HARRIS COUNTY IMPROVEMENT DISTRICT #3
TITLE VI PROGRAM
CIVIL RIGHTS ACT OF 1964

UPDATED MARCH 2024

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POLICY STATEMENT

Harris County Improvement District #3 (d.b.a. Upper Kirby Management District, herein referenced as Upper Kirby) assures that no person shall, on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance. Upper Kirby's responsibilities in its commitment to non-discrimination, including:

- Ensuring equal and meaningful access to all federally funded programs.
- Promoting full and fair participation in transportation-based decision making.
- Providing clear communication to all residents including persons with limited English proficiency.

The purpose of Upper Kirby's federal program is to construction public facilities and infrastructure that benefit and revitalize the community. In order to achieve this purpose, Upper Kirby is committed to non-discrimination through the provided programs.

Upper Kirby developed this Title VI Program to address the requirements of the FTA Circular 4702.1B, Title VI Requirements and Guidelines for FTA Recipients. Upper Kirby has developed all of the necessary procedures and processes to be in compliance with Title VI regulations, including a complaint process and a Title VI notice to the public.

Authorities

The Title VI Plan is written in accordance with Title VI regulations consistent with FTA Circular 4702.1B, Title VI Requirements and Guidelines for Federal Transit Administration and any future updates, 42 USC 2000d, Prohibition against exclusion from participation in, denial of benefits of, and discrimination under federally assisted programs on ground of race, color, or national origin, and 49 CFR part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation. Upper Kirby will integrate Limited English Proficient (LEP) Persons (70 FR 74087) Recipients' Responsibilities into their programs and activities in Spanish and other languages, upon request.

_____ _____

Travis Younkin Date
Title VI Coordinator
Executive Director
Harris County Improvement District #3

TITLE VI PROCEDURES

Upper Kirby developed this Title VI Program to address the requirements of the FTA Circular 4702.1B, Title VI Requirements and Guidelines for FTA Recipients. Upper Kirby has developed all of the necessary procedures and processes to be in compliance with Title VI regulations, including a complaint process and a Title VI notice to the public.

Upper Kirby's Executive Director is responsible for ensuring the implementation of the Title VI program as the Title VI Coordinator. Upper Kirby's Board of Directors reviewed and approved the Title VI Program. A copy of the resolution approving the program is provided in **Appendix B**.

TITLE VI PUBLIC NOTICE

Upper Kirby will post the following notice to the public at the Upper Kirby offices and on the Upper Kirby website. Houston METRO, the area service provider, provides its own Title VI notices on its transit facilities and buses in Upper Kirby.

> *The Harris County Improvement District #3 (d.b.a. Upper Kirby Management District) hereby gives public notice that it is the Upper Kirby Management District's policy to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and related statutes and regulations in all programs and activities. Title VI requires that no person in the United States of America shall, on the grounds of race, color, or national origin, be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance.*
>
> *For more information on Upper Kirby's civil rights program, individuals may obtain the Title VI plan by phone at 713-524-8000, by mail, by email director@upperkirby.org, or by visiting Upper Kirby administrative office at 3120 Southwest Freeway, Suite 102, Houston, Texas 77098.*
>
> *Any person who believes he/she has been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with Upper Kirby. Any such complaint must be in writing or by phone and filed with the Upper Kirby Title VI Coordinator within one hundred-eighty (180) days following the date of the alleged discriminatory occurrence. Title VI Discrimination Complaint Forms may be obtained from the Upper Kirby administrative office at no cost to the complainant by calling 713-524-8000.*
>
> *If you would like to file a complaint with Federal Transit Administration (FTA) Regional Office, please send a written complaint to FTA Region VI, 819 Taylor Street, Room 8A36, Fort Worth, TX 76102. A complainant may also file a complaint directly with the FTA by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590.*
>
> *This notice is to be posted in the offices of the Upper Kirby and on the Upper Kirby website (www.upperkirbydistrict.org).*

If information is needed in another language, contact Upper Kirby's Title VI Coordinator at 713-524-8000.

Upper Kirby publicará la siguiente notificación al público en las oficinas de Upper Kirby y en la página web de Upper Kirby.

Por medio de la presente, Harris County Improvement District #3 (d.b.a. Upper Kirby Management District) le notifica al público su política de garantizar el pleno cumplimiento del Acta de Derechos Civiles de 1964 del Título VI, la Ley de Restauración de los Derechos Civiles de 1987, y los estatutos y reglamentos relacionados a tales leyes, en todos los programas y actividades de Upper Kirby. El Título VI establece que ninguna persona en los Estados Unidos de América puede ser excluida por motivos de raza, color u origen nacional, de la participación en, se le nieguen los beneficios de, o sea sometida a discriminación bajo cualquier programa o actividad que reciba asistencia financiera federal.

Para obtener más información acerca del Programa de Derechos Civiles de Upper Kirby, las personas podrán obtener el plan del Título VI por teléfono 713-524-8000, por correo, por correo electrónico (director@upperkirby.org), o visitando la oficina administrativa de Upper Kirby en 3120 Southwest Freeway, Suite 102, Houston, Texas 77098.

Si usted cree haber sido perjudicado por una práctica discriminatoria e ilegal bajo el Título VI puede presentar una queja formal ante Upper Kirby. Las quejas pueden hacerse por escrito o por teléfono. Estas deben ser presentadas ante el Coordinador del Título VI de Upper Kirby dentro de los ciento ochenta (180) días siguientes a la fecha de la ocurrencia discriminatoria alegada. Los Formularios de Queja de Discriminación del Título VI se pueden obtener en la oficina administrativa de Upper Kirby sin costo para el demandante llamando al 713-524-8000.

Si desea presentar una queja ante la Oficina Regional de la Administración Federal de Tránsito (FTA), envíe una queja por escrito a FTA Region VI, 819 Taylor Street, Room 8A36, Fort Worth, TX 76102. Un denunciante también puede presentar una queja directamente con el FTA presentando una queja ante la Oficina de Derechos Civiles, Atención: Coordinador del Programa Título VI, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590.

Este aviso se publicará en la oficina y en la página web de Upper Kirby (www.upperkirbydistrict.org).

Si necesita información en otro idioma, póngase en contacto con Upper Kirby a través del 713-524-8000.

TITLE VI COMPLAINT PROCEDURES

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964 as amended, relating to any transportation, program or activity receiving federal financial assistance administered by Upper Kirby or sub-recipients and contractors. The program is also conducted in

accordance with FTA C 4702.1B. Upper Kirby's Complaint Form is provided in **Appendix A**. The translated version of the complaint procedures is provided in **Appendix C**.

The procedures do not deny the right of the complainant to file formal complaints with other state or federal agencies or to seek private counsel for complaints alleging discrimination. Upper Kirby has authority to accept complaints for investigation, but complainants may also file complaints with TxDOT or the Federal Transit Administration within 180 days of the alleged offense. If you would like to file with TxDOT, please send a written complaint to TxDOT Public Transportation, 3712 Jackson Avenue, Building 6, 5th floor, Austin, Texas 78731. If you would like to file with FTA, please send a written complaint to FTA Region VI, 819 Taylor Street, Room 8A36, Fort Worth, TX 76102. A complainant may also file a complaint directly with the FTA by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590.

Every effort will be made to obtain early resolution of complaints at the lowest level possible. The Title VI Investigator will make every effort to pursue a resolution of the complaint. Initial interviews with the complainant and the respondent will request information regarding specifically requested relief and settlement opportunities.

Any individual, group of individuals or entity that believes they have been subjected to discrimination on the basis of race, color, or national origin, as prohibited by Title VI nondiscrimination provisions by Upper Kirby, may file a written complaint. A formal complaint must be filed within 180 calendar days of the alleged occurrence, or when the alleged discrimination became known to the complainant.

The complaint must meet the following requirements:

a. Shall be in writing and signed by the complainant(s).

b. Present the date of the alleged act of discrimination (date when the complainant(s) became aware of the alleged discrimination or the date on which that conduct was discontinued or the latest instance of the conduct).

c. Present a detailed description of the issues including names and job title of perceived parties in the complaint.

Allegations received by fax or email will be processed, but a signed, original copy of the complaint must be mailed to Upper Kirby to be able to finalize the processing. Allegations received by telephone will be put into writing and provided to the complainant for confirmation before processing. A complaint form will be forwarded to the complainant for him/her to complete, sign and return to Upper Kirby for processing.

Upper Kirby will process all complaints that are completed and submitted in a timely manner. Once the complaint is received, Upper Kirby will review it to determine if Upper Kirby has authority. Complaints will be reviewed for:

a. Allegations involving discrimination based on race, color, or national origin;

b. Allegations involving a program or activity of a federal funding recipient, sub-recipient, or contractor;

c. The complainant(s) acceptance of reasonable resolution based on Upper Kirby's administrative authority.

A complaint may be dismissed if the Complainant requests the withdrawal of the complaint; fails to respond to repeated requests for additional information needed to process complaint; and/or cannot be located after a number of reasonable attempts.

Once Upper Kirby decides to proceed with the investigation, the complainant will be notified in writing of the determination within ten (10) calendar days. The complaint will receive a case number and then be logged into Upper Kirby's records identifying its basis (race, color, or national origin) and alleged harm.

In cases where Upper Kirby assumes investigation of the complaint, Upper Kirby will provide the respondent with the opportunity to respond to the allegations in writing. The respondent will have ten (10) calendar days from the date of Upper Kirby's written notification of acceptance of the complaint to furnish his/her response to the allegations.

Within 40 calendar days of the acceptance of the complaint, Upper Kirby will prepare an investigative report for Title VI Coordinator. The report shall include a narrative description of the incident, identification of persons interviewed, findings, and recommendations for disposition. The Title VI Coordinator will have ten (10) calendar days to review and provide comments.

Upper Kirby will address any comments to the preliminary investigative report, and its findings will be forwarded to Upper Kirby's legal staff for review. The legal staff will review the report and associated documentation and will provide input within ten (10) calendar days. There will be a period of ten (10) calendar days for the legal staff to discuss the report and any recommendations with the Title VI Coordinator and have the Title VI Coordinator address any modifications as needed.

Upper Kirby's final investigative report and a copy of the complaint will be forwarded to FTA within 60 calendar days of the acceptance of the complaint. Upper Kirby will notify the parties of its findings.

TITLE VI INVESTIGATIONS, COMPLAINTS AND LAWSUITS

There were no transit-related Title VI investigations, complaints, and/or lawsuits in the past three (3) years.

	Date *(Month, Day, Year)*	**Summary** *(include basis of complaint: race, color, or national origin)*	**Status**	**Action(s) Taken**
Investigations				
1	None			
2				
3				
Lawsuits				
1	None			
2				
3				
Complaints				
1	None			
2				
3				

PROMOTING INCLUSIVE PUBLIC PARTICIPATION

Upper Kirby maintains a public participation process for all construction projects. Notices of these meetings can be made in Spanish upon request, as stated on the notice. Upper Kirby also has bilingual staff at the meetings to translate upon request. The projects are discussed in detail at the public meetings which occur before construction begins. Oral comments can be translated, as necessary. Upper Kirby utilizes multiple media outlets to advertise important meetings such as newspapers, mailers, website notices, and other means.

All Upper Kirby construction projects will go through the Houston-Galveston Area Council (H-GAC) Transportation Improvement Program (TIP), which involves more public participation. In the H-GAC Public Involvement Plan, it states that, "H-GAC currently provides some materials in Spanish such as factsheets and web content. H-GAC also has several experienced staff members who are fluent in both Spanish and English."

Upper Kirby keeps an updated list of projects that have been completed, are underway, and coming soon on their website. Upper Kirby also creates a weekly newsletter to inform the public about news and upcoming projects. Upper Kirby can translate the newsletter, upon request.

LIMITED ENGLISH PROFICIENCY (LEP) PERSONS - FOUR FACTOR ANALYSIS

Factor 1 Assessing the Number or Proportion of LEP Individuals served or Encountered in Eligible Service Population

(a) How LEP persons interact with the recipient's agency

LEP individuals would come in contact with Upper Kirby during the planning, procurement, and construction of federally approved transit and pedestrian capital projects.

(b) Identification of LEP communities, and assessing the number or proportion of LEP persons from each language group to determine the appropriate language services for each language group

The best, most comprehensive table to identify Limited English Proficiency levels by their population is the American Community Survey of Language Spoken at Home by Ability to Speak English (Table B16001); however, this table has not been updated since 2015. Upper Kirby decided to continue to use this table along with other tables that have more up to date information. For this data, Upper Kirby's population is considered all US Census Tracts that have a portion within Upper Kirby boundaries.

According to the American Community Survey 2015 (5 Year Estimate) data, there is 3.28 percent of the management district area population who speak English "less than well" that speak a language other than English at home. While 7.76 percent of the service area speaks Spanish at home, the percentage of Spanish-speaking individuals who reported speaking English "less than well" is 1.90 percent, or 943 individuals, of the total management district population. Based on this table, Upper Kirby does not meet the Safe Harbor Threshold for Spanish.

B160001 - LANGUAGE SPOKEN AT HOME BY ABILITY TO SPEAK ENGLISH							
	Speak English "very well"		Speak English "less than well"		Total		
Language Spoken at Home	Number "very well"	Percent	Number "less than well"	Percent	Total Number	Percent of Total Language Sub-Group	Speaking Less than Well Percent of Total Population
Total population					49,738		
Speak only English					41,135	82.70%	
Spanish or Spanish Creole	2,915	75.56%	943	24.44%	3,858	7.76%	1.90%
French (incl. Patois, Cajun)	445	94.08%	28	5.92%	473	0.95%	0.06%
French Creole	0	0.00%	0	0.00%	0	0.00%	0.00%
Italian	187	100.00%	0	0.00%	187	0.38%	0.00%
Portuguese or Portuguese Creole	39	18.14%	176	81.86%	215	0.43%	0.35%
German	171	89.06%	21	10.94%	192	0.39%	0.04%
Yiddish	0	0.00%	0	0.00%	0	0.00%	0.00%
Other West Germanic languages	182	93.81%	12	6.19%	194	0.39%	0.02%
Scandinavian languages	101	100.00%	0	0.00%	101	0.20%	0.00%
Greek	162	91.53%	15	8.47%	177	0.36%	0.03%
Russian	263	88.26%	35	11.74%	298	0.60%	0.07%
Polish	0	0.00%	0	0.00%	0	0.00%	0.00%
Serbo-Croatian	11	100.00%	0	0.00%	11	0.02%	0.00%
Other Slavic languages	52	86.67%	8	13.33%	60	0.12%	0.02%
Armenian	0	0.00%	0	0.00%	0	0.00%	0.00%
Persian	76	92.68%	16	19.51%	82	0.16%	0.03%
Gujarati	19	100.00%	0	0.00%	19	0.04%	0.00%
Hindi	413	100.00%	0	0.00%	413	0.83%	0.00%
Urdu	218	100.00%	0	0.00%	218	0.44%	0.00%
Other Indic languages	152	73.79%	54	26.21%	206	0.41%	0.11%
Other Indo-European languages	43	41.35%	61	58.65%	104	0.21%	0.12%
Chinese	511	81.89%	113	18.11%	624	1.25%	0.23%
Japanese	33	60.00%	22	40.00%	55	0.11%	0.04%
Korean	72	100.00%	0	0.00%	72	0.14%	0.00%
Mon-Khmer, Cambodian	17	100.00%	0	0.00%	17	0.03%	0.00%
Hmong	0	0.00%	0	0.00%	0	0.00%	0.00%

Thai	12	100.00%	0	0.00%	12	0.02%	0.00%
Laotian	35	68.63%	16	31.37%	51	0.10%	0.03%
Vietnamese	180	64.06%	101	35.94%	281	0.56%	0.20%
Other Asian languages	343	100.00%	0	0.00%	343	0.69%	0.00%
Tagalog	103	91.96%	9	8.04%	112	0.23%	0.02%
Other Pacific Island languages	8	100.00%	0	0.00%	8	0.02%	0.00%
Navajo	0	0.00%	0	0.00%	0	0.00%	0.00%
Other Native North American	0	0.00%	0	0.00%	0	0.00%	0.00%
Hungarian	0	0.00%	0	0.00%	0	0.00%	0.00%
Arabic	155	100.00%	0	0.00%	155	0.31%	0.00%
Hebrew	55	100.00%	0	0.00%	55	0.11%	0.00%
African languages	0	0.00%	0	0.00%	0	0.00%	0.00%
Other and unspecified languages	0	0.00%	0	0.00%	0	0.00%	0.00%
Survey: 2015 American Community Survey 5-Year Estimates LANGUAGE SPOKEN AT HOME BY ABILITY TO SPEAK ENGLISH FOR THE POPULATION 5 YEARS AND OVER US Census Tracts 4108, 4109, 4110, 4111, 4112, 4114, 4115.01, 4115.02, 4118, 4119, 4120, 4123, 4124							

Table C16001, Language Spoken at Home (2022), provides similar information with fewer languages identified. The breakdown is similar to the above table. No languages met the Safe Harbor threshold based on this table.

C160001 - LANGUAGE SPOKEN AT HOME FOR THE POPULATION 5 YEARS AND OVER					
Language Spoken at Home	**Speak English "very well"**	**Speak English "less than well"**	**Total Number**	**Percent of Total Language Sub-Group**	**Speaking Less than Well Percent of Total Population**
Total population			42,048		
Speak only English			30,848	73.36%	
Spanish or Spanish Creole	3,544	761	4,305	10.24%	1.81%
French (incl. Haitian, Cajun)	260	86	346	0.82%	0.20%
German	393	32	425	1.01%	0.08%
Russian, Polish, or other Slavic languages	602	62	664	1.58%	0.15%
Other Indo-European languages	1,287	169	1,456	3.46%	0.40%
Korean	134	94	288	0.68%	0.22%
Chinese	907	377	1,284	3.05%	0.90%
Vietnamese	323	85	408	0.97%	0.20%
Tagalog	123	6	129	0.31%	0.01%
Other Asian and Pacific Island languages	893	207	1,100	2.62%	0.49%
Arabic	640	54	694	1.65%	0.13%
Other and unspecified languages:	113	48	161	0.38%	0.11%
LANGUAGE SPOKEN AT HOME FOR THE POPULATION 5 YEARS AND OVER Survey/Program: American Community Survey Universe: Population 5 years and over Year: 2022 Estimates: 5-Year Table ID: C16001					
US Census Tracts: 4104.01, 4108.01, 4108.02, 4109, 4110.01, 4110.02, 4110.03, 4111, 4112, 4114, 4115.03, 4115.04, 4115.05, 4115.06, 4115.07, 4118.01, 4118.02					

For Table B16004, Age by Language Spoken at Home by Ability to Speak English, no language meets the Safe Harbor threshold based on this table.

LANGUAGE SPOKEN AT HOME BY ABILITY TO SPEAK ENGLISH FOR THE POPULATION 5 YEARS AND OVER		
	Language Spoken at Home	**Speak English "Less Than Well"**
English	30,848	N/A
Spanish	4,305	426
Indo-European languages	2,891	99
Asian and Pacific Island languages	3,149	98
Other Language	855	38
Total Population	**42,048**	**661**
AGE BY LANGUAGE SPOKEN AT HOME BY ABILITY TO SPEAK ENGLISH FOR THE POPULATION 5 YEARS AND OVER Survey/Program: American Community Survey Universe: Population 5 years and over Year: 2022 Estimates: 5-Year Table ID: B16004		
US Census Tracts: 4104.01, 4108.01, 4108.02, 4109, 4110.01, 4110.02, 4110.03, 4111, 4112, 4114, 4115.03, 4115.04, 4115.05, 4115.06, 4115.07, 4118.01, 4118.02		

(c) The literacy skills of LEP populations in their native languages, in order to determine whether translation of documents will be an effective practice
Upper Kirby has not monitored the literacy rates of LEP populations in the past; however, Upper Kirby will provide requested translations either written or orally in any languages. Upper Kirby will monitor any requests for translations.

(d) Whether LEP persons are underserved by the recipient due to language barriers
Presently, there are no known language barriers that cause LEP persons to be underserved. Upper Kirby will notify LEP persons of their rights and will monitor complaints about barriers.

Factor 2: Assessing the Frequency with Which LEP Individuals Come into Contact with your programs, activities, and services
Upper Kirby does not provide transit services, rather it utilizes FTA funds in order to develop pedestrian infrastructure that enhances people's ability to easily access the transit services provided by Houston METRO. So, the instances that LEP persons would come in contact with the projects conducted by Upper Kirby is during procurement or construction. Upper Kirby makes the fact known during all procurement endeavors, advertising efforts, public meetings, and other instances that documents, instructions, and other important materials can be translated at no cost to the user. Very rarely does any of the construction require any detours or significant changes to accessing public transportation, so there is minimal disruption for transit users. In the instance where there are disruptions, Upper Kirby works with Houston METRO to address any concerns while keeping LEP persons in mind.

Upper Kirby documents when an individual requests a translation. There have been no requests for translation or interpretation for phone calls or public meetings in the past three years.

Factor 3: Assessing the Nature and Importance of Program, Activity or Service
As stated in the Factor 2 analysis, Upper Kirby does not provide transit services but does utilize FTA funds for the construction of pedestrian infrastructure. The construction of sidewalks, ADA ramps, pedestrian lighting, and signalization provides benefit to all users of transit services but does not have any unique impact on LEP persons. Upper Kirby is able to translate all important documents and instructions in Spanish and other languages on request.

Factor 4: Assessing the Resources Available to Transit and Costs
Upper Kirby offers many opportunities for LEP persons to fully access information regarding the construction projects. Upper Kirby Management District staff has the ability to proficiently translate oral conversations as well as written documentation from English to Spanish, or vice versa. Upper Kirby will translate vital documents, such as all public notices, complaint procedures, and complaint forms, into Spanish. Due to past experience, Upper Kirby does not anticipate many additional requested translations. Costs for any requested translations (either due to staff time or other translation services) and printing of translated documents might range from $500 to $1,500 a year. All costs are absorbed into the Upper Kirby Management District's annual budget.

LANGUAGE ASSISTANCE PLAN (LAP) IMPLEMENTATION PLAN

Task 1 - Identifying LEP Individuals Who Need Language Assistance

Number or Proportion of LEP Persons served or Encountered in Eligible Service Population

According to the American Community Surveys included in the LEP Four Factor Analysis, no language was identified as meeting the Safe Harbor threshold of 1,000 individuals or 5% of the population.

Frequency with Which LEP Individuals Come Into Contact with your Programs, Activities and Services

Upper Kirby does not provide transit services, rather it utilizes FTA funds in order to develop pedestrian infrastructure that enhances people's ability to easily access the transit services provided by Houston METRO. So, the instances that LEP persons would come in contact with the projects conducted by Upper Kirby is during procurement or construction. Upper Kirby makes the fact known during all procurement endeavors, advertising efforts, public meetings, and other instances that documents, instructions, and other important materials can be translated at no cost to the user. Very rarely does any of the construction require any detours or significant changes to accessing public transportation, so there is minimal disruption for transit users. In the instance where there are disruptions, Upper Kirby works with Houston METRO to address any concerns while keeping LEP persons in mind.

To assist analyzing how frequently LEP individuals come in contract with Upper Kirby, staff will track and analyze the number of phone calls that needed interpretation and the requests for translating documents.

Task 2 - Language Assistance Measures

1. Every effort will be made to ensure at least one Spanish speaking employee at every public contact counter, when requested in advance of meeting.
2. Upper Kirby maintains a call list of employees that are available to provide language assistance, upon request.
3. Employment opportunities are advertised in multiple languages, including English and Spanish.
4. Published vital documentation, such as public notices, regarding Upper Kirby are written in English and Spanish and can be translated into other languages, as needed.
5. Utilization of language-free pictograms when possible.
6. Utilization of ISpeak Card for LEP Populations on hand at Upper Kirby offices.
7. Utilization of available resources on lep.gov and ispeakhouston.org.
8. American Sign Language interpreters are available for face to face meetings with Upper Kirby staff upon advanced request.

Task 3 – Providing Notice to LEP Persons

The Title VI Notice to the Public, which includes a notification of translation, will be posted on Upper Kirby offices and on the Upper Kirby website.

Task 4 – Monitoring and Evaluating Language Access Plan

Upper Kirby will monitor the number of requests for translation for transit programs and services and note any comments and complaints about translations or language assistance. The Language Access Plan will be updated every three years to reflect any trends or common complaints.

Task 5 - Training Staff

Training in LEP language assistance measures will be provided in conjunction with orientation for new employees to identify resources and procedures when communicating with LEPs. In the future, all new staff members will be informed of the Title VI Program, and all language assistance measure Upper Kirby employees are required to perform.

MINORITY REPRESENTATION ON PLANNING AND ADVISORY BODIES

Upper Kirby's Board of Directors is composed of individuals appointed by the Mayor of Houston. Upper Kirby does not have any other boards dedicated to transit, but Upper Kirby will actively encourage committee membership by all interested parties regardless of race, color, or national origin. Currently, Upper Kirby has an appointed Board of Directors with 5 active members. Below is the population demographic and Board of Directors breakdown.

Body	*White alone*	*Hispanic/ Latino*	*Black or African American alone*	*Asian alone*	*Native Hawaiian and Other Pacific Islander alone*	*American Indian and Alaska Native alone*
Population	64.2%	14.8%	5.0%	12.0%	0.0%	0.1%
Board of Directors	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%

MONITORING SUBRECIPIENTS

Upper Kirby does not have any subrecipients who receive federal financial assistance.

DETERMINATION OF SITE OR LOCATION OF FACILITIES

In the past three years, Upper Kirby has not constructed any new transit facilities. Any construction of transit facilities receiving federal financial assistance within Upper Kirby will perform a Title VI site equity analysis during the planning stage with regard to the location of the facility.

APPENDIX A – TITLE VI COMPLAINT FORM

The Harris County Improvement District #3 (d.b.a. Upper Kirby Management District) is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis of race, color or national origin, as provided by Title VI of the Civil Rights Act of 1964, as amended. Title VI complaints must be filed within 180 days from the date of the alleged discrimination.

The following information is necessary to assist us in processing your complaint. If you require any assistance in completing this form, please contact the Upper Kirby Title VI Coordinator by calling 713-524-8000. The completed form must be returned to the Harris County Improvement District #3, 3120 Southwest Freeway, Suite 102, Houston, Texas 77098.

Your Name:	Phone:
Street Address:	Alt Phone:
	City, State & Zip Code:
Person(s) discriminated against (if someone other than complainant): Name(s):	
Street Address, City, State & Zip Code:	

Which of the following best describes the reason for the alleged discrimination took place? (Circle one)

- Race
- Color
- National Origin (Limited English Proficiency)

Date of Incident: _____

Please describe the alleged discrimination incident. Provide the names and title of all Upper Kirby employees involved if available. Explain what happened and whom you believe was responsible. Please use the back of this form if additional space is required.

_____

_____

_____

_____

_____

_____

_____

TITLE VI COMPLAINT FORM

The Upper Kirby Management District

Please describe the alleged discrimination incident (continued)

Have you filed a complaint with any other federal, state or local agencies? (Circle one) Yes / No If so, list agency / agencies and contact information below:

Agency:	Contact Name:
Street Address, City, State & Zip Code:	Phone
Agency:	Contact Name:
Street Address, City, State & Zip Code:	Phone

Complainants Signature: Date:

If information is needed in another language, contact Upper Kirby's Title VI Coordinator at 713-524-8000.

Si necesita información en otro idioma, póngase en contacto con Upper Kirby a través del 713-524-8000.

Print or Type Name of Complainant

Date Received:
Review By:

FORMULARIO DE QUEJAS DEL TÍTULO VI

El Harris County Improvement District #3 (Upper Kirby Management District) está comprometida a garantizar que ninguna persona sea excluida de participar o se le sean negados los beneficios de sus servicios sobre la base de raza, color u origen nacional, conforme a lo dispuesto por el Título VI del Acta de Derechos Civiles de 1964. Las quejas conforme al Título VI deben ser presentadas dentro de los 180 días siguientes a la fecha de la supuesta discriminación.

La siguiente información es necesaria para ayudarnos a procesar su queja. Si necesita ayuda para completar este formulario, por favor póngase en contacto con el Coordinador de Título VI de Upper Kirby al 713-524-8000. El formulario completo deberá ser devuelto a la siguiente dirección: Harris County Improvement District #3, 3120 Southwest Freeway, Suite 102, Houston, Texas 77098.

Nombre:	Teléfono:
Dirección residencial:	Teléfono Alternativo:
	Ciudad, Estado, y Código Postal:
Persona(s) contra la(s) que se discriminó (si no se trata de la persona que presenta la queja): Nombre(s):	
Dirección residencial, Ciudad, Estado, y Código Postal:	

¿Cuál de los siguientes casos describe mejor la razón de la presunta discriminación? (Circule una opción)

- Raza
- Color
- Origen nacional (Conocimiento limitado del inglés)

Fecha del incidente: _____

Por favor describa el presunto incidente discriminatorio. Proporcione los nombres y puestos de todos los empleados de Upper Kirby que estuvieron involucrados, si están disponibles. Explique lo qué fue lo que sucedió y quién considera que fue responsable. Por favor use el reverso de este formulario si requiere espacio adicional.

_____

_____

_____

_____

_____

_____

_____

FORMULARIO DE QUEJAS DEL TÍTULO VI
Upper Kirby Management District
Por favor describa el presunto incidente discriminatorio (continuación)

¿Ha presentado usted una queja ante alguna otra agencia federal, estatal o local?
(Marque con un círculo**) Si / No**

Si la respuesta es "Si," indique a continuación la agencia o agencias y la información de contacto:

Agencia:	Nombre de contacto:
Dirección, Ciudad, Estado, Código postal:	Teléfono:
Agencia:	Nombre de contacto:
Dirección, Ciudad, Estado, Código postal:	Teléfono:

Firma de quien presenta la queja Fecha

Si necesita información en otro idioma, póngase en contacto con Upper Kirby a través del 713-524-8000.

Imprima el nombre de quien presenta la queja

Date Received:
Review By:

APPENDIX B – RESOLUTION OF TITLE VI PROGRAM APPROVAL

RESOLUTION ADOPTING A TITLE VI PROGRAM
FOR THE HARRIS COUNTY IMPROVEMENT DISTRICT #3

WHEREAS, on April __, 2024, the Harris County Improvement District #3 (d.b.a. Upper Kirby Management District, herein referenced as Upper Kirby) adopted a Title VI Program for federally funded transportation projects in accordance with 49 CFR Part 21;

WHEREAS the proposed Title VI Program for federally funded transportation projects attached hereto is intended to meet such requirements; and

WHEREAS Upper Kirby desires to submit the Title VI Program for federally funded transportation projects to the FTA for review and approval by those agencies or their representatives prior to final implementation:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE HARRIS COUNTY IMPROVEMENT DISTRICT #3 THAT:

Section 1. Upper Kirby hereby approves the Title VI Program for Federally Funded Transportation Projects attached hereto as Exhibit A which plan shall be submitted for review and approval by the FTA or such other agencies as required.

Section 2. The Title VI Program shall be administered and enforced by the officers, agents, and employees of Upper Kirby in accordance with the terms set forth therein.

Section 3. This resolution shall be effective immediately upon adoption.

PASSED AND APPROVED this the _____ day of April 2024.

_____
Chair, Board of Directors

ATTEST:

_____
Secretary, Board of Directors
(SEAL)

APPENDIX C – PROCEDIMIENTOS DE QUEJA Y FORMULARIO DE QUEJA

Estos procedimientos cubren todas las quejas presentadas conforme al Título VI de la Ley de Derechos Civiles de 1964, según enmendada, en relación con cualquier transporte, programa o actividad que reciba asistencia financiera federal administrada por Upper Kirby o subcontratantes y contratistas. El programa también se lleva a cabo de acuerdo con la Circular 4702.1B de FTA. El formulario de queja de Upper Kirby se encuentra en el **Apéndice A**.

Los procedimientos no niegan el derecho del demandante a presentar quejas formales con otras agencias estatales o federales ni a buscar un abogado privado para las quejas que aleguen discriminación. Upper Kirby tiene autoridad para aceptar quejas de investigación, pero los demandantes también pueden presentar quejas ante TxDOT o la Administración Federal de Tránsito (FTA) dentro de los 180 días posteriores al presunto delito. Si desea presentar una queja con TxDOT, envíe la queja por escrito a TxDOT Public Transportation, 3712 Jackson Avenue, Building 6, 5th floor, Austin, Texas 78731. Si desea presentar una queja con FTA, envíe la queja por escrito a FTA Región VI, 819 Taylor Street, habitación 8A36, Fort Worth, TX 76102. Un demandante también puede presentar su queja directamente con FTA presentándola ante la Oficina de Derechos Civiles, Atención: Coordinador del Programa Título VI, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590.

Se hará todo lo posible para obtener una pronta resolución de la(s) queja(s). El Coordinador del Título VI hará todo lo posible para buscar una resolución de la queja. Las entrevistas iniciales con el demandante y el demandado solicitarán información con respecto a las oportunidades de remedio y solución específicamente solicitadas.

Procedimientos

Cualquier persona, grupo de personas o entidad que crea que ha sido víctima de discriminación por motivos de raza, color u origen nacional—tal como lo prohíben las disposiciones de Upper Kirbydel Título VI—puede presentar una queja por escrito. Una queja formal se debe presentar dentro de los 180 días posteriores a la supuesta ocurrencia, o cuando la supuesta discriminación fue conocida por el demandante.

El demandante deberá cumplir con los siguientes requisitos:

a. La queja debe ser por escrito y firmada por el/los demandantes(s).

b. Presentar la fecha del presunto acto de discriminación (fecha en que los demandantes tuvieron conocimiento de la supuesta discriminación; o la fecha en que se interrumpió esa conducta; o la última instancia de la conducta).

c. Presentar una descripción detallada de los problemas, incluyendo los nombres y títulos de trabajo de todas las partes involucradas en la queja.

Las acusaciones o alegaciones recibidas por fax o correo electrónico serán reconocidas y procesadas siempre y cuando la(s) identidad(es) del (de los) demandante(s) y la intención de queja sean firmadas por el (los) demandante(s). Es decir, el fax o correo original deberán ser firmados por el (los) demandante(s) antes de ser enviados a Upper Kirby para ser procesados. Las

acusaciones o alegaciones recibidas por teléfono serán escritas y provistas al demandante para ser confirmadas o revisadas antes de ser procesadas. El demandante recibirá un formulario de queja que deberá ser completada, firmada y devuelta a Upper Kirby para ser procesada.

Upper Kirby procesará todas las quejas que se completen y envíen de manera oportuna. Una vez recibida la queja, Upper Kirby evaluará la misma para determinar si Upper Kirby tiene jurisdicción. Las quejas serán evaluadas si cumplen alguna de las siguientes características:

a. Si las alegaciones involucran discriminación por motivo de raza, color u origen nacional como lo es prohibido bajo el Título VI;

b. Si las alegaciones están relacionadas con un programa o actividad de un receptor de fondos federales, un subreceptor, o un contratista;

c. Si el demandante acepta una resolución razonable basada en la autoridad administrativa de Upper Kirby.

Una queja puede ser desestimada cuando el demandante solicita el retiro de la queja; o el demandante no responde a las repetidas solicitudes de proveer información adicional necesarias para procesar la queja; o el demandante no puede ser localizado después de varios intentos.

Una vez que Upper Kirby decida proceder con la investigación, se le notificará por escrito al demandante la determinación dentro de diez (10) días calendarios. Se le asignará un número de caso a la queja y se registrará en los registros de Upper Kirby identificando su razón de ser (raza, color, u origen nacional) y el presunto daño causado.

En los casos en que Upper Kirby asuma la investigación de la denuncia, Upper Kirby le brindará al demandante la oportunidad de responder a las alegaciones por escrito. El demandante tendrá diez (10) días calendarios a partir de la fecha en la que Upper Kirby le notificó la aceptación de la queja, para proporcionar su respuesta a las alegaciones.

Dentro de los 40 días calendarios de la aceptación de la queja, Upper Kirby preparará un informe de investigación por el Coordinador del Título VI. El informe incluirá una descripción narrativa del incidente, identificación de las personas entrevistadas, hallazgos y recomendaciones para la disposición. El Coordinador del Título VI tendrá diez (10) días calendarios para evaluar y proporcionar comentarios.

Upper Kirby dirigirá cualquier comentario al informe de investigación preliminar, y sus conclusiones serán remitidas al personal legal de Upper Kirby para su revisión. El personal legal revisará el informe y la documentación asociada y proporcionará su opinión dentro de diez (10) días calendario. Habrá un período de diez (10) días calendarios para que el personal legal discuta el informe y cualquier recomendación con el Coordinador del Título VI, y haga que el Coordinador del Título VI haga cualquier modificación según sea necesario.

El informe de investigación final de Upper Kirby y una copia de la queja serán enviadas a FTA dentro de los 60 días calendarios posteriores a la aceptación de la queja. Upper Kirby notificara a las partes sobre sus conclusiones preliminares.