tax Assessor Collector, etc.). Departments will collect data on their contacts with people who need language assistance, and the Title VI Coordinator will review and analyze this data each year. Departments will also be asked to log their use of any type of translation or interpretation services. Thus, by the time this Program is due for an update, the County will have concrete data on language access needs to help direct future efforts and planning.

Factor Three: The Nature and Importance of Brown County Programs, Activities or Services to People's Lives.

The importance of the services offered to residents by Brown County is immeasurable. From public safety to animal services, leisure services like wildlife parks and libraries, to Car Registration, Birth Certificates, and roadways every resident needs to contact the County at some point for assistance. The County strives to offer numerous opportunities for inclusion for LEP persons through providing written materials and translation services.

Finally, the County planning process relies on input from the public, and the services provided are important to LEP person's lives, and therefore must be accessible to everyone, regardless of ability to speak English.

Factor Four: Resources and Costs for LEP Outreach

The resources available to County staff and overall costs to provide LEP assistance. Brown County utilizes a combination of multilingual staff members and procured vendors as professional, competent translators and interpreters as requested. Brown County staff addresses most language assistance needs with over-the phone and in-person interpretation, and some document translation. Brown County will be developing a list of bilingual County employees that can assist with interpretation and train staff to recognize individuals in community meetings, forums, activities and programs who may show difficulty or inability to read or write English, and to assist them accordingly.

## Implementation

### Language Assistance Measures

Brown County will provide the appropriate level of oral interpretation and written translation services based on the four factor analysis. Members of the most prevalent language group will at least have the ability to receive translation services through County employees. Staff members who speak Spanish or any other foreign languages can be consulted or utilized for translation or interpretation in informal or emergency situations. In the event assistance in a rare language is needed, Brown County can reach out Howard Payne University to find staff who are proficient and may be willing to assist. Other free resources include the use of Google Translate or other technology- based translation services. The County can utilize Google Translate to interpret simple comments or messages left on our social media or in real time if necessary to communicate without advance warning an interpreter is needed.

The County recognizes there will be times when professional interpretation or translation services are needed. In those cases where a citizen needs to communicate with us in another language, there are multiple private sector companies that have offices in Bryan that we can utilize to provide these services.

These resources give our agency the ability to perform outreach with the LEP population at a reasonable cost.

### Oral Interpretation Services

LEP persons can contact the County in person or on the phone that may require interpretation services. Many departments have Spanish speaking employees that handle the bulk of the requests, and having County employees to assist those departments that may not have Spanish speaking employees. Any other interpretation would be sought out by the private sector.

### Written Translation Services

Written public information that is of importance to residents shall be translated in-house through a translator, or, if needed, sent for written translation services by various businesses with offices the County.

## Training

*Brown County* will ensure that its staff understand Title VI of the Civil Rights Act of 1964 and how it may apply to their work. The following options are available for providing training:

Review of the *Brown County* Title VI Plan

- Attendance at any available Title VI trainings provided by the Texas Department of Transportation, U.S. Department of Transportation or its applicable operating administrations, or the U.S. Department of Justice.
- Viewing the video [Understanding and Abiding by Title VI of the Civil Rights Act of 1964](#) produced by the U.S. Department of Justice

*Brown County* will maintain records indicating that staff have received sufficient training on a periodic basis.

**Attachment A.**

**Nondiscrimination Assurance of Compliance with Title VI of the Civil  
Rights Act of 1964**





ASSURANCES OF COMPLIANCE WITH TITLE VI OF THE  
CIVIL RIGHTS ACT OF 1964


It is the policy of the Brown County, to provide reasonable assurances that it will comply with the requirements and provisions of the Title VI of the Civil Rights Act of 1964, 78 Statute 252, 42 U.S.C 2000d-42 U.S.C 2000d-4, and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964 and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person who resides in, or does business with, Brown County on the grounds of race, color, or national origin, be excluded from the participation in, be denied the benefits of, or otherwise be subjected to discrimination under any of our programs or activities.

Signed on this the ( 5 ) Day of ( may ), ( 20 25 )

  
\_\_\_\_\_  
Shane Britton, County Judge

  
\_\_\_\_\_  
Kirk Chastain, Commissioner PCT 1

  
\_\_\_\_\_  
Joel Kelton, Commissioner PCT 2

  
\_\_\_\_\_  
David Reid, Commissioner PCT 3

  
\_\_\_\_\_  
Larry Trawick, Commissioner PCT 4

## **Attachment B**

### **Title VI/ Nondiscrimination Policy Statement**

## Title VI/Nondiscrimination Policy Statement

(Rev. 04/20)  
Page 1 of 1

The County of Brown, 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, color, national origin, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any Department programs or activities.

  
\_\_\_\_\_  
Signature of Authorized Official

05/05/2025

\_\_\_\_\_  
Date

## **Attachment C**

### **Nondiscrimination Policy Statement for Contractors**



## Nondiscrimination Policy for Contractors

The ADA mandates that contractors working for public entities ensure all facilities are readily accessible to individuals with disabilities. This includes adhering to the ADA Standards for Accessible Design during construction or alterations of new buildings or facilities. Contractors also have a responsibility to provide reasonable accommodations to their employees with disabilities, ensuring they can participate in the job application process and perform the essential functions of their jobs.

**Specific Responsibilities for Contractors:**

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1.Compliance with Regulations: The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, the FHWA, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.

2.Non-discrimination: The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.

3.Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.

4.Information and Reports: The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or FHWA to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or FHWA, as appropriate, and will set forth what efforts it has made to obtain the information.

5. Sanctions for Noncompliance: In the event of a contractor's noncompliance with the Nondiscrimination provisions of this contract, the Recipient will impose such contract sanctions as it or FHWA may determine to be appropriate, including, but not limited to:

- a. Withholding payments to the contractor under the contract until the contractor complies, and/or
- b. Cancelling, terminating, or suspending a contract, in whole or in part.

6. Incorporation of Provisions: The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

#### **Clauses for Deeds Transferring United States Property**

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that Brown County will accept title to the lands and maintain the project constructed thereon in accordance with all applicable federal statutes, the Regulations for the Administration of all DOT programs, and the policies and procedures prescribed by FHWA of the U.S.

Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto Brown County the all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto Brown County and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or

for another purpose involving the provision of similar services or benefits and will be binding on Brown County its successors and assigns.

The County, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]\* (2) that the County will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended [, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].\*

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

**Clauses for Transfer or Real Property Acquired or Improved Under the Activity, Facility, or Program**

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the Recipient pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that: 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, Brown County will have the right to terminate the (lease,



license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.

- C. \*With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, Brown County will have the right to enter or re-enter the lands and facilities thereon, and the above-described lands and facilities will there upon revert to and vest in and become the absolute property of the County and its assigns. \*

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

### **Clauses for Construction/Use/Access to Real Property Acquired Under the Activity, Facility, or Program**

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by the Recipient pursuant to the provisions of Assurance 7(b):

A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that ( 1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.

B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Nondiscrimination covenants, Brown County will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued. \*

C. With respect to deeds, in the event of breach of any of the above non-discrimination covenants, Brown County will there upon revert to and vest in and become the absolute property of Brown County and its assigns. \*

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

#### Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601 ), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 4 71, Section 4 7123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);

Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;

- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

- **Following Design Standards:**

Contractors must adhere to the ADA Standards for Accessible Design when constructing or altering facilities. This includes things like ensuring ramps, restrooms, and other public areas are accessible.

- **Reasonable Accommodation for Employees:**

Updated by Stephanie Upfold FY 2025.

Contractors must provide reasonable accommodation to their employees with disabilities, unless doing so would impose an undue hardship. This could include modifications to the work environment, equipment, or job duties.

- **Non-Discrimination:**

Contractors cannot discriminate against employees or applicants based on disability.

- **Regular Inspections:**

Contractors should conduct regular inspections to ensure compliance with ADA standards and address any potential accessibility issues promptly.

- **Flow-Down Clause:**

For government contractors, they are required to flow down the ADA compliance clause to subcontracts exceeding \$10,000.

- **Compliance with DOT Regulations:**

Private contractors providing transportation services under contract with a public entity must comply with the DOT's ADA regulations, effectively "standing in the shoes" of the public entity.

- **"Stand in the Shoes" Requirement:**

If a private entity contracts with a public entity to provide transportation services, the private entity is subject to the same ADA requirements as the public entity.

## **BROWN COUNTY TITLE VI / NONDISCRIMINATION STATEMENT**

Brown County is committed to ensuring that no person on the basis of race, color, national origin (limited English proficiency), sex, age, religion, disability, sexual orientation, or veteran status, or any other group of people protected under Federal or State nondiscrimination statutes, laws, regulations, or other requirements, shall be excluded from participating in, be denied the benefits of, or otherwise be subjected to discrimination or retaliation in any program or activity receiving Federal financial assistance that is administered by Brown County, its subrecipients, and/or its contractors. Any person or organization believing they have been a victim of discrimination based on race, color, or national origin (limited English proficiency) may file a complaint with the agency in question or with the Brown County Title VI Coordinator / Regulatory Compliance Officer. For more Title VI information, please contact: Brown County Title VI Coordinator 200 South Broadway, Brownwood, Texas 76801. Phone: 325-643-2828. Email: [stephanie.upfold@browncountytexas.gov](mailto:stephanie.upfold@browncountytexas.gov).

## **FILING A TITLE VI DISCRIMINATION COMPLAINT**

Any person or organization believing they have been a victim of discrimination based on race, color, or national origin (limited English proficiency) may file a complaint with the agency in question or with the Brown County Title VI Coordinator

To submit a complaint please complete the "Title VI Discrimination Complaint" form. Complaint forms can be obtained via the email below. Please send your complaint to:

Brown County Title VI Coordinator

200 South Broadway, Brownwood, Texas 76801.

Phone: 325-643-2828.

Email: [stephanie.upfold@browncountytexas.gov](mailto:stephanie.upfold@browncountytexas.gov).

This Policy was presented and adopted by the Brown County Commissioners Court on May 5<sup>th</sup>, 2025.

Signed this 5, Day of May, 2025.



Shane Britton, County Judge.

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, the FHWA, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or FHWA to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of

another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or FHWA, as appropriate, and will set forth what efforts it has made to obtain the information.

5. Sanctions for Noncompliance: In the event of a contractor's noncompliance with the Nondiscrimination provisions of this contract, the Recipient will impose such contract sanctions as it or FHWA may determine to be appropriate, including, but not limited to:
  - a. withholding payments to the contractor under the contract until the contractor complies, and/or
  - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. Incorporation of Provisions: The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

**Clauses for Deeds Transferring United States Property**

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the Brown County will accept title to the lands and maintain the project constructed thereon in accordance with all applicable federal statutes, the Regulations for the Administration of all DOT programs, and the policies and procedures prescribed by FHWA of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto Brown County the all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

**(HABENDUM CLAUSE)**

TO HAVE AND TO HOLD said lands and interests therein unto Brown County and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another



purpose involving the provision of similar services or benefits and will be binding on the  
Brown County \_\_\_\_\_, its successors and assigns.

The Brown County \_\_\_\_\_, in consideration of the conveyance of said lands and  
interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its  
successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be  
excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination  
with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [.]  
[and]\* (2) that the Brown County \_\_\_\_\_ will use the lands and interests in lands and  
interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49,  
Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary,  
Part 21, Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation,  
Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be  
amended [, and (3) that in the event of breach of any of the above-mentioned non-discrimination  
conditions, the Department will have a right to enter or re-enter said lands and facilities on said land,  
and that above described land and facilities will thereon revert to and vest in and become the absolute  
property of the U.S. Department of Transportation and its assigns as such interest existed prior to this  
instruction].\*

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

**Clauses for Transfer or Real Property Acquired or Improved  
Under the Activity, Facility, or Program**

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the Recipient pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:
1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, Brown County will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.\*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, Brown County will have the right to enter or re-enter the lands and

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

facilities thereon, and the above-described lands and facilities will there upon revert to  
and vest in and become the absolute property of the Brown County  
and its assigns. \*

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

**Clauses for Construction/Use/Access to Real Property Acquired  
Under the Activity, Facility, or Program**

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by the Recipient pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that ( 1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Nondiscrimination covenants, Brown County will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued. \*
- C. With respect to deeds, in the event of breach of any of the above non-discrimination covenants, Brown County will there upon revert to and vest in and become the absolute property of Brown County and its assigns. \*

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

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601 ), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 4 71, Section 4 7123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);

- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to -ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

**Attachment D**

**Brown County U.S. DOT Standard Title VI/Non- Discrimination  
Assurances.**

The United States Department of Transportation (USDOT)  
Standard Title VI/Nondiscrimination Assurances

(Rev. 04/20)  
Page 1 of 5

DOT Order No. 1050.2A

The County of Brown (herein referred to as the "Recipient"), HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through the Federal Highway Administration (FHWA), is subject to and will comply with the following:

**Statutory/Regulatory Authorities**

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.P.R. Part 21 (entitled Non-discrimination in Federally Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964);
- 28 C.P.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

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

**General Assurances**

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

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



The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Nondiscrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

### **Specific Assurances**

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally-assisted U.S. DOT programs:

1. The Recipient agrees that each "activity," facility," or "program," as defined in §§ 21.23(b) and 21.23(e) or 49 C.P.R § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests for Proposals for work, or material subject to the Acts and the Regulations made in connection with all of Brown County and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

*"The Recipient, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."*

3. The Recipient will insert the clauses of Appendix A and Appendix E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
  - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
  - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods.
  - a. the period during which the property is used for a purpose for which the Federal financial

assistance is extended, or for another purpose involving the provision of similar services or benefits; or

b. the period during which the Recipient retains ownership or possession of the property.

9. The Recipient will provide for such methods of administration for the programs as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this assurance, the Recipient also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the U.S. DOT access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the U.S. DOT. You must keep records, reports, and submit the material for review upon request to U.S. DOT, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The Recipient gives this assurance in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. DOT under all

Department of Transportation Programs. This assurance is binding on Texas, other recipients, subrecipients, sub-grantees, contractors, subcontractors and their subcontractors, transferees, successors in interest, and any other participants in all Department of Transportation programs. The person(s) signing below is/are authorized to sign this assurance on behalf of the Recipient.

County Judge

Title of Recipient



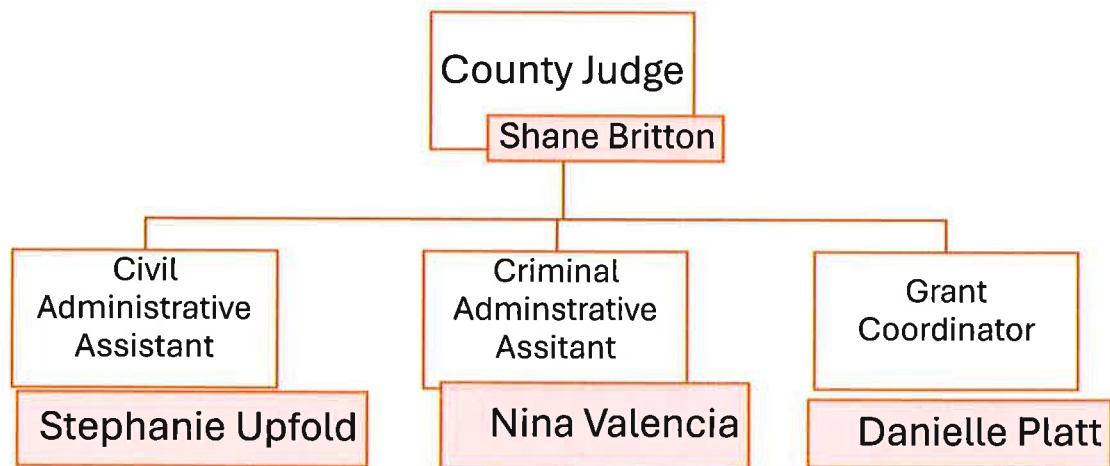
Signature of Authorized Official

05/05/20

Date

## Attachment E

### Brown County Judge's Department Hierarchy Chart



## **Attachment F**

### **Brown County U.S. Census Bureau Information**

# Brown County, Texas

Brown County, Texas has 944.5 square miles of land area and is the 87th largest county in Texas by total area. Brown County, Texas is bordered by San Saba County, Texas, Eastland County, Texas, Coleman County, Texas, Comanche County, Texas, McCulloch County, Texas, Mills County, Texas, and Callahan County, Texas.

**Populations and People**

Total Population  
**38,095**  
*P1 | 2020 Decennial Census*

**Education**

Bachelor's Degree or Higher  
**19.9%**  
*S1501 | 2023 American Community Survey 5-Year Estimates*

**Housing**

Total Housing Units  
**18,897**  
*H1 | 2020 Decennial Census*

**Business and Economy**

Total Employer Establishments  
**849**  
*CB2100CBP | 2021 Economic Surveys Business Patterns*

**Race and Ethnicity**

Hispanic or Latino (of any race)  
**8,211**  
*P9 | 2020 Decennial Census*

**Income and Poverty**

Median Household Income  
**\$55,305**  
*S1901 | 2023 American Community Survey 5-Year Estimates*

**Employment**

Employment Rate  
**53.9%**  
*DP03 | 2023 American Community Survey 5-Year Estimates*

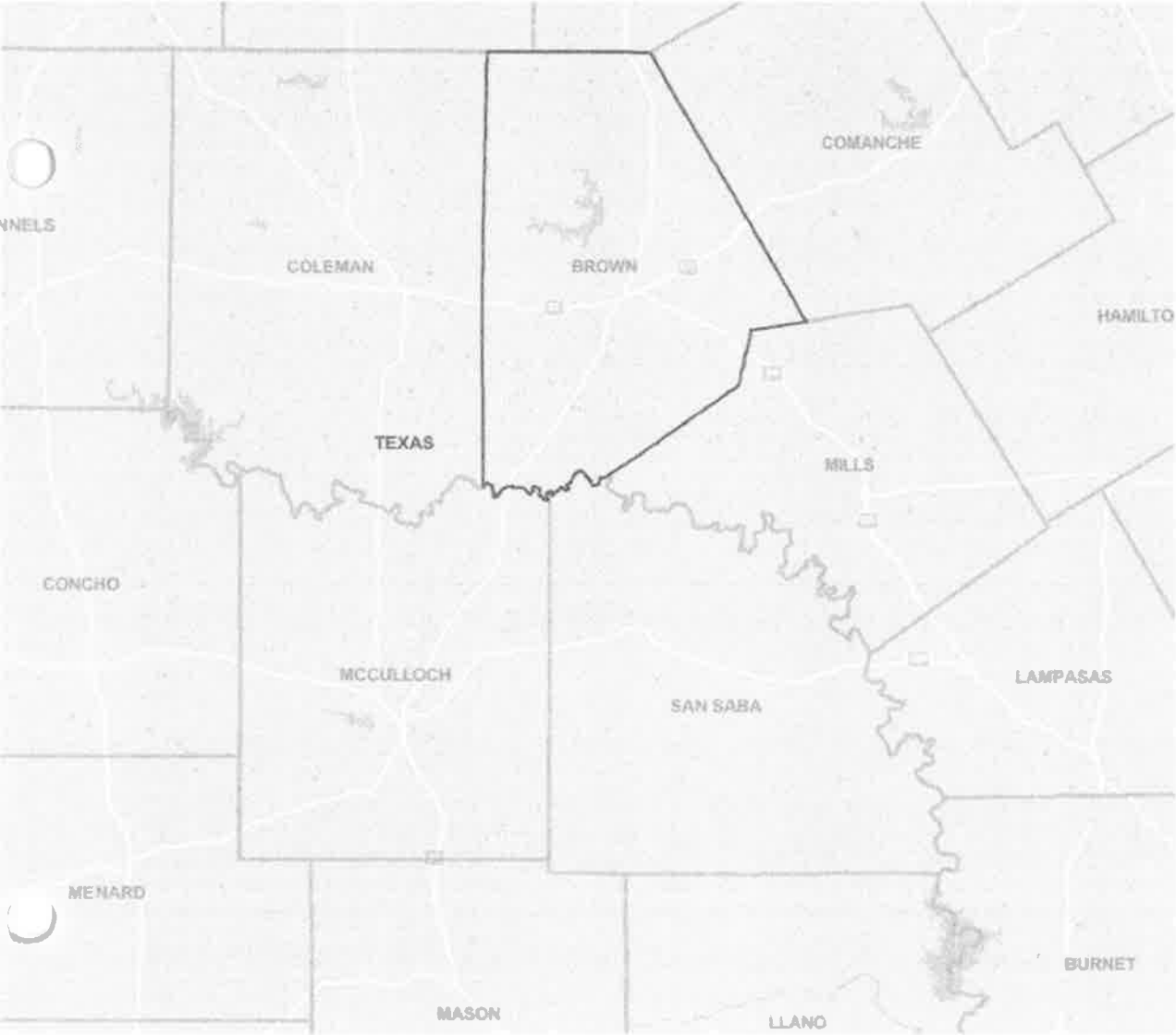
**Health**

Without Health Care Coverage  
**17.8%**  
*S2701 | 2023 American Community Survey 5-Year Estimates*

**Families and Living Arrangements**

Total Households  
**14,979**  
*DP02 | 2023 American Community Survey 5-Year Estimates*

## Brown County, Texas Reference Map



# Populations and People

## Age and Sex

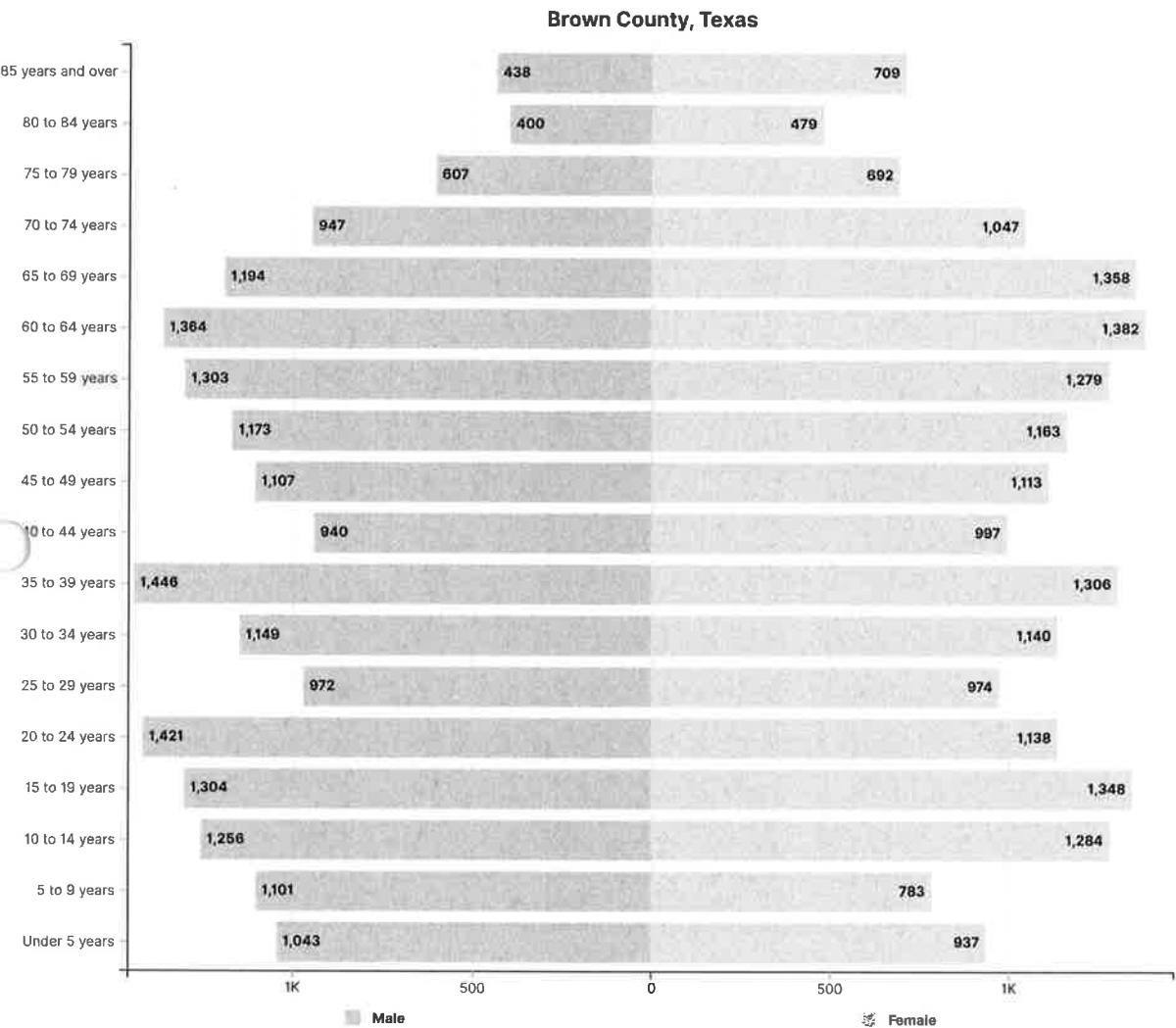
**41.4 ± 0.7**  
Median Age in Brown County, Texas

**35.9 ± 0.1**  
Median Age in Texas

S0101 | 2023 American Community Survey 5-Year Estimates

**Population Pyramid: Population by Age and Sex**  
in Brown County, Texas

[Share](#) / [Embed](#)



Display Margin of Error  
S0101 | 2023 ACS 5-Year Estimates Subject Tables

## Language Spoken at Home

**15.5% ± 1.3%**  
Language Other Than English Spoken at Home in Brown County, Texas

**35.4% ± 0.2%**  
Language Other Than English Spoken at Home in Texas

S0101 | 2023 American Community Survey 5-Year Estimates



## Types of Language Spoken at Home in Brown County, Texas

[Share](#) / [Embed](#)

English only - 84.5%


Spanish - 14.6%

Indo-European languages - 0.4%

Asian and Pacific Islander languages - 0.4%

Other languages - 0.0%



 Display Margin of Error  
S1601 | 2023 American Community Survey 5-Year Estimates

## Native and Foreign-Born

**3.9%** ± 0.8%

Foreign-Born population in Brown County, Texas

**17.9%** ± 0.2%

Foreign-Born population in Texas

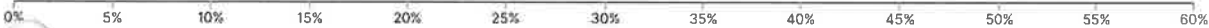
DP02 | 2023 American Community Survey 5-Year Estimates


## Foreign-Born Population in Brown County, Texas

[Share](#) / [Embed](#)

Naturalized U.S. citizen - 42.8%

Not a U.S. citizen - 57.2%



 Display Margin of Error  
DP02 | 2023 American Community Survey 5-Year Estimates

## Older Population

**20.6%** ± 0.2%

65 Years and Older in Brown County, Texas

**13.8%** ± 0.1%

65 Years and Older in Texas

DP05 | 2023 American Community Survey 5-Year Estimates

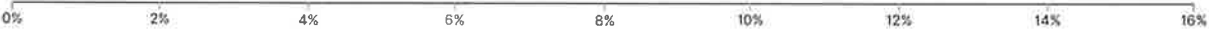
## Older Population by Age in Brown County, Texas

[Share](#) / [Embed](#)

65 to 74 years - 11.9%

75 to 84 years - 5.7%

85 years and over - 3.0%



 Display Margin of Error  
DP05 | 2023 American Community Survey 5-Year Estimates

## Residential Mobility

**2.0%** ± 0.6%

Moved From a Different State in the Last Year in Brown County, Texas

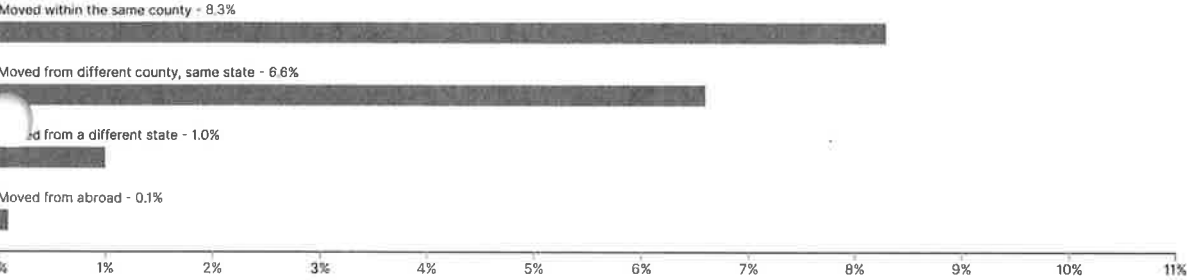
**2.0%** ± 0.1%

Moved From a Different State in the Last Year in Texas

S0701 | 2023 American Community Survey 5-Year Estimates

Residential Mobility in the Last Year  
in Brown County, Texas

Share / Embed



Display Margin of Error  
S0701 | 2023 American Community Survey 5-Year Estimates

Veterans

7.5% ± 0.9%

Veterans in Brown County, Texas

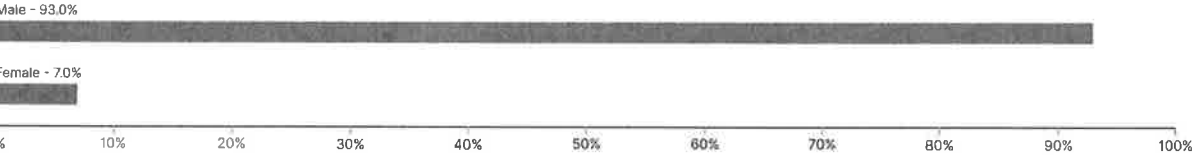
6.1% ± 0.1%

Veterans in Texas

S2101 | 2023 American Community Survey 5-Year Estimates

Veterans by Sex  
in Brown County, Texas

Share / Embed



Display Margin of Error  
S2101 | 2023 American Community Survey 5-Year Estimates

Nearby Counties

# Brown County, Texas

Brown County, Texas has 944.5 square miles of land area and is the 87th largest county in Texas by total area. Brown County, Texas is bordered by San Saba County, Texas, Eastland County, Texas, Coleman County, Texas, Comanche County, Texas, McCulloch County, Texas, Mills County, Texas, and Callahan County, Texas.

**Populations and People**

Total Population

**38,095**

P1 | 2020 Decennial Census

**Education**

Bachelor's Degree or Higher

**19.9%**

S1501 | 2023 American Community Survey 5-Year Estimates

**Housing**

Total Housing Units

**18,897**

H1 | 2020 Decennial Census

**Business and Economy**

Total Employer Establishments

**849**

CB2100CBP | 2021 Economic Surveys Business Patterns

**Race and Ethnicity**

Hispanic or Latino (of any race)

**8,211**

P9 | 2020 Decennial Census

**Income and Poverty**

Median Household Income

**\$55,305**

S1901 | 2023 American Community Survey 5-Year Estimates

**Employment**

Employment Rate

**53.9%**

DP03 | 2023 American Community Survey 5-Year Estimates

**Health**

Without Health Care Coverage

**17.8%**

S2701 | 2023 American Community Survey 5-Year Estimates

**Families and Living Arrangements**

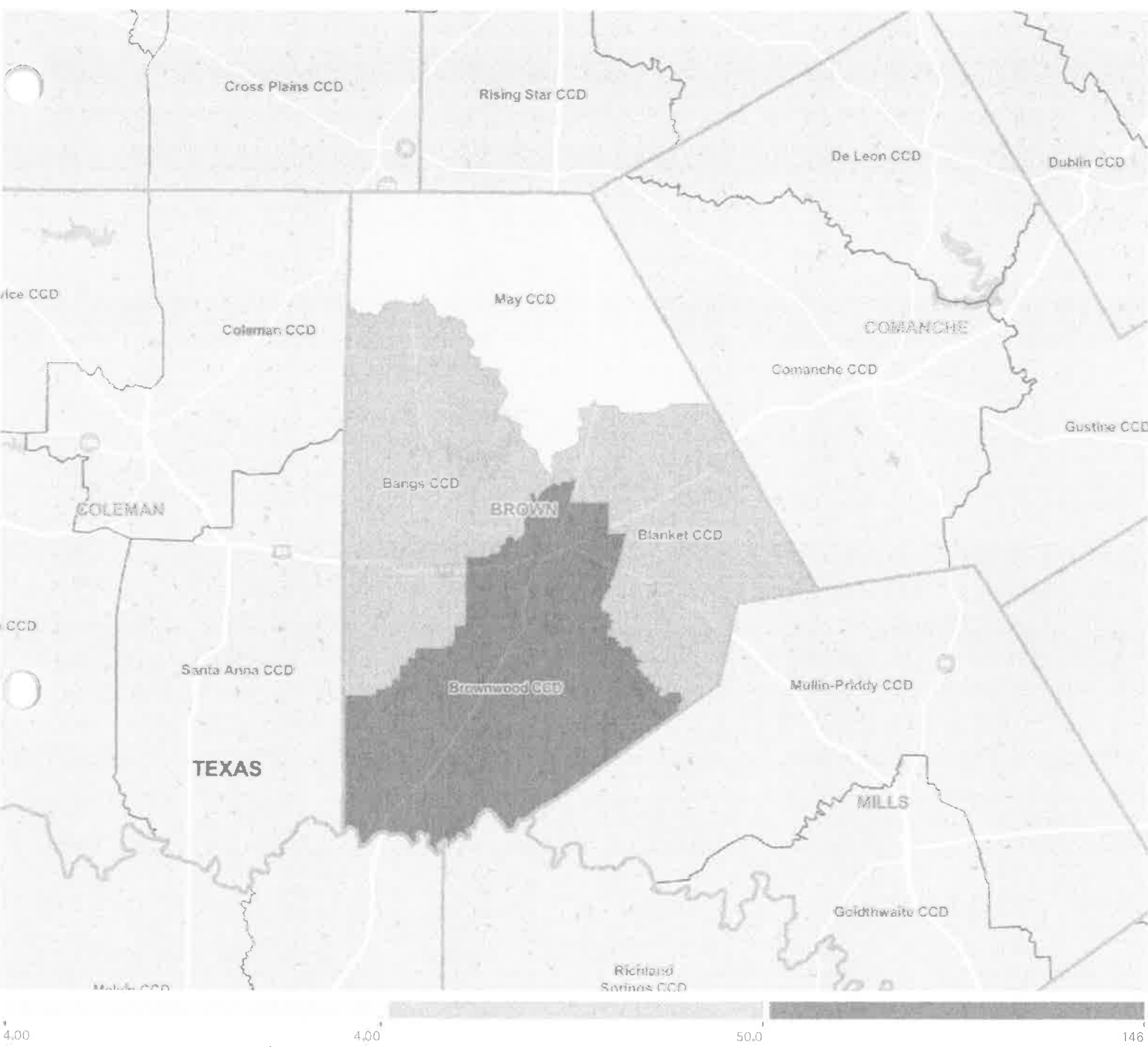
Total Households

**14,979**

DP02 | 2023 American Community Survey 5-Year Estimates

# American Indian and Alaska Native alone

All County Subdivisions within Brown County, Texas



Source: DECENNIALPL2020.P1 | 2020 DEC Redistricting Data (PL 94-171)

## Race and Ethnicity

American Indian and Alaska Native

**232**

American Indian and Alaska Native alone in Brown County, Texas

**278,948**

American Indian and Alaska Native alone in Texas

 | 2020 Decennial Census

## Asian

**274**

Asian alone in Brown County, Texas

**1,585,480**

Asian alone in Texas

P8 | 2020 Decennial Census

## Black or African American

**1,462**

Black or African American alone in Brown County, Texas

**3,552,997**

Black or African American alone in Texas

P8 | 2020 Decennial Census



## Hispanic or Latino

**8,211**

Hispanic or Latino (of any race) in Brown County, Texas

**11,441,717**

Hispanic or Latino (of any race) in Texas

P9 | 2020 Decennial Census

## Native Hawaiian and Other Pacific Islander

**27**

Native Hawaiian and Other Pacific Islander alone in Brown County, Texas

**33,611**

Native Hawaiian and Other Pacific Islander alone in Texas

P8 | 2020 Decennial Census



## Not Hispanic or Latino

**26,672**

White alone, not Hispanic or Latino in Brown County, Texas

**11,584,597**

White alone, not Hispanic or Latino in Texas

 | 2020 Decennial Census

## Some Other Race

**2,801**

Some Other Race alone in Brown County, Texas

**3,951,366**

Some Other Race alone in Texas

P8 | 2020 Decennial Census

## Two or More Races

**3,973**

Two or More Races in Brown County, Texas

**5,133,738**

Two or More Races in Texas

P8 | 2020 Decennial Census



## White

**29,326**

White alone in Brown County, Texas

**14,609,365**

White alone in Texas

P8 | 2020 Decennial Census

# Nearby Counties

San Saba County, Texas

Coleman County, Texas

McCulloch County, Texas

Callahan County, Texas

Eastland County, Texas

Comanche County, Texas

Mills County, Texas

