Title VI
Non-Discrimination Plan

City of Bryan
300 S. Texas Avenue
Bryan, Texas 77803

May 24, 2024

TITLE VI PLAN

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Section 1: Introduction

Title VI of the Civil Rights Act of 1964 assures 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 benefit of, or be otherwise subjected to discrimination under any program or activity receiving Federal assistance." Title VI has been broadened by related statutes, regulations and executive orders.

Discrimination based on sex is prohibited by Section 324 of the Federal-Aid Highway Act, which is the enabling legislation of the Federal Highway Administration (FHWA). The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 prohibits unfair and inequitable treatment of persons as a result of projects which are undertaken with Federal financial assistance. The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities of Federal-aid recipients and contractors whether those programs and activities are federally funded or not.

In addition to statutory authorities, Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, signed in February of 1994, requires Federal agencies to achieve environmental justice as part of their mission by identifying disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority populations and low-income populations. Environmental justice Initiatives are accomplished by involving the potentially affected public in the development of transportation projects that fit within their communities without sacrificing safety or mobility. In 1997, the U.S. Department of Transportation (USDOT) issued its DOT Order to Address Environmental Justice in Minority Populations and Low-Income Populations to summarize and expand upon the requirements of Executive Order 12898 on Environmental Justice.

Also, Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (LEP), provides that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives Federal financial assistance. As a recipient of Federal financial assistance in its transportation and other improvement projects, the City of Bryan must provide access to individuals with limited ability to speak, write, or understand the English language.

The City of Bryan must not restrict an individual in any way from the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under its programs or projects. Individuals may not be subjected to criteria or methods of administration which cause adverse impact because of their race, color, or national origin, or have the effect of defeating or substantially impairing accomplishment of the objectives of the program because of race, color or national origin.

Therefore, the primary goals and objectives of City of Bryan's Title VI Non-Discrimination Plan are:

1. To assign responsibilities and procedures for ensuring compliance with Title VI of the Civil Rights Act of 1964 and pertinent directives;

2. To ensure that people affected by the City's programs and projects receive the services, benefits, and opportunities to which they are entitled without regard to race, color, or national origin;
3. To prevent discrimination in City programs and activities, whether those programs and activities are federally funded or not;
4. To establish procedures for identifying impacts in any program, service, or activity that may create an illegal adverse impact on any person because of race, color, or national origin; or on minority populations, low-income populations, the elderly, persons with disabilities, and all affected Title VI populations;
5. To establish procedures to annually review Title VI compliance of specific program areas within the City of Bryan;
6. To set forth procedures for filing and processing complaints by persons who believe they have been subjected to illegal discrimination under Title VI in a City-provided service, project, program or activity.

Discrimination under Title VI

There are two types of illegal discrimination prohibited under Title VI and its related statutes. One type of discrimination which may or may not be intentional is "disparate treatment." Disparate treatment is defined as treating similarly situated persons differently because of their race, color, or national origin.

The second type of illegal discrimination is "disparate impact." Disparate impact discrimination occurs when a "neutral procedure or practice" results in fewer services or benefits, or inferior services or benefits, to members of a protected group. With disparate impact, the focus is on the consequences of a decision, policy, or practice rather than the intent.

The City of Bryan's efforts to prevent such discrimination must address, but not be limited to, a program's impacts, access, benefits, participation, treatment, services, contracting opportunities, training, investigation of complaints, allocation of funds, prioritization of projects, and the encompassing functions of planning, project development and delivery, right-of-way acquisition, construction, and research.

The City of Bryan has developed this Title VI Plan to assure that services, programs, and activities are offered, conducted, and administered fairly, without regard to race, color, or national origin of the participants or beneficiaries of federally-funded programs, services, or activities.

Section 2: Title VI Policy Statement

Title VI Policy Statement
City of Bryan

It is the policy of the City of Bryan, Texas to provide reasonable assurances that it will comply with the requirements and provisions of the Title VI of the Civil Rights Act of 1.964 (78 Stat. 252, 42 U.S.C. 2000d-4) and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Depart 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, the City of Bryan 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.

Any person who believes he or she has been discriminated against should contact:

W. Paul Kaspar, PE, CFM
City Engineer / ADA Coordinator / Title VI Coordinator
City of Bryan
300 S. Texas Avenue
Bryan, TX 77803
979-209-5040
Email: titlevi@bryantx.gov

Kean Register, City Manager
City of Bryan

Date 5/28/24

Title VI Policy Statement
City of Bryan

Es política de la Ciudad de Bryan, Texas brindar garantías razonables de que cumplirá con los requisitos y disposiciones del Título VI de la Ley de Derechos Civiles de 1.964 (78 Stat. 252, 42 U.S.C. 2000d-4) y todos los requisitos. impuesto por o de conformidad con el Título 49, Código de Regulaciones Federales, Departamento de Transporte, Subtítulo A. Oficina del Secretario, Parte 21, No discriminación en programas con asistencia federal del Departamento de Transporte - Vigencia del Título VI de la Ley de Derechos Civiles de 1964 y otras directivas pertinentes, con el fin de que, de acuerdo con la Ley, los Reglamentos y otras directivas pertinentes, ninguna persona que resida o haga negocios con la Ciudad de Bryan por motivos de raza, color u origen nacional, ser excluido de la participación, se le negarán los beneficios o de otro modo estar sujeto a discriminación en cualquiera de nuestros programas o actividades.

Cualquier persona que crea que ha sido discriminada debe comunicarse con:

W. Paul Kaspar, PE, CFM
City Engineer / ADA Coordinator / Title VI Coordinator
City of Bryan
300 S. Texas Avenue
Bryan, TX 77803
979-209-5040
Email: titlevi@bryantx.gov

Kean Register, City Manager
City of Bryan

Date 5/28/24

Section 3: Title VI Notice to the Public

Title VI Notice to the Public

Notifying the Public of Rights Under Title VI

CITY OF BRYAN

- The City of Bryan operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the City of Bryan.

- For more information on the City of Bryan's civil rights program or Title VI obligations, the procedures for, or to file a complaint, please contact:

W. Paul Kaspar, PE, CFM
City Engineer / ADA Coordinator / Title VI Coordinator
City of Bryan
979-209-5040
Email: titlevi@bryantx.gov

Or visit our office at:
300 S. Texas Avenue
Bryan, TX 77803

For more information, visit **www.bryantx.gov/titlevi**

For transportation-related Title VI matters, a complaint may also be filed directly with TXDOT's Office of Civil Rights to:

Texas Department of Transportation, Civil Rights Division,
125 East 11th Street, Austin, Texas 78701 or fax to 512-486-5539.

- If information is needed in another language, contact **979-209-5040**.
- Si se necesita información en otro idioma, comuníquese con **979-209-5040**.

The **City of Bryan** Notice to the Public is posted in the following locations:

1. Municipal Office Building Notice Board in front of the building
2. Mounce Public Library

Sample Title VI Notice to the Public in Spanish

Notificación al Público de Derechos Bajo el Título VI

CIUDAD DE BRYAN

- El ciudad de bryan opera sus programas y servicios sin distinction de raza, color y origen nacional, segun el Título VI de la Ley de Derechos Civiles. Cualquier persona que cree o que ha sido perjudicada por una práctica discriminatoria ilegal bajo el Título VI puede presentar una queja con el ciudad de bryan.

- Para obtener más información sobre el programa de derechos civiles o lost obligaciones Titulo VI de ciudad de bryan, o para obtener más información sobre los procedimientos para, o a presenter una queja, se pone en contacto con:

W. Paul Kaspar, PE, CFM
Ingeniero Municipal / Coordinador ADA / Coordinador Título VI
ciudad de bryan
979-209-5040
Correo electrónico: titlevi@bryantx.gov

O visite nuestra oficina en:
300 S. Avenida Texas
Bryan, TX 77803

Para obtener más información, visite www.bryantx.gov/titlevi

Para asuntos del Título VI relacionados con el transporte, también se puede presentar una queja directamente ante la Oficina de Derechos Civiles de TXDOT para:

Departamento de Transporte de Texas, División de Derechos Civiles,
125 East 11th Street, Austin, Texas 78701 o por fax al 512-486-5539.

- Si se necesita información en otro idioma, comuníquese con 979-209-5040.

Section 4: Administration

The Title VI Coordinator shall have lead responsibility for coordinating the administration of the Title VI and related statutes program, plan and assurances for the City of Bryan.

Complaints: If any individual believes that he/she or any other program beneficiaries have been the object of unequal treatment or discrimination as to the receipt of benefits and/or service, or on the grounds of race, color, or national origin (including Limited English Proficiency), he/she may exercise his/her right to file a complaint with the City's Title VI Coordinator. Every effort will be made to resolve complaints informally and at the lowest level first.

Data Collection: The Community Development Division within the City of Bryan will continue to gather statistical data associated with its programs and services. Statistical data on race, color, national origin, English language proficiency and sex of participants in and beneficiaries of City programs, e.g. impacted citizens and affected communities is not currently collected citywide at this time; however as part of this plan the city will start implementing measures to gather this data in particular any programs and projects involving federal funds. The gathering procedures will be reviewed annually to ensure sufficiency of the data in meeting the requirements of the Title VI program.

Program Reviews: Reviews will be conducted based on the annual summary of Title VI activities, accomplishments and issues. The reviews will be conducted by the Title VI Coordinator to assure effectiveness in their compliance with Title VI provisions. The Title VI Coordinator will coordinate efforts to ensure equal participation in all programs and activities at all levels. The City will conduct reviews annually by the end of the calendar year.

Title VI Reviews on Sub-Recipients: Title VI compliance reviews will be conducted annually by the Title VI Coordinator. Priority for conducting reviews will be given to those sub-recipients of Federal (U.S. Department of Transportation) funds with the greatest potential of impact to those groups covered by the Act. The reviews will entail examination of the sub-recipients' adherence to all Title VI requirements. The status of each review will be reported in the annual update to TxDOT.

Annual Reporting: The Title VI Coordinator will be responsible for coordination, compilation, and submission of the Annual Work Plan and Accomplishment Report to the Texas Department of Transportation, Office of Civil Rights via TxDOT's Title VI/ Nondiscrimination Annual Work Plan & Accomplishments Report Development Guide, as presented in TxDOT's Title VI/ Nondiscrimination Technical Assistance Guide for Sub-Recipients.

Title VI Plan Updates: The City will automatically update and renew its Title VI Assurances every three years or as necessary on the occasion of a change of City Manager.

Remedial Action: The City, through the Office of the Coordinator, will actively pursue the prevention of Title VI deficiencies and violations and will take the necessary steps to ensure compliance with all program administrative requirements. When deficiencies are found, procedures will be promptly implemented to correct the deficiencies and to put in writing the corrective action(s). The period to

determine corrective action(s) and put it/them in writing to effect compliance may not exceed 90 days from the date the deficiencies are found.

Section 4: Title VI Complaint Procedure

This Complaint Procedure is established to meet the requirements of the Title VI of the Civil Rights Act of 1964. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of race, color, or national origin in the provision of services, activities, programs, or benefits by the City of Bryan. The City of Bryan's Personnel Policy Manual govern employment-related complaints of discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem including whether it is related to race, color, or national origin. Alternative means of filing complaints will be made available for persons with disabilities upon request. If the complainant is unable to reduce the complaint to writing, please contact the Title VI Coordinator using the information below, and a staff member will help dictate the complaint or provide other necessary assistance.

Any individual having filed a complaint or participated in the investigation of a complaint shall not be subjected to any form of intimidation or retaliation. Individuals who have cause to think that they have been subjected to intimidation or retaliation can file a complaint of retaliation following the same procedure for filing a discrimination complaint.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 180 calendar days after the following:

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

Submit complaint alleging violations of Title VI to:

W. Paul Kaspar, PE, CFM
City Engineer / ADA Coordinator / Title VI Coordinator
City of Bryan
300 S. Texas Avenue
Bryan, TX 77803
979-209-5040
Email: titlevi@bryantx.gov

Within 15 calendar days after receipt of the complaint, the Title VI Coordinator or his/her designee will contact the complainant to discuss the complaint and the possible resolutions. If more information is needed to resolve the case, the City of Bryan may contact the complainant requesting further information. The complainant has 15 business days from the date of the letter requesting additional information to send requested information to the Title VI Coordinator. If the Title VI Coordinator is not contacted by the complainant or does not receive the additional information within 15 business days, the City of Bryan will administratively close the case. The case may also be administratively closed if the complainant no longer wishes to pursue the case.

Within 15 calendar days of contacting the complainant, the Title VI Coordinator or his/her designee will respond in writing, and where appropriate, in a format accessible to the complainant. The response will explain the position of the City of Bryan and offer options for substantive resolution of the complaint. The response from the City of Bryan will be one of two (2) letters to the complainant: a closure letter or a letter of finding (LOF).

- ✓ A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed.
- ✓ A letter of finding (LOF) summarizes the allegations, investigations/interviews, and findings regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or other action will occur.

If the response by the Title VI Coordinator or his/her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision to the City Manager or his/her designee within 15 calendar days after receipt of the response from the Title VI Coordinator. City Manager may be contacted at:

300 S. Texas Avenue
Bryan, TX 77803
979-209-5100

Within 15 calendar days after receipt of the appeal, the City Manager or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the City Manager or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the Title VI Coordinator or his/her designee, appeals to the City Manager or his/her designee, and responses from these two offices will be retained by the City of Bryan. Complaint and investigation files are confidential. The contents of such should only be disclosed to appropriate City of Bryan personnel and state and federal authorities in accordance with Federal and State laws. The City of Bryan shall retain files in accordance with records retention schedules and Federal guidelines but no less than three years.

The City shall forward the complaint to TxDOT within 10 days. Additionally the applicant may also file a complaint directly with TXDOT's Office of Civil Rights at:

Texas Department of Transportation
Civil Rights Division
Attn: Title VI Program Administrator
125 East 11th Street
Austin, Texas 78701

or

Federal Highway Administration – Texas Division
Attn: Civil Rights Specialist
300 E. 8th Street
Austin, TX, 78701

or

Federal Highway Administration
Office of Civil Rights
HCR-20, Room E81-320
1200 New Jersey Avenue, SE
Washington, DC 20590

Título VI Procedimiento de Denuncia

Sección 4: Procedimiento de quejas del Título VI

Este Procedimiento de Quejas se establece para cumplir con los requisitos del Título VI de la Ley de Derechos Civiles de 1964. Puede ser utilizado por cualquier persona que desee presentar una queja alegando discriminación por motivos de raza, color u origen nacional en la provisión de servicios, actividades, programas o beneficios por parte de la ciudad de Bryan. El Manual de Políticas de Personal de la ciudad rige las quejas por discriminación relacionadas con el empleo.

La queja debe realizarse por escrito y contener información sobre la supuesta discriminación, como nombre, dirección, número de teléfono del demandante y ubicación, fecha y descripción del problema, incluido si está relacionado con la raza, el color o el origen nacional. Se pondrán a disposición de las personas con discapacidades que lo soliciten medios alternativos para presentar quejas. Si el demandante no puede poner la queja por escrito, comuníquese con el Coordinador del Título VI utilizando la información a continuación, y un miembro del personal lo ayudará a dictar la queja o le brindará otra asistencia necesaria.

Cualquier persona que haya presentado una denuncia o haya participado en la investigación de una denuncia no estará sujeta a ninguna forma de intimidación o represalia. Las personas que tengan motivos para pensar que han sido sometidas a intimidación o represalias pueden presentar una denuncia por represalias siguiendo el mismo procedimiento para presentar una denuncia por discriminación.

La queja debe ser presentada por el reclamante y/o su designado lo antes posible pero a más tardar 180 días calendario después de lo siguiente:
1. La fecha del presunto acto de discriminación; o
2. La fecha en que la(s) persona(s) tuvo conocimiento de la presunta discriminación; o
3. Cuando haya habido una conducta continuada, la fecha en que se interrumpió esa conducta o la última instancia de la misma.

Presentar una queja alegando violaciones del Título VI a:

W. Paul Kaspar, PE, CFM
Ingeniero Municipal / Coordinador ADA / Coordinador Título VI
ciudad de bryan
300 S. Avenida Texas
Bryan, TX 77803
979-209-5040
Correo electrónico: titlevi@bryantx.gov

Dentro de los 15 días calendario posteriores a la recepción de la queja, el Coordinador del Título VI o su designado se comunicará con el demandante para discutir la queja y las posibles resoluciones. Si se necesita más información para resolver el caso, la ciudad de Bryan puede comunicarse con el denunciante para solicitar más información. El denunciante tiene 15 días hábiles a partir de la fecha de la carta solicitando información adicional para enviar la información solicitada al Coordinador del Título VI. Si el denunciante no se comunica con el Coordinador del Título VI o no recibe la información adicional dentro de los 15 días hábiles, la ciudad de Bryan cerrará administrativamente el caso. El caso también puede cerrarse administrativamente si el demandante ya no desea continuar con el caso.

Dentro de los 15 días calendario posteriores al contacto con el denunciante, el Coordinador del Título VI o su designado responderá por escrito y, cuando corresponda, en un formato accesible para el denunciante. La respuesta explicará la posición de la ciudad de Bryan y ofrecerá opciones para una resolución sustancial de la queja. La respuesta de la Ciudad de Bryan será una de dos (2) cartas al denunciante: una carta de cierre o una carta de conclusión (LOF).

- ✓ Una carta de cierre resume las acusaciones y establece que no hubo una violación del Título VI y que el caso se cerrará.
- ✓ Una carta de hallazgo (LOF) resume las acusaciones, investigaciones/entrevistas y hallazgos relacionados con el presunto incidente y explica si se tomará alguna medida disciplinaria, capacitación adicional del miembro del personal u otra acción.

Si la respuesta del Coordinador del Título VI o su designado no resuelve satisfactoriamente el problema, el reclamante y/o su designado pueden apelar la decisión ante el Administrador de la Ciudad o su designado dentro de los 15 días calendario posteriores a la recepción de la respuesta del Coordinador del Título VI. Se puede contactar al administrador de la ciudad en:

300 S. Avenida Texas
Bryan, TX 77803
979-209-5100

Dentro de los 15 días calendario posteriores a la recepción de la apelación, el administrador de la ciudad o su designado se reunirá con el reclamante para analizar la queja y las posibles resoluciones. Dentro de los 15 días calendario posteriores a la reunión, el Administrador Municipal o su designado responderá por escrito y, en su caso, en un formato accesible al denunciante, con una resolución final de la queja.

Todas las quejas escritas recibidas por el Coordinador del Título VI o su designado, las apelaciones al Administrador de la Ciudad o su designado y las respuestas de estas dos oficinas serán conservadas por la Ciudad de Bryan. Los expedientes de quejas e investigaciones son confidenciales. El contenido de los mismos solo debe divulgarse al personal apropiado de la ciudad de Bryan y a las autoridades estatales y federales de acuerdo con las leyes federales y estatales. La Ciudad de Bryan conservará los archivos de acuerdo con los cronogramas de conservación de registros y las pautas federales, pero no menos de tres años.
La Ciudad enviará la queja a TxDOT dentro de los 10 días. Además, el solicitante también puede presentar una queja directamente ante la Oficina de Derechos Civiles de TXDOT en:

Departamento de Transporte de Texas
División de Derechos Civiles
A la atención de: Administrador del Programa Título VI
125 este de la calle 11
Austin, Texas 78701

o

Administración Federal de Carreteras - División de Texas
A la atención de: Especialista en Derechos Civiles
300 E. Calle 8
Austin, Texas, 78701

o

Administración Federal de Carreteras
Oficina de Derechos Civiles
HCR-20, Sala E81-320
1200 Avenida Nueva Jersey, SE
Washington, DC 20590

Section 5: Title VI Complaint Form

CITY OF BRYAN
The Good Life, Texas Style.™

Title VI Complaint Form

Section I:				
Name (first and last):				
Address:				
Home Phone:		**Cell Phone:**		
E-Mail Address:				
Accessible Format Requirements?	**Large Print**		**Audio Tape**	
	TDD		**Other**	

Section II:		
Are you filing this complaint on your own behalf?	Yes*	No
*If you answered "yes" to this question, go to Section III.		
If not, please supply the name and relationship of the person for whom you are complaining:		
Please explain why you have filed for a third party:		
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.	Yes	No

Section III:

I believe the discrimination I experienced was based on (check all that apply):

Title VI: [ ] Race [ ] Color [ ] National Origin

Other (specify): _____

Date of Alleged Discrimination (Month, Day, Year): _____

Location of Alleged Discrimination: _____

Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.

_____

_____

_____

_____

Section IV

Have you previously filed a Civil Rights related complaint with the City of Bryan?	Yes	No

Section V

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?

[ ] Yes [ ] No

If yes, check all that apply:

[ ] Federal Agency: _____

[ ] Federal Court _____ [ ] State Agency _____

[ ] State Court _____ [ ] Local Agency _____

If marked Yes in Section V, please provide information about a contact person at the agency/court where the complaint was filed.

Name:
Title:
Agency:
Address:
Telephone:
Section VI
Name of agency complaint is against:
Contact person:
Title:
Telephone number:

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below

_____ _____

Signature **Date**

Please submit this form in person at the address below, or mail this form to:

W. Paul Kaspar, PE, CFM
City Engineer / ADA Coordinator / Title VI Coordinator
City of Bryan
300 S. Texas Avenue
Bryan, TX 77803
979-209-5040
Email: titlevi@bryantx.gov

NOTE: Must be submitted as soon as possible but no later than 180 calendar days after the alleged violation.

Formulario de queja del Título VI

Sección I:				
Nombre (nombre y apellido):				
DIRECCIÓN:				
Teléfono de casa:			**Teléfono móvil:**	
Dirección de correo electrónico:				
¿Requisitos de formato accesible?	**letra grande**		**Cinta de audio**	
	TDD		**Otra**	
Section II:				
¿Está presentando esta queja en su propio nombre?			Sí*	No
*Si respondió "sí" a esta pregunta, pase a la Sección III.				
De lo contrario, proporcione el nombre y la relación de la persona por quien presenta la queja:				
Explique por qué ha presentado una solicitud en nombre de un tercero:				
Confirme que ha obtenido el permiso de la parte agraviada si presenta la presentación en nombre de un tercero.			Sí	No
Sección III:				

Creo que la discriminación que experimenté se basó en (marque todo lo que corresponda):

Título VI: [ ] Raza [ ] Color [ ] Origen Nacional

Otra especificar): _____

Fecha de la presunta discriminación (mes, día, año): _____

Ubicación de la presunta discriminación: _____

Explique lo más claramente posible qué sucedió y por qué cree que fue discriminado. Describa a todas las personas que estuvieron involucradas. Incluya el nombre y la información de contacto de las personas que lo discriminaron (si las conoce), así como los nombres y la información de contacto de los testigos. Si necesita más espacio, utilice el reverso de este formulario.

_____

_____

_____

_____

Sección IV

¿Ha presentado anteriormente una queja relacionada con los derechos civiles ante la ciudad de Bryan?	Sí	No

Sección V

¿Ha presentado esta queja ante alguna otra agencia federal, estatal o local, o ante algún tribunal federal o estatal?

[ ] Sí [ ] No

En caso afirmativo, marque todo lo que corresponda:

[ ] Agencia Federal: _____

[ ] Corte federal_____ [ ] Agencia del estado_____

[ ] Tribunal estatal_____ [ ] Agencia Local_____

Si marcó Sí en la Sección V, proporcione información sobre una persona de contacto en la agencia/tribunal donde se presentó la queja.

Nombre:

Título:

Agencia:

DIRECCIÓN:
Teléfono:
Sección VI
Nombre de la agencia la queja es contra:
Persona de contacto:
Título:
Número de teléfono:

Puede adjuntar cualquier material escrito u otra información que considere relevante para su queja.

Firma y fecha requeridas a continuación

_____ _____

Firma **Fecha**

Envíe este formulario en persona a la dirección que aparece a continuación o envíelo por correo a:

W. Paul Kaspar, PE, CFM
Ingeniero Municipal / Coordinador ADA / Coordinador Título VI
ciudad de bryan
300 S. Avenida Texas
Bryan, TX 77803
979-209-5040
Correo electrónico: titlevi@bryantx.gov

NOTA: Debe presentarse lo antes posible pero a más tardar 180 días calendario después de la presunta infracción.

Section 6: List of Title VI Investigations, Complaints and Lawsuits

The **City of Bryan** maintains a list or log of all Title VI investigations, complaints and lawsuits.

Check One:

☐ There have been no investigations, complaint and/or lawsuits filed against us since the last plan.

☐ There have been investigations, complaints and/or lawsuits filed against us. *See list below. Attach additional information as needed.*

	Date (Month, Day, Year)	**Summary** (include basis of complaint: race, color, or national origin)	**Status**	**Action(s) Taken**
Investigations				
1.				
2.				
Lawsuits				
1.				
2.				
Complaints				
1.				
2.				

Section 7: USDOT Nondiscrimination Assurances and Appendices

The United States Department of Transportation (USDOT)

Standard Title VI/Nondiscrimination Assurances

DOT Order No. 1050.2A

The City of Bryan (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, 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 city 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 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 Non-discrimination 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 nondiscrimination 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 Department of Transportation programs:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 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 Department of Transportation programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The City of Bryan, 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 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 issued pursuant to such Act, 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 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 program 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 City of Bryan 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 USDOT 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 USDOT. You must keep records, reports, and submit the material for review upon request to USDOT, 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 City of Bryan 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. Department of Transportation under all Department of Transportation programs. This ASSURANCE is binding on Texas, other recipients, sub-recipients, 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 authorized to sign this ASSURANCE on behalf of the Recipient.

City of Bryan

Kean Register, City Manager

Dated 5/28/24

APPENDIX A

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 Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, the Federal Highway Administration, 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 Non-discrimination 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 the Federal Highway Administration 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 the Federal Highway Administration, 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 the Federal Highway Administration 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 the Federal Highway Administration 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.

APPENDIX B

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 City of Bryan 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 Department of Transportation programs, and the policies and procedures prescribed by the Federal Highway Administration 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 the City of Bryan 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 the City of Bryan 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 City of Bryan, its successors and assigns.

The City of Bryan, 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 City of Bryan 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 in order to make clear the purpose of Title VI.)

APPENDIX C

CLAUSES FOR TRANSFER OF 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 City of Bryan 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, City of Bryan 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, the City of Bryan 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 City of Bryan 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.)

APPENDIX D

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 City of Bryan 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, the City of Bryan 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, the City of Bryan will there upon revert to and vest in and become the absolute property of the City of Bryan 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.)

APPENDIX E

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.P.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, or national origin);

• 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).

Section 8: Public Participation Plan

Sub recipients of federal financial assistance must provide an opportunity for public involvement and full access to the transportation decision making process in each stage of planning and development of a transportation project, It is essential that all segments of the population be afforded the opportunity to understand and articulate concerns with any project that affects them and their way of life.

The City of Bryan welcomes and values public involvement. TXDOT and its recipients believe that well-designed, proactive public involvement improves its planning and policy efforts and ultimately leads to better decisions, better projects, and maximized, long-term public benefits. Creating long-term, sustainable systems requires our agency to embrace outside skills and knowledge, including input from the public. Advantages of enhanced public involvement include:

- Increased public collaboration. Citizen collaboration on projects benefits our agency's processes and outcomes, promoting public participation and respectful, productive dialogue.
- Decisions that better reflect diverse interests. Consulting with all identifiable interests helps the City of Bryan better understand and reflect the full range of community values and livability standards.
- Early public involvement fosters better decision making and reduces costly project plan revisions and change orders.
- Increased public involvement results in more meaningful and better interactions between City personnel and citizens. This interaction aids everyone.
- The City of Bryan proactively involves the stakeholders and the public and considers feedback received from stakeholders and the public.

The City of Bryan embraces several specific goals:

- Provide for open and continual communication to incorporate public input into decision-making and inform the public of planning, program functions, project activities, designs, and construction.
- Implement a public involvement strategy to identify and use City of Bryan resources to inform the public of activities and receive public input.
- Consult with other local, regional or state agencies in coordinating projects and solutions.
- Respond quickly and transparently to concerns expressed about City of Bryan activities to educate the public.
- Review and update the public involvement strategy and process as needed, continually evaluate public outreach activity effectiveness, and use the results to improve the program.
- Ensure minorities and low-income populations have opportunities to participate in the public involvement process.
- Foster internal communication and training to promote public involvement process understanding and implementation.

Ongoing Efforts

- All information posted on the City website can be translated in more than one hundred languages through Google translate. As Bryan's largest population of non-English speaking persons are Hispanic, a direct link is available on the website to translate "En Español". Information on the website includes but is not limited to public meetings, budget information, events, programs, City information, policies, ordinances, activities, grants, guidelines, public safety and contact information.
- The City also has a calendar of events maintained on the public website, which includes information on public meetings being held.
- The City of Bryan has a City email for all residents to submit questions or requests that once received, are sent to the correct department for further assistance.
- The City makes available to the public several sources of GIS data in the form of maps used in the planning process to enhance public understanding of proposed projects. Examples are long range planning documents such as the Major Thoroughfare Plan, floodplain information, and county property information.
- The City of Bryan completes the Consolidated Plan every five years in order to receive federal Community Development Block Grant (CDBG) funds annually from the U.S. Department of Housing and Urban Development (HUD). The Consolidated Plan describes its efforts to ensure non- discrimination in its public participation process, to include addressing public comment. The City particularly encourages participation of persons with special needs and/or persons who are often underrepresented in the public process, e.g. low income, persons of color, non-English speaking persons, persons with disabilities, persons who are homeless. The Plan is implemented to ensure public input across all City services, including transportation needs.

Notification of Public Participation Activities

To promote inclusive public participation, the City of Bryan will employ the following, as appropriate:

1. Provide for early engagement by the public.
2. To reach the broadest regional coverage, public meeting notices may be sent to newspapers. Translated notices may be sent to non-English newspapers.
3. For projects affecting a specific set of residents or businesses, direct mail outs to those individuals including owners and renters notifying them of upcoming public meetings to attend to provide their input.
4. Provide email addresses for project managers or ways to send in public input on the project or program.
5. Host public meetings, workshops, and other events designed to gather public input on program/project planning and construction.
6. Select accessible meeting locations and times (and varied geographically if applicable)
7. Employ different meeting sizes and formats as applicable
8. Use social media in addition to other resources as a way to gain public involvement
9. Use the City's webpage to inform the entire community of how it can access information and provide input.
10. Consider radio, television or newspaper ads on stations and in publications that serve LEP populations.
11. Consider expanding traditional outreach methods as needed by visiting ethnic stores/markets and restaurants, community centers, libraries, faith-based institutions, local festivals, etc.
12. The City sponsors, attends and participates in other community events to promote its services to the public.

Section 9: Limited English Proficiency Persons Accommodations

As a recipient or sub-recipient of federal US DOT funding, the City of Bryan is required to take reasonable steps to ensure meaningful access to our programs and activities by limited-English proficient (LEP) persons. The City of Bryan 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.

The City of Bryan's 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, the City of Bryan 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 City of Bryan 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. The City of Bryan is home to 21,799 people (27.5% of the population) who speak Spanish, and 10,330 people (13% of the population) who speak Spanish and speak English less than very well. The number of people who speak other languages and English less than very well all comprise under 0.1% of the population each, with the largest being Asian/Pacific Islander at 476 people being 0.06%.

Item # 2 – Description of how Language Assistance Services are Provided, by Language

City of Bryan has identified, developed, and uses the following:

a) Based on the limited population of Spanish speakers who also speak English less than very well, the City of Bryan 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) The City of Bryan 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 City of Bryan provides testing and a stipend to police officers and firefighters 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 agency will use its internal resources to meet this need, when available. Otherwise, the city will reach out to external partner agency resources, or hire a translator or interpreter as needed.
e) The City of Bryan website has translation services available for Spanish by default. Google Translate can be utilized to translate into more than 100 languages.
f) The City 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

In order to ensure that LEP individuals are aware of the City of Bryan language assistance measures, the City of Bryan provides the following:

- The city's website at the click of a button at the very top of the homepage translates the entire website into Spanish.
- Title VI Program including the Language Assistance Plan is made available on website and contains "If you need assistance or information in another language, please contact 979-209-5040. This message is provided in every language identified as meeting the safe harbor threshold which is currently just Spanish.
- Front line personnel in various departments are sought out during the hiring process to have Spanish speaking skills.

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

The City of Bryan 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 the City of Bryan.

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 City of Bryan staff:

- Information on the City of Bryan's 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

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

Section 10: 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

The City of Bryan 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 the City of Bryan.

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 City 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 in the table below.

Overview

The City of Bryan's city limits encompasses 54.16 square miles and is home to 87,793 people representing 5 different language groups. Of the total city population 5 years old and older (79,249), 11,061 or 14.0% of residents, report speaking English less than very well. A breakdown of the language groups, and those speaking English less than very well, are shown below.

2020 Census Results

Bryan, Texas = 54.16 acres						
			Speak English only or speak English "very well"		Speak English less than "very well"	
Label	People	Percent	People	Percent	People	Percent
Population 5 years and over	79,249	(X)	68,188	86.00%	11,061	14.00%
Speak only English	55,427	69.90%	(X)	(X)	(X)	(X)
Speak a language other than English	23,822	30.10%	12,761	53.60%	11,061	46.40%
SPEAK A LANGUAGE OTHER THAN ENGLISH						
Spanish	21,799	27.50%	11,469	52.60%	10,330	47.40%
5 to 17 years old	4,082	5.20%	2,803	68.70%	1,279	31.30%
18 to 64 years old	16,255	20.50%	8,183	50.30%	8,072	49.70%
over	1,462	1.80%	483	33.00%	979	67.00%
European languages	752	0.90%	566	75.30%	186	24.70%
5 to 17 years old	43	0.10%	43	100.00%	0	0.00%
18 to 64 years old	614	0.80%	453	73.80%	161	26.20%
over	95	0.10%	70	73.70%	25	26.30%
Asian and Pacific Island languages	880	1.10%	404	45.90%	476	54.10%
5 to 17 years old	113	0.10%	36	31.90%	77	68.10%
18 to 64 years old	659	0.80%	305	46.30%	354	53.70%
over	108	0.10%	63	58.30%	45	41.70%
Other languages	391	0.50%	322	82.40%	69	17.60%
5 to 17 years old	60	0.10%	52	86.70%	8	13.30%
18 to 64 years old	314	0.40%	270	86.00%	44	14.00%
over	17	0.00%	0	0.00%	17	100.00%
CITIZENS 18 YEARS AND OVER						
All citizens 18 years old and over	55,678	(X)	52,601	94.50%	3,077	5.50%
English	44,703	80.30%	(X)	(X)	(X)	(X)
Speak a language other than English	10,975	19.70%	7,898	72.00%	3,077	28.00%
Spanish	10,038	18.00%	7,231	72.00%	2,807	28.00%
Other languages	937	1.70%	667	71.20%	270	28.80%

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. The City of Bryan is home to 21,799 people (27.5% of the population) who speak Spanish, and 10,330 people (13% of the population) who speak Spanish and speak English less than very well. The number of people who speak other languages and English less than very well all comprise under 0.1% of the population each, with the largest being Asian/Pacific Islander at 476 people being 0.06%.

Designation of Vital Documents

Based on the limited population of Spanish speakers who also speak English less than very well, the City of Bryan 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 the City of Bryan's services and programs.

The City of Bryan 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 the city can improve. Moving forward the city plans to collect data on the frequency in which LEP persons come into contact with the city's various departments and programs. The Title VI Coordinator will create an annual survey to be sent to each department. ("Departments" such as Development Services, Parks and Recreation, City Secretary, Public Works, 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 City of Bryan will have concrete data on language access needs to help direct future efforts and planning.

Knowing there is a demand for Spanish, the City of Bryan offers to residents numerous printed brochures, flyers and other publications as information to review. Many of these publications including the water quality report, public safety materials and program information are printed in both Spanish and English. In a digital age, LEP persons looking for information online through our City website can select the "En Espanol" feature to review the entire website's content in Spanish.

Factor Three: The Nature and Importance of the City of Bryan's Programs, Activities or Services to People's Lives

The importance of the services offered to residents by the City of Bryan is immeasurable. From public safety to animal services, leisure services like parks and libraries, to solid waste collection, utilities, and roadways every resident needs to contact the City at some point for assistance. The City of Bryan strives to offer numerous opportunities for inclusion for LEP persons through providing written materials and translation services.

Finally, the City of Bryan's 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 city staff and overall costs to provide LEP assistance. The City of Bryan utilizes a combination of multilingual staff members and procured vendors as professional, competent translators and interpreters as requested. City staff addresses most language assistance needs with over-the phone and in-person interpretation, and some document translation. The City of Bryan will be developing a list of bilingual City employees that can assist with interpretation and will post on the City's Intranet. The City of Bryan will plan to 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

The City of Bryan 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 City 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, the City of Bryan can reach out to Texas A&M 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 City 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 City of Bryan 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 City in person or on the phone that may require interpretation services. Many departments have Spanish speaking employees that handle the bulk of the requests, but having a formal list of employees will assist those departments that may not have Spanish speaking employees. Any other interpretation would be sought out by the private sector or perhaps from Texas A&M University faculty or staff.

Written Translation Services

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

Section 11: Environmental Justice

Most compliance happens in partnership with TXDOT Bryan District and TXDOT Bryan Area offices through interagency coordination during project planning and environmental development of proposed projects involving federal funding.

Compliance with Title VI includes ensuring that no minority or low income population suffers "disproportionately high and adverse human health or environmental effect" due to any "programs, policies and activities" undertaken by any agency receiving federal funds. This obligation will be met by the City (when the city is responsible for this aspect of a project) in the following ways:

1. When planning specific programs or projects, identifying those populations, if any, that will be affected by a given program or project.
2. If a disproportionate affect is anticipated, the City will assess the extent of the disproportionate affect to the minority and low income populations and implement appropriate mitigation procedures.
3. If mitigation options do not sufficiently eliminate the disproportionate effect, discussing and, if necessary, implementing reasonable alternatives.

Disproportionate effects are those effects which are appreciably more severe for one group or predominantly borne by a single group. The City will use US Census data to identify low income and minority populations when it is identified that a program, policy or activity may have a disproportionate negative affect to a minority or low income population.
Where a project impacts a small number or area of low income or minority populations, the City will document that:

1. Other reasonable alternatives were evaluated and were eliminated for reasons such as the alternatives impacted a far greater number of people or did greater harm to the environment, etc.
2. The projects impact is unavoidable.
3. The benefits of the project far out-weigh the overall impacts; and
4. Mitigation measures are being taken to reduce the harm to low income or minority populations.

If it is determined that no minority and/or low income population groups are present in the project area, the City will document how the conclusion was reached.
The following steps will be taken to assess the impact of projects on minority and or low income population groups.

1. Determine if a minority or low income population is present within the project area. If the conclusion is that no minority or low income population is present within the project area, document how the conclusion was reached. If the conclusion is that there are minority populations and or low income population groups present, proceed to Step 2.
2. Determine whether project impacts associated with the identified low income and minority populations are disproportionately high and adverse. If it is determined that

there are disproportionately high and adverse impacts to minority and low income populations, proceed to Step 3.

3. Propose measures that will avoid, minimize and or mitigate disproportionately high and disproportionate adverse impacts and provide offsetting benefits and opportunities to enhance communities, neighborhoods and individuals affected by proposed project.
4. If after mitigation, enhancements and offsetting benefits to the affected populations, there remains a high and disproportionate adverse impact to minority or low income populations, then the following questions must be considered:
    a. Are there further migration measures that could be employed to avoid or reduce the adverse effect to the minority or low income populations?
    b. Are there other additional alternatives to the proposed action that would avoid or reduce the impacts to low income or minority populations?
    c. Considering the overall public interest, is there a substantial need for the project?
    d. Will the alternatives that would satisfy the need for the project and have less impact on protected populations (a) have other social economic or environmental impacts that are more severe than those of the proposed action (b) have increased costs of extraordinary magnitude?
5. Include all findings, determinations or demonstrations in the environmental document prepared for the project.

Section 12: Data Collection and Analysis

FHWA regulations require federal-aid recipients to collect racial, ethnic and other similar demographic data on beneficiaries of those affected by programs, services and activities including transportation. The City accomplishes this using census data, American community survey, and other methods. The gathering procedures will be reviewed annually to ensure sufficiency of the data in meeting the requirements of the Title VI program. From time to time the City may find it necessary to request voluntary identification of certain racial, ethnic, or other data from those who participate in City programs, services or activities. This information assists the City with improving service equality and ensuring effective outreach. This will always be voluntary and anonymous. Moreover, the City will not release or otherwise use this data in any manner inconsistent with the FHWA regulations.

Section 13: Program Visibility

Community Outreach is a requirement of Title VI recipients and sub-recipients shall seek out and consider viewpoints of minority and low-income populations in the course of conducting public outreach. Recipients have wide latitude to determine what specific measures are most appropriate and should make this determination based on composition of the affected population, the public involvement process, and the resources of the recipient.

The City of Bryan does not have a formal outreach procedure in place, however we have made the following community outreach efforts:

- Title VI plan will be located on the City of Bryan's website for review and at the Mounce Public Library and the policy statement will be posted outside of the Municipal Office Building on the public notices board.
- The City of Bryan's website can be translated into Spanish or other languages.
- City election notices are provided in Spanish.
- All City of Bryan City Council meetings are open to the public and follow the Texas Open Meetings Act.
- Federal and State required employment notices are posted in the City's Human Resources Department and other high profile locations. All notices are posted in both English and Spanish.

Section 14: Providing Assistance to and Monitoring Subrecipients

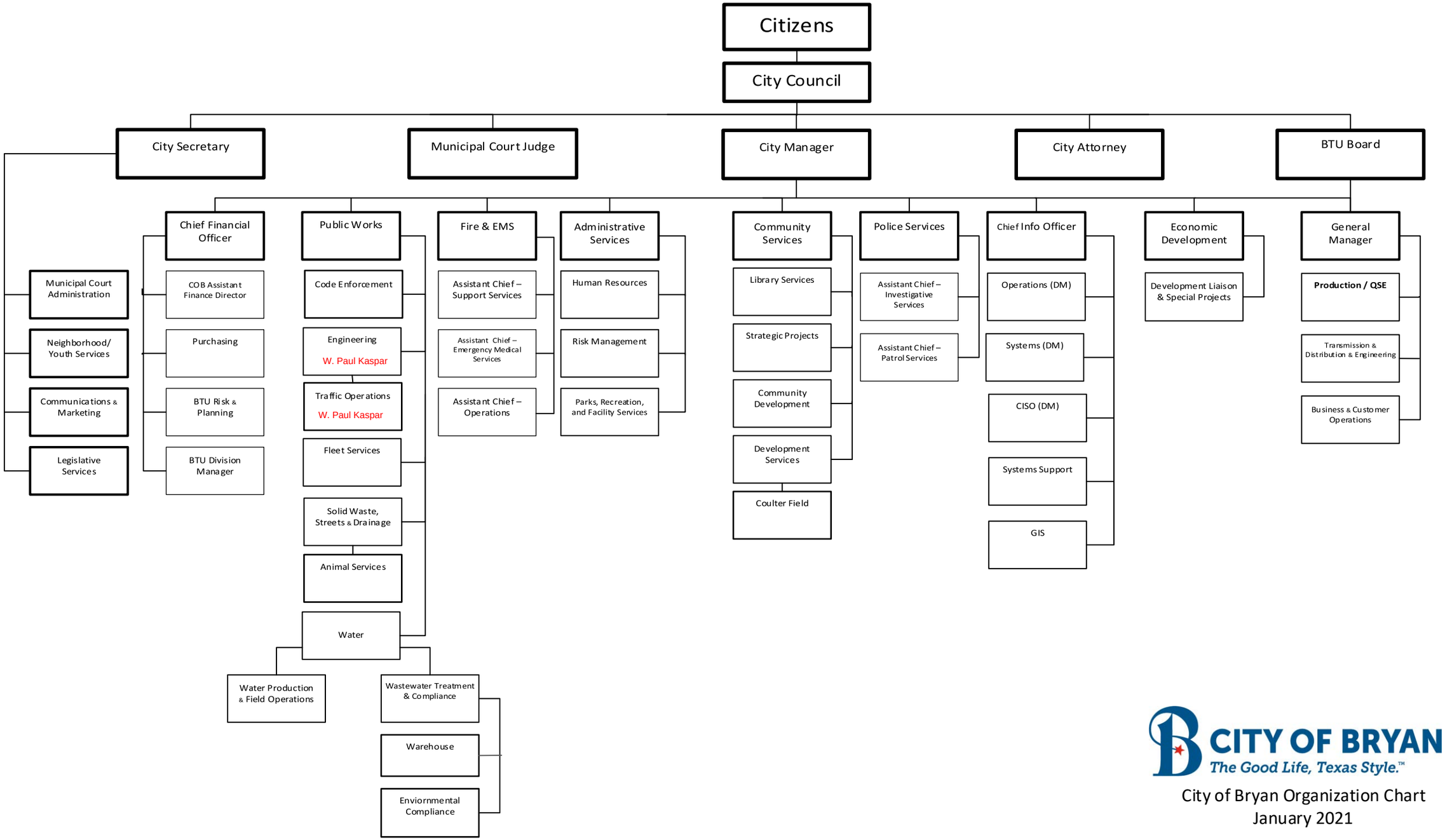
1. Does City of Bryan provide funding to subrecipients?

   ☒ No, the agency does not have subrecipients.

The Community Development Department handles federals funds and they annually document all of that through the Consolidated Action Plan.

Section 15: Annual Work Plan and Accomplishment Report Process

1. The City's Title VI Plan will be communicated to each City department head who will review the plan with appropriate employees.
2. The City's Title VI Plan and Policy Statement will be published on the City's website. The Policy Statement will also be posted in conspicuous locations.
3. The City of Bryan will provide language assistance when requested.
4. City department heads and select other employees will be trained and made aware of the LEP procedure and the Title VI complaint procedure.
5. The following data will be periodically collected and reviewed by the Title VI Coordinator and transmitted upon request to TXDOT:
    a. LEP Needs: Number of requests for language assistance formally requested and the outcome of the request.
    b. Complaints: Number of Title VI complaints received, nature of the complaints and resolution of the complaints.
    c. Right of Way / Eminent Domain: Number of such actions and diversity of individuals affected.



CITY OF BRYAN
The Good Life, Texas Style.™

City of Bryan Organization Chart
January 2021

Position Title	City Engineer
Department	Engineering Services & Traffic Operations
Classification Title	COB-Exempt Specialty V Division Manager/Director
FLSA	Exempt
Job Summary	Under broad supervision and direction from the Public Works Director, plans, organizes, oversees, coordinates, and reviews the work of professional, technical, and administrative staff performing difficult and complex support related to all programs and activities of the City of Bryan Engineering Services Division and Traffic Operations Division. Serves as the City of Bryan ADA Coordinator and Title VI Coordinator.
Essential Job Functions	• Manages and participates in the development and implementation of engineering and traffic services goals, objectives, policies, and priorities. • Carries out management responsibilities in accordance with the City's policies and applicable laws, including: making employment decisions regarding hiring/termination; assigning major projects and reviewing work to ensure quality and timely completion; assisting in staff development and training; approving time; evaluating performance and addressing performance concerns; meeting with employees and management staff to identify and resolve problems; and performing other personnel actions to ensure productivity and quality standards are maintained. • Directs, coordinates, and manages the planning, organization, coordination, control and completion of development proposals. • Reviews and approves construction plans for subdivision development. • Supervises construction inspection of public infrastructure required for development. • Provides recommendations and assists in capital improvement planning for the City with respect to streets, storm water, water and sanitary sewer. • Sets engineering standards of design and construction for streets, storm sewer, water, and sanitary sewer. • With assistance from subordinate supervisors, oversees the work of engineers performing design of infrastructure, engineering review, and project management of development projects. • Provides interface and communication for the department with management, boards, City Council, and the general public. • Serves as ADA Coordinator and Title VI Coordinator. • Addresses concerns from the public with regard to street, drainage, traffic, water and sewer. • Performs related duties as required. • Responds regularly and promptly to work.
Minimum Qualifications	• Bachelor's degree in Civil Engineering plus at least eight (8) years of professional engineering experience with public works, storm sewers, sanitary sewers, and water supply systems; OR

	a Master's degree plus at least six (6) years of experience as listed above; OR a Ph.D. plus at least four (4) years of experience as listed above • Previous leadership, supervisory, or management experience is required. *Equivalent combinations of education, experience, certification, and training may be considered.*
Licenses, Certifications & Special Requirements	• Must be registered as a licensed professional engineer in the State of Texas **or** have the ability to gain reciprocity within one (1) year of hire. • Must be a certified Floodplain Manager (CFM) **or** have the ability to obtain certification within the time frame set by management. • Texas Class C driver's license with a good driving record as measured by the City's evaluation system.
Knowledge, Skills & Abilities	**Working knowledge of:** • Progressive supervisory and management principles, practices, and methods. • The principles and practices of professional civil engineering. • Construction practices of municipal engineering projects. • Land development and land surveying. • Financial management, budget preparation, expenditure control, and record keeping, with the ability to manage capital projects and deliver results within budget and by established deadlines. • Safety standards, procedures, and precautions utilized in emergency response activities. **Ability to:** • Plan, organize, direct, and coordinate the work of personnel; delegate authority and responsibility. • Interpret and apply broad standards and policies to divisional operations. • Analyze a variety of administrative problems and make sound policy and procedural recommendations. • Prepare and administer a complex budget. • Research, analyze, and evaluate new service delivery methods, procedures, and techniques. • Maintain the confidentiality of sensitive information, records, or issues. • Ensure compliance with City and department rules, regulations, policies, procedures, and laws. • Prepare clear, concise, and complete reports, correspondence, presentations, and other written materials. • Organize workload, establish priorities, and meet established deadlines. • Be constantly alert and aware of any potential workplace hazards and ensure workplace safety. • Speak before City Council, and public and professional groups, about the City's financial plans, objectives, policies & programs.

	• Provide City staff and management with sound advice and information regarding incumbent's area of responsibility. • Establish and maintain effective working relationships with staff, other City employees/departments, City officials, and the public. **Skills:** • Demonstrated leadership, supervisory, and change management skills. • Strong verbal and written communication skills. Must be a strong public speaker. • Strong customer service skills, including the ability to handle escalated customer inquiries. • Strong planning, organizational, problem-solving, and time management skills. • Strong computer skills with the ability to learn job-specific software programs and applications used by the City of Bryan and the department as needed.
Physical Demands	Physical demands include but are not limited to: sitting, talking, hearing, seeing, standing, walking, driving, bending, reaching, twisting, pushing, pulling, using hands and fingers to operate office equipment and machines, and occasionally lifting and/or moving objects up to and including 25 pounds.
Working Conditions	Work is performed primarily in an office setting or a well-lighted and temperature-controlled working environment.
Equipment	Work shall be performed with tools, appliances and equipment approved by those agencies and bodies that have control, authority, or approval of the design working ranges or limitations of those items; the employee has the responsibility to conform to those ranges and limitations. Equipment may include but is not limited to: telephone, computer, printer, copier, scanner, calculator, and vehicle.