



**City of Sugar Land, Texas**

**Title VI/Nondiscrimination Plan**

**Fiscal Year 2025**

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## **Title VI and Related Statutes Nondiscrimination Statement**

The City of Sugar Land, 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, sex, age, or disability be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any Department programs or activities.

## **Introduction**

The City of Sugar Land, Texas (City) is a recipient of federal financial assistance. As a recipient of federal financial assistance, the City must comply with various nondiscrimination laws and regulations, including Title VI of the Civil Rights Act of 1964 (Title VI). Title VI forbids discrimination against anyone in the United States because of race, religion, color, national origin, sex, age, or disability by any agency receiving federal financial assistance. The Federal-Aid Highway Act of 1973 added the requirement that there be no discrimination on the grounds of sex. Additionally, the Civil Rights Restoration Act of 1987 defined the word ‘program’ to make clear that discrimination is prohibited throughout an entire agency if any part of the agency receives federal financial assistance.

The U.S. Department of Transportation (DOT) requires recipients of federal financial assistance to prepare a plan to clarify its roles, responsibilities, and procedures established to ensure compliance with Title VI. The City’s Title VI Implementing Plan focuses on program emphasis areas with significant public contact responsibilities or otherwise have a potential for significant Title VI impacts.

## **Authorities**

### *Title VI of the Civil Rights Act of 1964, (42 U.S.C. §2000d)*

This statute provides 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 receiving federal financial assistance.”

### *49 CFR Part 21*

U.S. Department of Transportation (DOT) Regulations for the Implementation of Title VI – requires assurances from states that nondiscrimination under any program or activity for which the recipient receives federal assistance from the DOT, including the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA), will be prevented.

### *23 CFR Part 200*

The FHWA’s administrating regulations which specify Title VI implementation requirements for state departments of transportation at state and local levels.

### *The Civil Rights Restoration Act of 1987*

This statute restored the intent of Title VI and the broad, institution-wide scope and coverage of nondiscrimination statutes to include all programs and activities of federal-aid recipients, subrecipients, and contractors, whether those programs and activities are federally funded or not. The Civil Rights Restoration Act was a direct response to, and a rejection of the 1984 Supreme Court decision, *Grove City College v. Bell* (465 U.S. 555) in which federal agency nondiscrimination requirements were limited to just those areas of the recipient’s operation that directly benefited from federal assistance. See FHWA Notice 4720.6, September 2, 1992: “Impacts of the Civil Rights Restoration Act of 1987 on FHWA Programs.”

### *Federal Aid Highway Act of 1973*

Provides that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.

### *Age Discrimination Act of 1975*

Provides that no person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.

### *Americans with Disabilities Act of 1990*

Provides that no qualified individual with a disability shall, by reason of such disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination by a

department, agency, special purpose district, or other instrumentality of a state or a local government.

*Section 504 of the Rehabilitation Act*

Provides that no qualified handicapped person, shall, solely by reason of his or her handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.

The following Executive Orders place further emphasis on preventing discrimination:

*Executive Order No. 12898, 3 CFR 859 (1995)*

Entitled “Federal actions to address Environmental Justice in minority populations and low-income populations,” and addresses disproportionate adverse environmental, social, and economic impacts that may exist in communities, specifically minority and low-income populations.

*Executive Order No. 13166, 3 CFR 289 (2001)*

Entitled "Improving access to services for persons with Limited English Proficiency," addresses improving access to services for persons whose primary language is not English and who may have a limited ability to read, write, speak, or understand English.

## **Roles and Responsibilities of the Title VI Coordinator**

The Title VI Coordinator is charged with the primary responsibility of processing Title VI complaints received by the City. This includes any complaint which alleges exclusion from participation in and/or denial of benefits or services under any program or activity administered by the City or by businesses under contract with the City based on race, religion, color, national origin, sex, age, retaliation, or disability. Complaints received against the City will be promptly forwarded to the Federal Transit Administration (FTA) Office of Civil Rights.

The Title VI Coordinator acts as the responsible City official in matters relating to Title VI and assists the City Manager in carrying out the Title VI responsibilities of the City. Specifically, the Title VI Coordinator has the authority and responsibility to implement the civil rights program by:

- Assisting the operating elements in the establishment of Title VI programs and recommending, developing, disseminating, monitoring, and pursuing policies and guidelines on the implementation of Title VI
- Reviewing, evaluating, and monitoring the operating elements' activities and programs related to Title VI and effectuating changes to ensure consistency and program effectiveness
- Providing leadership, guidance, and technical assistance to the operating elements in the carrying out of their Title VI responsibilities
- Providing continuous and meaningful consultation with the public concerning the City's Title VI program, including, in appropriate situations, the provision of materials in languages other than English
- Ensuring that all complaints of discrimination alleging non-compliance with Title VI are processed, investigated, and resolved in a fair and timely manner in accordance with Title VI and federal operating regulations
- Advising the City Manager concerning significant developments in the implementation of the City's Title VI program
- Reviewing documents as needed for compliance with Title VI and to ensure that procedures used have safeguards to prevent discrimination
- Developing Title VI information for dissemination to the public, and where appropriate, in languages other than English
- Processing Title VI external complaints of discrimination in accordance with the FTA External Complaint Processing Procedures

# Discrimination Complaints

## *Applicability*

Any person who, based on race, religion, color, national origin, sex, age, retaliation, or disability believes that he/she has been excluded from participation in, denied benefits or services of any program or activity administered by the City or its subrecipients, consultants, and contractors may bring forth a discrimination complaint under Title VI. Only complaints of discrimination based on the complainant's protected status will be considered under Title VI.

Title VI discrimination complaints are processed consistent with the provisions of 23 CFR part 200.9(4)(b)(3) and 49 CFR 21.11(b).

## *Time Limitations and Filing Options*

Title VI complaints may be filed with the Title VI Coordinator. In order to have the complaint considered, the complainant must file the complaint no later than 180 calendar days after:

- The date of the alleged act of discrimination; or
- The date the person(s) became aware of the alleged act(s) of discrimination; or
- Where there has been a continuing course of conduct, the date on which that conduct was discontinued.

## *Complaint Processing*

Each Title VI complaint received by the City will be entered into the City's Title VI Discrimination Complaint Log. All external discrimination complaints filed under Title VI against the City in which the City or its sub-recipients are named as the respondent will be forwarded to TxDOT for investigation within 10 calendar days. Additionally, all complaints filed against the City, as a Federal aid sub-recipient of transportation related grants, and contractors performing work for the City shall be investigated by the City's Title VI Coordinator to determine validity and severity of the complaint. The Title VI Coordinator will then prepare an internal report on its findings for the City Manager.

To the greatest extent possible, all complaints written in a language other than English will be translated and responded to in the same language that it was received. Documentation regarding any attempts and outcomes that were made to resolve the complaint issue(s) prior to the initial receipt of the written complaint will be summarized in the report of findings.

## ***Conduct of Investigations***

Once it is determined that a complaint warrants further investigation, the Title VI Coordinator will conduct a factual investigation to determine whether the action at issue constitutes discrimination based on race, sex, color, age, national origin, or disability.

The Title VI Coordinator will:

- Initiate the investigation within 10 workdays of receiving the assignment to set up an interview
- Inform the complainant of his/her rights including the right to have a witness or representative present during the interview and submit any documentation he/she perceives as relevant to proving his/her complaint
- Determine, based on relevancy or duplication of evidence, which witnesses will be contacted and questioned
- At the conclusion of the investigation, prepare a final report for City management within 120 calendar days of the date the complaint was received by the City.

At a minimum, the report will include:

- Summary of the complaint
- A statement of the issues raised by the complainant and the respondent's reply to each of the allegations
- Citations of relevant Federal, State, and Local Laws, rules, regulations, and guidelines influencing the decision
- Description of the investigation, including a list of the persons contacted and a summary of the interviews conducted
- A statement of the investigator's findings and recommendations

If based on its investigation the City concludes that there is no discrimination, the complaint will be dismissed.

The City will complete an investigation within 120 days of receipt of the complaint. If additional time for the investigation is needed, the complainant will be contacted. A written report will be prepared by the Title VI Coordinator at the conclusion of the investigation.

## ***Recordkeeping Requirements***

The City will ensure that all records relating to the City's Title VI Complaint Process are maintained with the City Secretary according to the records retention requirements of the State of Texas and are available for review by the Department of Transportation (DOT) upon request. The Title VI Coordinator will maintain a log of all complaints and appeals. The complaint will be noted in the log by case number based on year, month, and sequence in which complaint was received.

## ***Appeals Procedures***

The complainant has the right to appeal all written reports to the City Manager and/or TxDOT. This appeal must be made in writing to the City Manager within 30 days of receipt of the Title VI Coordinator's final report. The appeal must specifically cite the portion(s) of the finding with which the complainant disagrees and his/her reason(s) for the disagreement. The Title VI Coordinator will forward this appeal within 15 calendar days to the City Manager and/or TxDOT depending on agency to which the appeal is made. After a review of the entire record a written final determination will be made within 60 days.

## ***Complaint Log***

A complaint log maintained by the Title VI Coordinator will capture the following information, where applicable for each complaint:

- Complainant's name
- Complainant's race, color, gender, and national origin
- Respondent's name
- Basis of the discrimination complaint
- Issue(s) surrounding the discrimination complaint
- Date the discrimination complaint was filed
- Date the investigation was complete
- Disposition
- Disposition date
- Other pertinent information

**Complaint Form**



**CITY OF SUGAR LAND  
DISCRIMINATION COMPLAINT FORM**

When completed, mail this signed form to:  
City of Sugar Land, ATTN: Title VI Coordinator  
P.O. Box 110, Sugar Land, Texas 77487-0110

Last Name		First Name		
Mailing Address		City	State	Zip
Telephone	Alternate Telephone		Email Address	
Please indicate the basis of your complaint: Race _____ Age _____ National Origin _____ Color _____ Gender _____ Disability _____				
Date and place of alleged discriminatory action(s). Please include the earliest date of discrimination and the most recent date of discrimination.				
How were you discriminated against? Describe the nature of the action, decision, or conditions of the alleged discrimination. Explain as clearly as possible what happened and why you believe your protected status was a factor in the discrimination. Include how other persons were treated differently from you. (Attach additional pages, if necessary)				
The law prohibits intimidation or retaliation against anyone because he/she has either taken action, or participated in action, to secure rights protected by these laws. If you feel that you have been retaliated against, separate from the discrimination alleged above, please explain the circumstances below. Explain what action you took which you believe was the cause for the alleged retaliation.				
Names of individuals responsible for the discriminatory action(s).				
Names of persons (witnesses, employees, or others) whom we may contact for additional information to support or clarify your complain. (Attach additional pages if necessary)				

Name	Address	Telephone
		(     )
		(     )
		(     )
		(     )
		(     )
<p>Have you filed, or intent to file, a complaint regarding the matter with any of the following agencies? If yes, please provide the filing dates. Check all that apply.</p>		
<p> <input type="checkbox"/> U.S. Department of Transportation _____  <input type="checkbox"/> Federal Highway Administration _____  <input type="checkbox"/> Office of Federal Contract Compliance Programs _____  <input type="checkbox"/> U.S. Equal Employment Opportunity Commission _____  <input type="checkbox"/> U.S. Department of Justice _____  <input type="checkbox"/> Other _____ </p>		
<p>Have you discussed this complaint with any City of Sugar Land representative? If yes, provide the name, position, and date of discussion.</p>		
<p>Briefly explain what remedy, or action, you are seeking for the alleged discrimination.</p>		
<p>Please provide any additional information and/or photographs, if applicable, that you believe will assist with an investigation.</p>		
<p><b>The City cannot accept an unsigned complaint. Please print your name, sign and date the complaint form below:</b></p>		
<p>_____</p> <p>Complainant's Printed Name</p>		<p>_____</p> <p>Complainant's Signature</p>
<p>_____</p> <p>Date</p>		
<p><b>FOR OFFICE USE ONLY</b></p>		
<p>Date Complaint Received: _____ Case #: _____</p>		
<p>Received By: _____ Date Referred: _____</p>		

If you have questions or need assistance with this form, please call (281) 275-2790 and request the Title VI Coordinator.

# Limited English Proficiency (LEP) Guidance

Title VI of the Civil Rights Act of 1964, Executive Order 13166, and various directives from federal agencies require federal aid recipients to take reasonable steps to ensure meaningful access to programs, services, and activities by those who do not speak English proficiently.

Executive Order 13166 applies to all federal agencies and all programs and operations of entities that receive funding from the federal government, including state agencies, local agencies and governments such as the City, private, and non-profit entities, and subrecipients.

The City of Sugar Land has developed this Limited English Proficiency Plan (LEP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to City programs as required by Executive Order 13166. A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English.

To determine the extent to which LEP services are required and in what languages, the law requires the analysis of four factors:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the City's programs, services, or activities.
2. The frequency with which LEP individuals come in contact with these programs, services, or activities.
3. The nature and importance of the program, service, or activity to people's lives; and
4. The resources available to the City and the likely costs of the LEP services.

The City examined the US Census Bureau's 2022 American Community Survey (ACS) and was able to determine that approximately 41.7% (or 43,606) of the City of Sugar Land population age 5 and older spoke a language other than English at home. Asian and Pacific Islander comprised the largest non-English speaking language group.

As the latest ACS survey indicates, of the 43,606 persons who speak a language other than English, 12,316 (28.2%) speak English less than "very well." The survey further indicates that 19,304 (18.4%) speak Asian and Pacific Island languages and 7,764 (40.2%) speak English less than "very well."

The breakdown for the other languages identified in the City is as follows:

- Spanish or Spanish Creole 8,729 (8.3%); speaks English less than "very well" 1,717 (19.7%)
- Other Indo-European 11,870 (11.3%); speaks English less than "very well" 1,938 (16.3%)
- Other languages 3,703 (3.5%); speaks English less than "very well" 897 (24.2%)

In order to create strategies that improve accessibility for our multilingual communities, to ensure compliance with laws and regulations, and to empower each resident to receive the full spectrum of services, the City is committed to language access by providing opportunity, resources, and

support for translation and interpretation services to residents, businesses and staff alike at any time of need, such as by reaching the 311 phone lines during the day or, by calling the Police Dispatch Non-Emergency line after hours, and speaking with a live agent in their native language, via staff or interpretation service professionals.

The City aims to draft and implement our first Language Access Plan (LAP) in 2024. Below are the many accessibility considerations the City is currently committed to and exploring further for amplified access through continuous improvement:

- Implementing a bilingual pay program to ensure encouragement of second language skills so that they are available for community building conversations and day to day needs without reliance on professionally contracted services when appropriate. The City is using this opportunity to build a formal process that tests staff interpreters in order to provide quality assurance for in-house interpretation services.
- Ensuring all city employees have access to resources such as a language interpretation hotline (via Language Line), language identification and base-needs identification tables, interpretation chat bots and technologies, and funding as needed for contracted service, among other accessibility tools and training solutions.
- Implementing a vital documents program in which forms, applications, and city resources or material that are deemed vital to quality-of-life services are pre-translated into the top 3 languages requested at the City.
- Continuous oversight of language access needs data inventorying and analysis for each department, especially including those with regulatory or compliance measures in place or those with high frequency of customer interaction (such as Treasury or Municipal Courts.)
- Review of survey, customer feedback, or focus group data to ensure accurate representation from our LEP communities are taken into account when designing or implementing changes to City services.

The City's website currently uses an embedded Google Translate application and the entire website can be translated into any language included in the app.

### ***Public Involvement:***

In order to plan for efficient, effective, safe, equitable, and reliable government services, the City must have the input of the public it serves. The City spends extensive staff and financial resources in furtherance of this goal and strongly encourages the participation of the entire community. Any person may attend any City Council meeting and speak during the Public Comment portion of the agenda concerning a matter of City business related to a listed item on the agenda for that meeting. City Council meetings are generally held the first, third, and fourth Tuesday of each month, located in the City Council Chambers on the first floor of City Hall, 2700 Town Center Blvd. N. Interested parties should check the City's website, <http://www.sugarlandtx.gov/> for any changes to meeting dates, times, and location. Meeting locations are accessible to the disabled.

### ***Other Inclusive Public Participation:***

Sugar Land has a dedicated Communications & Community Engagement Department and offers a diverse variety of options for public outreach, notifications, and activity announcements to engage the public, including:

Social Media (Facebook, Twitter, YouTube, Nextdoor, etc.)

<https://www.facebook.com/SugarLand.TX> and <https://twitter.com/sugarlandtxgov>

SLTV Channel 16 broadcasts City Council Meetings, Planning and Zoning Meetings, Fort Bend Commissioners Court Meetings, Fort Bend Independent School District Board Meetings, as well as various Health, Cultural, Veteran's, and other public interests within the city. Sugar Scoop is the City's official blog, which can be found on the City's website.

City of Sugar Land's Website: <http://www.sugarlandtx.gov/>

## **Data Collection and Analysis**

Statistical data on race, color, national origin, sex, age, and disability of participants in and beneficiaries of the City's programs, will be gathered, analyzed, and maintained by the City to determine the transportation investment benefits and burdens to the population, including minority and low-income populations. Data gathering procedures will be reviewed regularly to ensure sufficiency of the data in meeting the requirements of Title VI program administration. Analysis of the data collected by the program emphasis areas may include:

- The population eligible to be served by race, color, national origin, or sex
- Persons to include in the decision-making process
- Percent of benefits allocated to persons below the poverty line vs. persons above the poverty line
- Impact of investments on income, race, sex, disability, and age groups
- Projected population increases versus planned facilities and types of facilities
- Language needs assessment
- Transportation needs of all persons within boundaries of plans or projects
- Impacts and persons impacted
- Strategies to address impacts
- Priorities for investments
- The manner in which services are or will be provided and the related data necessary for determining whether any persons are or will be denied such services on the basis of prohibited discrimination
- The location of existing or proposed facilities connected with the program and related information for determining whether the location has or will have the effect of unnecessarily denying access to any persons on the basis of prohibited discrimination
- Strategies to disseminate information

## **Public Dissemination of Title VI Information**

A brochure entitled “Title VI and You” was developed by the Texas Department of Transportation to provide the public with information regarding Title VI and related statutes and their rights under the law. A link to the brochure is available on the City’s website.

The website also provides a link to instructions for filing a Title VI discrimination complaint and the complaint form.