

Nye County Senior Nutrition Program, Inc. DBA Nye County Transportation Services

Policy and Procedure Manual – TITLE VI PLAN

Accepted and Revised: June 17, 2021
Plan expires 3 years from date approved by the board.

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Executive Summary

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance (42 U.S.C. Section 2000d).

The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all programs and activities of Federal-Aid recipient and/or contractors whether those programs and activities are Federally funded or not.

Executive Order #13166 placed renewed emphasis on Title VI issues, to ensure meaningful and equal access in programs and activities to persons with Limited English Proficiency (LEP).

Recipients of public transportation funding from Federal Transit Administration (FTA), and the Nevada Department of Transportation (NDOT), are required to develop policies, programs and practices that ensure Federal Transit dollars are used in a manner that is non-discriminatory as required under Title VI.

This document details how NYE COUNTY TRANSPORTATION SERVICES incorporates non-discrimination policies and practices in providing services to the public.

1. JURISDICTION AND AUTHORITIES

NYE COUNTY TRANSPORTATION SERVICES is a recipient of US Department of Transportation (USDOT) funding and is therefore subject to the Title VI compliance conditions associated with the use of these funds pursuant to the following:

NON-DISCRIMINATION STATUTES

- Title VI of the Civil Rights Act of 1964 (42 USC 2000d et seq)
- Section 162(a) of the Federal-Aid Highway Act of 1973 (23 USC 324)
- Age Discrimination Act of 1975
- Section 504 of the Rehabilitation Act of 1973
- Americans With Disabilities Act of 1990
- Civil Rights Restoration Act of 1987
- 49 CFR Part 21
- 23 CFR Part 200
- USDOT Order 1050.2
- Executive Order #12898 (Environmental Justice)
- Executive Order #13166 (Limited English Proficiency)
- The Americans with Disabilities Act (42 USC 126)
- Title II of the Americans with Disabilities Act Implementing Regulation (28 CFR 35)
- Section 504 of the Rehabilitation Act of 1973 (29 USC 794, et seq).
- Section 504 of the Rehabilitation Act of 1973 Implementing Regulation 49 CFR 27
- Americans with Disabilities Act Accessibility Guidelines (ADAAG)
- Public Rights-of-Way (PROWAG) Notice of Proposed Rule Making, July 26, 2011
- Uniform Federal Accessibility Standards (UFAS)
- Title VI I of the Civil Rights Act of 1964, as amended
 - (<http://www.eeoc.gov/laws/statutes/titleVI.cfm>)
- The Age Discrimination in Employment Act of 1967, as amended
 - (<http://www.eeoc.gov/laws/statutes/adea.cfm>)
- The Equal Pay Act of 1963
 - (<http://www.eeoc.gov/laws/statutes/epa.cfm>)
- Sections 501 and 505 of the Rehabilitation Act of 1973, as amended
 - (<http://www.eeoc.gov/laws/statutes/rehab.cfm>)
- The Genetic Information Non-Discrimination Act of 2008 (<http://www.eeoc.gov/laws/statutes/gina.cfm>)
- The Civil Rights Act of 1991 (<http://www.eeoc.gov/laws/statutes/cra-1991.cfm>)
- Title 29, Code of Federal Regulations, Part 1614
 - (<http://www.eeoc.gov/federal/directives/1614-final.cfm>)
- No Fear Act
 - (<https://www.transportation.gov/civil-rights/civil-rights-awareness-enforcement/no-fear-act>)
- 23 CFR 230, Subpart C

2. Introduction to NYE COUNTY TRANSPORTATION SERVICES

2.1 Organizational Structure

NYE COUNTY TRANSPORTATION SERVICES, through Nevada Department of Transportation (NDOT), provides public transportation for all members of the community. We offer a demand response transportation service. We currently have ten (10), vehicles in operation, of which six (6) buses are American with Disabilities Act (ADA) accessible and four (4) caravan units, of which one (1) is ADA accessible.

NYE COUNTY TRANSPORTATION SERVICES utilizes NDOT transit funding. NYE COUNTY TRANSPORTATION SERVICES worked to secure grant funding to implement the program and services.

NYE COUNTY TRANSPORTATION SERVICES is represented by a five (5) member elected Board of Trustees. The ethnic percentage of the Board of Trustees include: 100% Caucasian

Board of Trustees:

- Caroline Fitzpatrick
- Phyllis Sorhouet
- Margot Phillips
- Martin Campbell
- Gerald Martin

Our federally funded transportation program serves the communities Nye County. Demand Response services are offered in each of the areas served – Amargosa Valley, Beatty, Gabbs, Smoky Valley and Tonopah.

The NYE COUNTY TRANSPORTATION SERVICES Title VI Coordinator is responsible for initiating and monitoring Title VI activities, preparing required reports, and other responsibilities as required by Title 23 Code of Federal Regulations ("CFR") Part 200, and Title 49 CFR Part 21.

3. General Reporting Requirements

3.1 Annual Title VI Certification and Assurance

Requirement

Federally assisted subrecipients must submit an annual Title VI Certification and Assurance as part of their Annual Certifications and Assurances submission to NDOT 23 CFR § 200.9(a).

Reporting

NYE COUNTY TRANSPORTATION SERVICES has submitted the required Annual Title VI Certification and Assurance and is attached as ATTACHMENT A.

3.2 Title VI Program Plan

Requirement

All subrecipients must document their compliance with DOT's Title VI regulations by submitting a Title VI Program Plan to NDOT annually, and/or upon request. For all recipients (including subrecipients), the Title VI Program Plan must be approved by the recipient's Board of Trustees, appropriate governing entity, or officials responsible for policy decisions prior to submission.

Reporting

NYE COUNTY TRANSPORTATION SERVICES has completed the required elements and documentation for the Title VI Program, has formalized the plan, included all attachments, and have submitted it to NDOT.

3.2.1 Policy Statement

Requirement

All subrecipients must include a Title VI policy statement as part of their Title VI Plan.

Reporting

NYE COUNTY TRANSPORTATION SERVICES has submitted the required Title VI Policy Statement as part of their plan and is attached as ATTACHMENT B.

3.2.2 Organization & Staffing

Requirement

All subrecipients must include a description of their staffing and reporting structure, and an organizational chart as part of their Title VI Plan.

Reporting

Under the authority of NYE COUNTY SENIOR NUTRITION PROGRAM, INC. DBA NYE COUNTY TRANSPORTATION SERVICES Board of Trustees, NYE COUNTY TRANSPORTATION SERVICES Manager, Timaree Koscik, will serve as the Title VI Coordinator and will be responsible for ensuring implementation of the agency's Title VI program.

The Title VI Coordinator and staff are responsible for coordinating the overall administration of the Title VI Program plan, and assurances, including complaint handling, data collection and reporting, annual review and updates, as well as internal education.

Title VI Coordinator's responsibilities include but are not limited to:

- Process the disposition of Title VI Complaints received.
- Collect statistical data (race, color or national origin) of participants in and beneficiaries of NYE COUNTY TRANSPORTATION SERVICES programs, e.g. affected citizens, and impacted communities).
- Conduct annual Title VI reviews of NYE COUNTY TRANSPORTATION SERVICES to determine the effectiveness of program activities at all levels.
- Conduct training programs on Title VI and other related statutes for NYE COUNTY TRANSPORTATION SERVICES employees.

- Prepare a yearly report of Title VI accomplishments and goal, as required.
- Develop Title VI information for dissemination to the general public and, where appropriate, in languages other than English.
- Identify and eliminate discrimination.
- Establish procedures for promptly resolving deficiency status and writing the remedial action necessary, all within a period not to exceed ninety (90) days.

Timaree Koscik, Transit Coordinator, administers the Title VI Program. As the Title VI Coordinator, she oversees the day-to-day administrative requirements of NYE COUNTY TRANSPORTATION SERVICES Title VI Program. The organizational chart addresses to whom Timaree Koscik reports to and shows she has access to NYE COUNTY TRANSPORTATION SERVICES highest authority, as attached ATTACHMENT C.

3.2.3 Internal and External Program Area Reviews

Requirement

All subrecipients must include a description of their review/oversight process as part of their Title VI Plan.

Reporting

Each year, the Title VI Coordinators will review the NYE COUNTY TRANSPORTATION SERVICES Title VI Program to ensure implementation of the Title VI plan in all areas of the organization to ensure non-discrimination. In addition, they will review NYE COUNTY TRANSPORTATION SERVICES operational guidelines and publications, including those for contractors, to verify that Title VI language and provisions are incorporated, as appropriate.

3.2.4 Special Emphasis Program Areas

Requirement

All subrecipients must include a statement that all Special Emphasis Program Areas are designated by a USDOT Modal as part of their Title VI plan.

Reporting

Special Emphasis Program Areas are identified by the Federal Transit Administration. No such Special Emphasis Program Areas have been identified.

3.2.5 Contractor, Consultant and Vendor Reviews

Requirement

All subrecipients must include a process to review their contractors, consultants, or vendors as part of their Title VI Plan.

Reporting

NYE COUNTY TRANSPORTATION SERVICES is committed to non-discrimination in all forms. Currently, we do not utilize contractors, consultants, or vendors with direct relations to the public to perform the required reviews. However, should there be a change, we would expect and express compliance with Title VI to ensure non-discrimination in business relations.

3.2.6 Data Collection

Requirement

Federally assisted recipients, including subrecipients, are required to collect and maintain statistical data by race, color, national origin, and sex of affected communities and participants and beneficiaries of federal aid. (49 CFR 21.9 and 23 CFR 200.9)

Reporting

NYE COUNTY TRANSPORTATION SERVICES is guided by federal regulations to collect statistical data on the race, color and national origin of participants in and beneficiaries of its programs. As required, NYE COUNTY TRANSPORTATION SERVICES will provide sign in sheets during Public Meetings and will include a space for participants to note race, color and national origin. This information will be retained for one (1) year and made available to authorizing agencies during reviews.

3.2.7 Training

Requirement

23 CFR 200.9 (b) (9) States that NYE COUNTY TRANSPORTATION SERVICES Title VI designee shall be responsible for conducting training programs on Title VI and related statutes. NDOT provides training in Title VI and related programs annually.

NDOT requires all subrecipients to have an approved Title VI Staff Awareness training program in place and given annually. The training must cover Title VI regulations, Title VI elements and Title VI authorities.

Reporting

Participation in Title VI Staff Awareness training program by means of in person, electronic or a combination thereof, was approved by NDOT. Staff will be provided with supporting data of Title VI Staff Awareness annual training, such as sign in sheets, handouts and content approved by the Nevada Department of Transportation. Title VI Staff Awareness training will be held every year from its inception on or near October 1st. The Training Approval letter from NDOT is attached as ATTACHMENT H.

3.2.8 Complaint Procedures

Requirement

Federally assisted recipients and subrecipients must develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public upon request. Recipients must also develop a Title VI complaint form, as well as the form and procedure for filing a complaint shall be available on the recipient's website.

Reporting

NYE COUNTY TRANSPORTATION SERVICES is committed to ensuring all its programs and activities are operated in a non-discriminatory manner and uses a general discrimination complaint form which covers the Title VI requirements of race, color and national origin. NYE COUNTY TRANSPORTATION SERVICES does not have any Title VI complaints or lawsuits during the reporting period.

Any person who believes that they have been discriminated against on the basis of race, color or national origin by NYE COUNTY TRANSPORTATION SERVICES may file a Title VI complaint with the NYE COUNTY

TRANSPORTATION SERVICES, the Nevada Department of Transportation, or the Federal Transit Administration by completing and submitting a Title VI Complaint Form. The complaint form is available at <http://www.nyecounty.net> or at our office, and is available in English and Spanish. Complaint procedures and forms are attached to this document as ATTACHMENT D.

All Title VI complaints are forwarded to NDOT or to FTA for investigation within twenty-one (21) days of receipt of complaint.

NYE COUNTY TRANSPORTATION SERVICES
Title VI Coordinator – Timaree Koscik
Post Office Box 392
Tonopah, NV 89049
Phone: (775) 482-7300
Fax: (775) 482-7261
tkoscik@co.nye.nv.us

NEVADA DEPARTMENT OF TRANSPORTATION
Civil Rights Officer
123 E. Washington Ave., Bldg. G
Las Vegas, NV 89101
Phone: (702) 730-3301
Fax: (702) 486-0487
iboyer@dot.nv.gov

U.S. DEPARTMENT OF TRANSPORTATION – FEDERAL TRANSIT ADMINISTRATION
Civil Rights Program Manager
1200 New Jersey Ave. SE
Washington, DC 20590
Phone: (202) 366-1783

3.2.9 Dissemination of Title VI Information

Requirement

Primary recipients must assist their subrecipients in complying with DOT's Title VI regulations, including public posting requirements.

All advertising policies and practices must assure free and open competition. This also relates to requirements and practices involving the following:

- Licensing, bonding, prequalification, and bidding; and
- Title VI and non-discrimination assurances regarding race, color and national origin

Reporting

Information about the NYE COUNTY TRANSPORTATION SERVICES Title VI program will be available in English, Spanish and other languages as needed, and disseminated as follows:

- NYE COUNTY TRANSPORTATION SERVICES webpage found at <http://www.nyecounty.net>

- The lobby of any of NYE COUNTY TRANSPORTATION SERVICES building(s) open to the public
- To NYE COUNTY TRANSPORTATION SERVICES employees, contractors, and beneficiaries
- Inside any vehicles operated by NYE COUNTY TRANSPORTATION SERVICES

In addition to language access measures, other major components of the Public Participation Plan include: public participation design factors; a range of public participation methods to provide information, to invite participation and/or to seek input; examples to demonstrate how population-appropriate outreach methods can be identified and utilized; and, performance measures and objectives to ensure accountability as a means for improvement over time. Notice to the public of their Title VI rights is attached as ATTACHMENT E.

3.2.10 Limited English Proficiency (LEP) and Language Assistance Plan (LAP)

Requirement

Federally assisted recipients must take responsible steps to ensure meaningful access to benefits, services, information and other important portions of its programs and activities for individuals who are Limited English Proficient (LEP). Recipients must use the information obtained in their Four-Factor Analysis to determine the specific language service that are appropriate to provide.

Reporting

NYE COUNTY TRANSPORTATION SERVICES is committed to assisting people who do not speak English or do not speak English well. Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English are limited English proficient, or LEP. These Individuals may be entitled to language assistance with respect to a particular type of program, service or activity. This section outlines the LEP protections and plans for compliance. Title VI and Executive Order 13166 prohibit recipients of federal financial assistance from discrimination based on national origin.

It is the policy of NYE COUNTY TRANSPORTATION SERVICES to take reasonable steps to provide Limited English Proficient Individuals with meaningful access to all programs, services or activities. NYE COUNTY TRANSPORTATION SERVICES shall take reasonable steps to effectively inform the public of the availability of language accessible programs, services and activities.

NYE COUNTY TRANSPORTATION SERVICES uses a defined methodology of contact to keep track of the frequency of LEP persons in our programs and services. NYE COUNTY TRANSPORTATION SERVICES understands the importance and nature of program, activity or services to people's lives and conducts the following:

Identify the programs, services and activities that could have a serious consequence if language barriers prevent LEP persons from accessing these programs. Determine the potential impacts that inability to access NYE COUNTY TRANSPORTATION SERVICES programs, services and activities may have on the LEP.

NYE COUNTY TRANSPORTATION SERVICES has available governmental, state and agency resources, as well as the I Speak Cards to assist LEP persons access our programs, services and activities at minimal cost.

NYE COUNTY TRANSPORTATION SERVICES utilizes translation applications to assist LEP individuals to access programs and services.

The Title VI Coordinator updates, evaluates and monitors the LEP/LAP annually. All staff will be provided with the LEP plan and will be educated on policy and procedures to assist LEP persons. This training will be included in our annual staff awareness training.

All vital documents will be translated into Spanish and all other languages will be translated upon request.

Following federal guidance, a "Four Factor Analysis" has been completed to understand language need and allocate resources appropriately. It is attached as ATTACHMENT G.

3.2.11 Environmental Justice (EJ)

Requirement

All subrecipients must include an Environmental Justice (EJ) process as part of their Title VI Plan.

Reporting

23 C.F.R 771, sets forth the policy of environmental analyses in a single process. It defines the roles and responsibilities of FTA and its grant applicants. In conjunction with EO 12898, the FTA outlines the consideration of EJ issues must be considered using an Environmental Impact assessment (EIS). The principles outline the identification of minority or low-income populations, and/or disproportionately high and adverse human health or environmental effects on these populations.

NYE COUNTY TRANSPORTATION SERVICES is committed to Environmental Justice and ensuring meaningful access in our programs and services.

3.2.12 Public Participation

Requirement

All subrecipients must include a public participation plan as part of their Title VI Plan.

Federally assisted recipients must also provide information to the public regarding their Title VI obligations and apprise members of the public of the protections against discrimination afforded to them by Title VI.

At a minimum, recipients must disseminate this information to the public through measures including a posting on its website and in public areas of the NYE COUNTY TRANSPORTATION SERVICES' office. Furthermore, notices will detail a recipient's Title VI obligations in languages other than English as needed and consistent with the DOT LEP Guidance and the recipient's LAP.

Reporting

The public outreach strategies employed by NYE COUNTY TRANSPORTATION SERVICES are often determined by the circumstances unique to individual projects and typically include a mix of Board of Trustees meetings, as well as consumer requests made to the agency, as applicable. Information is distributed VI via the NYE COUNTY TRANSPORTATION SERVICES website or social media websites, surveys, advertising, media outreach, community events and targeted presentations. NYE COUNTY TRANSPORTATION SERVICES' commitment to public participation is based firmly on the belief that public involvement fosters an open decision making process that elicits active participation from affected individuals, groups, communities and other public agencies.

Requisito

Todos los subbeneficiarios deben incluir un plan de participacion publica como parte de su Plan Título VI.

Los beneficiaries con asistencia federal también deben proporcionar inforamción al público sobre su titulo VI obligaciones e informar al publico sobre las protecciones contra la discriminación que les otorga el Título VI.

Como minimo, los destinatarios deben difundir esta informacion al público a traves de medidas que incluyen una publicación en su sitio web y en las áreas públicas de la oficina de NYE COUNTY TRANSPORTATION SERVICES. Además, los avisos detallarán las obligaciones del Títluo VI de un destinatario en idiomas distintos del inglés según sea necesario y de acuerdo con la Guia de LEP del DOT y el LAP del destinatario.

Reportando

Las estrategias de alcance público empleadas por los NYE COUNTY TRANSPORTATION SERVICES a menudo están determinadas por las circunstancias únicas de los proyectos individuales y generalmente incluyen una combinación de reunions de la Junta de Fedeicomisarios, así como las solicitudes de los consumidores a la agencia, segun corresponda. La informacion se distribuye Title VI a traves del sitio web de NYE COUNTY TRANSPORTATION SERVICES o sitios web de redes sociales, encuestas, publicidad, diffusion en los medios, eventos comunitarios y presentaciones específicas. El compromise de NYE COUNTY TRANSPORTATION SERVICES con la participación pública se basa firmemente en la creencia de que la participation publica fomenta un proceso de toma de decisions abierto que genera la participación active de las personas, grupos, comunidades y otras agencias públicas afectados.

3.2.13 [Review of Directives](#)

Requirement

All subrecipients must include a process to review internal directives, policies and procedures for potential Title VI impacts as part of their Title VI Plan.

Reporting

NYE COUNTY TRANSPORTATION SERVICES submitted a review of NYE COUNTY TRANSPORTATION SERVICES directives as part of their Title VI plan. Review of Directive Log is attached as ATTACHMENT I.

3.2.14 [Compliance & Enforcement Procedures](#)

Requirement

All subrecipients must include compliance and enforcement procedures as part of their Title VI Plan.

Reporting

NYE COUNTY TRANSPORTATION SERVICES is committed to ensure required Compliance and Enforcement Procedures. At this time, NYE COUNTY TRANSPORTATION SERVICES does not have any contractors, vendors or consultants. However, were this to change, NYE COUNTY TRANSPORTATION SERVICES would expect and address all non-discrimination efforts in all business relations. All procedures would outline the NYE COUNTY TRANSPORTATION SERVICES commitment to compliance in all Title VI and other non-discrimination areas, such as ADA, DBE and Contract Compliance.

The United States Department of Transportation (USDOT) Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

NYE COUNTY TRANSPORTATION SERVICES (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) and through the Federal Transit 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.F.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.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);
- The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

• **General Assurances**

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

"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from 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 non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is federally assisted.

• **Specific Assurances**

More specifically, and without limiting the above general ASSURANCE, the Recipient agrees with and gives the following ASSURANCES with respect to its federally assisted Title VI program:

1. The Recipient agrees that each "activity", "facility", or "program", as defined in §§ 21.23(b) and 21.23(e) of 49 C.F.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 Title VI and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

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

3. The Recipient will insert the clauses of Appendix A and 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 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, NYE COUNTY TRANSPORTATION SERVICES 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 Federal Transit Administration 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 Federal Transit Administration. You must keep records, reports, and submit the material for review upon request to Federal Transit Administration, 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.

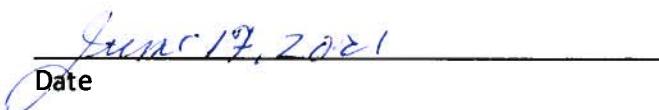
NYE COUNTY TRANSPORTATION SERVICES gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-Aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the Title VI Program. This ASSURANCE is binding on Nevada, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors, transferees, successors in interest, and any other participants in the Title VI Program. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.



Signed

Caroline Fitzpatrick, Chairperson

Print Name and Title



Date

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 non-discrimination in Federally assisted programs of the U.S. Department of Transportation, 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 non-discrimination 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 (1) through six (6) 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.

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 NYE COUNTY TRANSPORTATION SERVICES will accept title to the lands and maintain the project constructed thereon in accordance with Title 23, U.S.C, the Regulations for the Administration of Title VI Program, 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 NYE COUNTY TRANSPORTATION SERVICES all the rights, 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 NYE COUNTY TRANSPORTATION SERVICES 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 NYE COUNTY TRANSPORTATION SERVICES, its successors and assigns.

NYE COUNTY TRANSPORTATION SERVICES, 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 NYE COUNTY TRANSPORTATION SERVICES 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, Non-discrimination 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, NYE COUNTY TRANSPORTATION SERVICES 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.

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 NYE COUNTY TRANSPORTATION SERVICES 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, NYE COUNTY TRANSPORTATION SERVICES 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, NYE COUNTY TRANSPORTATION SERVICES 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 NYE COUNTY TRANSPORTATION SERVICES 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 NYE COUNTY TRANSPORTATION SERVICES 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 Non-discrimination covenants, NYE COUNTY TRANSPORTATION SERVICES 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, NYE COUNTY TRANSPORTATION SERVICES will there upon revert to and vest in and become the absolute property of NYE COUNTY TRANSPORTATION SERVICES and its assigns. *

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

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

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-Aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-Aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures Non-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 NYE COUNTY TRANSPORTATION SERVICES guidance, national origin discrimination includes discrimination because of Limited English proficiency (LEP). To ensure compliance with Title

VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);

- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq)

ATTACHMENT B - TITLE VI POLICY STATEMENT - TITULO VI DECLARACIÓN DE POLÍTICAS

Title VI of the Civil Rights Act of 1964 states:

"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 subjected to discrimination under any program or activity receiving Federal financial assistance." The NYE COUNTY TRANSPORTATION SERVICES is committed to complying with the requirements of Title VI in all of its federally funded programs and activities. For additional information about NYE COUNTY TRANSPORTATION SERVICES Title VI obligations, please contact 9775) 482-7300 or visit our website at www.nyecounty.net.

Según el Titulo VI de los Derechos Civiles de 1964 se exige que:

"Ninguna persona dentro de los Estados Unidos, por motivos de raza, color de la piel ó país de origen le sea excluido de, de o negados los beneficios de, o ser sujeto de discriminación, bajo cualquier programa ó actividad en donde se reciba subvención del gobierno federal". El NYE COUNTY TRANSPORTATION SERVICES se compromete a cumplir con los requisitos del Título VI en todas sus programas y financiados el gobierno federal. Para información adicional sobre la obligación de Título VI de la NYE COUNTY TRANSPORTATION SERVICES, por favor llámenos al (775) 482-7300 ó nuestro sitio web www.nyecounty.net.

Making a Title VI Complaint

Any person who believes he or she has been aggrieved by an unlawful discriminatory practice under Title VI may file a complaint with NYE COUNTY TRANSPORTATION SERVICES. Any such complaint must be in writing and filed with the NYE COUNTY TRANSPORTATION SERVICES within 180 days following the date of the alleged discriminatory occurrence. For information on how to file a complaint, please contact (see below):

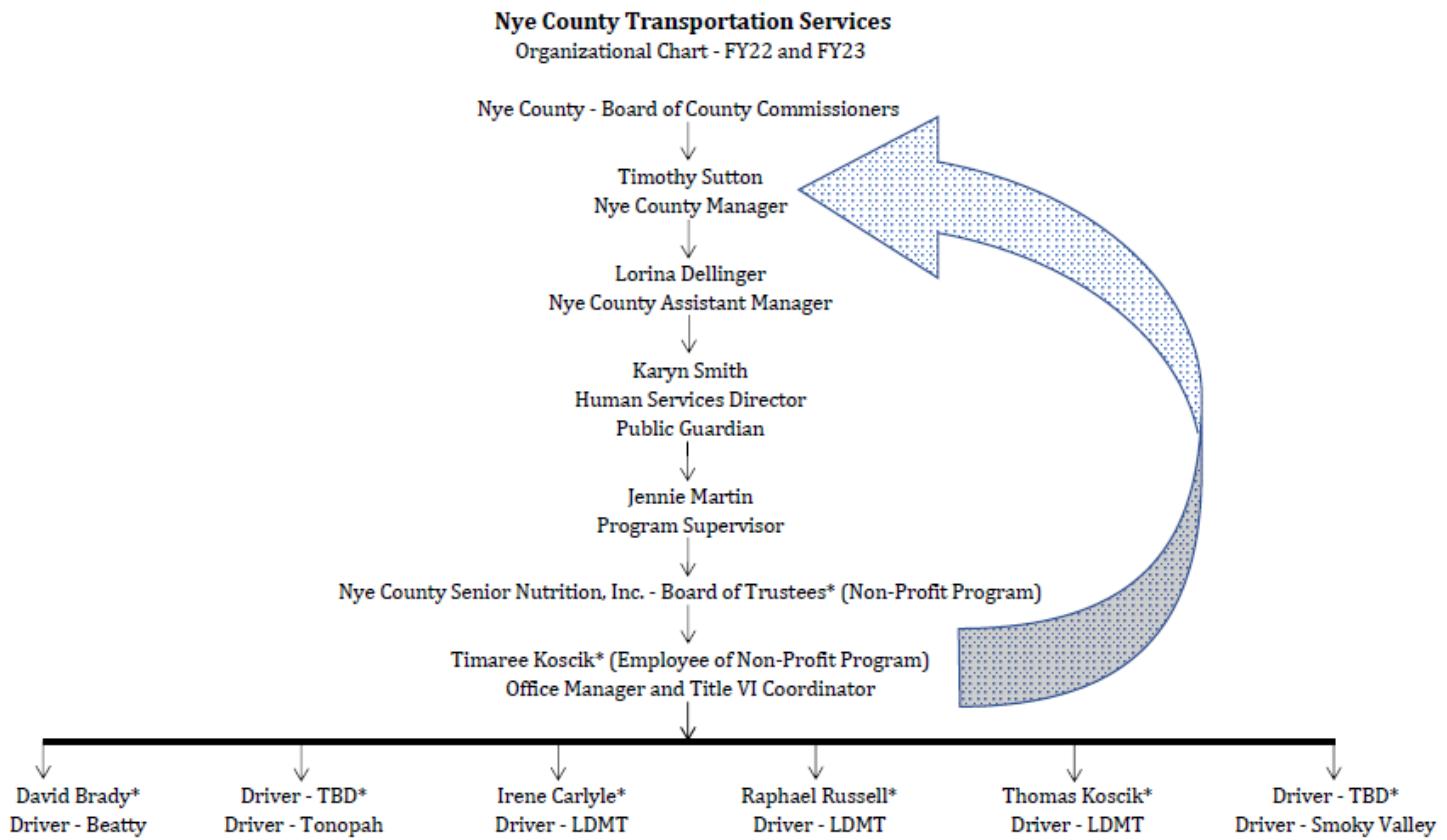
Remitir Una Queja del Titulo VI

Cualquier persona quien considere que haya sido subject de discriminación puede presentar una queja por queja escrito ante el NYE COUNTY TRANSPORTATION SERVICES. La queja debe ser remitida por escrito a NYE COUNTY TRANSPORTATION SERVICES dentro de ciento-ochenta (180) días posteriores al ultimo supuesto el incidente. Para información en cómo remitir una queja, por favor en contactar a (miralo):

NYE COUNTY TRANSPORTATION SERVICES
Title VI Coordinator – Timaree Koscik
Post Office Box 392
Tonopah, NV 89049
Phone: 775-482-7300

Caroline Fitzpatrick
Signed
Caroline Fitzpatrick, Chairperson
Print Name and Title
June 17, 2021
Date

ATTACHMENT C – ORGANIZATIONAL CHART



ATTACHMENT D – TITLE VI COMPLAINT PROCEDURES

COMPLAINT PROCEDURES ARE AVAILABLE ON NYE COUNTY TRANSPORTATION SERVICES' WEBPAGE AND COVER THE FOLLOWING:

- Title VI of the Civil Rights Act of 1964
- Section 504 of the Rehabilitation Act of 1973
- Civil Rights Restoration Act of 1973
- Civil Rights Restoration Act of 1987
- Americans with Disabilities Act of 1990
- Executive Order 12898
- Executive Order 13166

Any person, specific class of persons or entity that believes they have been subjected to discrimination as prohibited by the legal provisions of Title VI on the basis of race, color or national origin status may file a formal complaint with NYE COUNTY TRANSPORTATION SERVICES. A copy of the complaint form is available on the NYE COUNTY TRANSPORTATION SERVICES webpage and may be accessed electronically at www.nyecounty.net.

TITLE VI COMPLAINT REPORTING

The complaint must be filed within 180 days of the alleged discrimination and include the date the alleged discrimination became known to the complainant or the last date of the incident. The complaint must be written and signed by the complainant and shall include:

- The complainant's name, address and phone number
- A detailed description of the alleged incident that led the complainant to believe discrimination occurred
- The date of the alleged act of discrimination, the date when the complainant(s) became aware of the alleged discrimination, the last date of the conduct or the date the conduct was discontinued
- The names and job titles of those parties involved in the complaint
- The facts and circumstances surrounding the alleged discrimination and the basis of the complaint, i.e. race, color, national origin, sex, age, disability, income status or retaliation)
- Names and contact information of persons whom the investigator can contact for additional information to support or clarify the allegations
- The corrective action being sought by the complainant
 - Complaint may be filed by one of the following methods:
 - By completing and signing the complaint form and delivering it in person or by mail
 - By emailing or faxing the complaint form and sending the signed original to the Civil Rights Officer
 - For the disabled, by calling the Civil Rights Officer where information obtained will be used to complete the complaint form, and subsequently, forwarded to the complainant for review, signature and return

Upon receipt of a completed complaint, the Civil Rights officer will determine jurisdiction acceptability or need for additional information, and within ten (10) days, acknowledge receipt of the complaint and the intended course of action.

- NDOT has sole authority for and will adjudicate all complaint filed against NDOT subrecipients
- Complaints against NYE COUNTY TRANSPORTATION SERVICES in USDOT funded programs will be referred to NDOT and/or USDOT for processing
- Complaints under all other federal funded programs fall under NDOT's authority and jurisdiction

For acceptance, a complaint must be:

- Timely filed;
- Involve a covered basis, i.e. race, color or national origin, and

Complaints may be dismissed if the complainant:

- Request the withdrawal of the complaint, or
- Fails to respond to repeated requests for additional information, or
- Fails to cooperate in the investigation, or
- Cannot be located after reasonable attempts to reach the complainant have been made.

Complaints that fall under the jurisdiction of USDOT-NDOT Civil Rights Officer, will forward a copy of the complaint and preliminary finding to USDOT-HCR within 60 days. Once USDOT-HCR issues its final decision, it will notify NDOT, and NDOT will notify all parties involved.

All allegations of discrimination will be taken seriously, and every effort will be made to provide a fair and unbiased determination. In instances where there is dissatisfaction with NDOT's determination, the complainant may file a complaint directly with the appropriate USDOT modality.

LOS PROCEDIMIENTOS DE QUEJAS ESTÁN DISPONIBLES EN LA PÁGINA WEB DE LOS SERVICIOS DE TRANSPORTE DEL CONDADO DE NYE Y CUBREN LO SIGUIENTE:

- Título VI de la Ley de derechos civiles de 1964
- Sección 504 de la Ley de rehabilitación de 1973
- Ley de restauración de derechos civiles de 1973
- Ley de restauración de derechos civiles de 1987
- Ley de Estadounidenses con Discapacidades de 1990
- Orden ejecutiva 12898
- Orden ejecutiva 13166

Cualquier persona, clase específica de personas o entidad que crea que ha sido objeto de discriminación según lo prohibido por las disposiciones legales del Título VI por motivos de raza, color u origen nacional puede presentar una queja formal ante los SERVICIOS DE TRANSPORTE DEL CONDADO DE NYE. Una copia del formulario de queja está disponible en la página web de SERVICIOS DE TRANSPORTE DEL CONDADO DE NYE y se puede acceder electrónicamente en www.nyecounty.net.

TÍTULO VI REPORTE DE QUEJAS

La queja debe presentarse dentro de los 180 días de la supuesta discriminación e incluir la fecha en que el denunciante conoció la supuesta discriminación o la última fecha del incidente. La queja debe estar escrita y firmada por el denunciante y debe incluir:

- El nombre, la dirección y el número de teléfono del denunciante
- Una descripción detallada del presunto incidente que llevó al denunciante a creer que ocurrió discriminación.
- La fecha del presunto acto de discriminación, la fecha en que el (los) denunciante (s) se enteraron de la presunta discriminación, la última fecha de la conducta o la fecha en que se suspendió la conducta.
- Los nombres y cargos de las partes involucradas en la queja.
- Los hechos y circunstancias que rodean la supuesta discriminación y la base de la queja, es decir, raza, color, nacionalidad, sexo, edad, discapacidad, situación económica o represalias)
- Nombres e información de contacto de las personas con las que el investigador puede contactar para obtener información adicional para apoyar o aclarar las acusaciones.
- La acción correctiva que busca el denunciante
 - La queja se puede presentar por uno de los siguientes métodos:
 - Completando y firmando el formulario de queja y entregándolo en persona o por correo
 - Enviando por correo electrónico o fax el formulario de queja y enviando el original firmado al Oficial de Derechos Civiles
 - Para los discapacitados, llamando al Oficial de Derechos Civiles donde la información obtenida se utilizará para completar el formulario de queja y, posteriormente, se enviará al demandante para su revisión, firma y devolución.

Al recibir una queja completa, el oficial de derechos civiles determinará la aceptabilidad de la jurisdicción o la necesidad de información adicional, y dentro de diez (10) días, acusará recibo de la queja y el curso de acción previsto.

- NDOT tiene la autoridad exclusiva y adjudicará todas las quejas presentadas contra los sub-beneficiarios de NDOT
- Las quejas contra los SERVICIOS DE TRANSPORTE DEL CONDADO DE NYE en programas financiados por USDOT serán remitidas al NDOT y / o USDOT para su procesamiento.
- Las quejas bajo todos los demás programas financiados por el gobierno federal caen bajo la autoridad y jurisdicción del NDOT

Para su aceptación, una queja debe ser:

- Presentado a tiempo;
- Involucrar una base cubierta, es decir, raza, color u origen nacional, y

Las quejas pueden desestimarse si el denunciante:

- Solicitar el retiro de la denuncia, o
- No responde a solicitudes repetidas de información adicional, o

- No coopera en la investigación, o
- No se puede localizar después de que se hayan hecho intentos razonables para comunicarse con el denunciante.

Las quejas que caen bajo la jurisdicción del Oficial de Derechos Civiles del USDOT-NDOT, enviarán una copia de la queja y el hallazgo preliminar al USDOT-HCR dentro de los 60 días. Una vez que USDOT-HCR emita su decisión final, notificará a NDOT y NDOT notificará a todas las partes involucradas.

Todas las acusaciones de discriminación se tomarán en serio y se hará todo lo posible para proporcionar una determinación justa e imparcial. En los casos en que no esté satisfecho con la determinación del NDOT, el denunciante puede presentar una queja directamente con la modalidad apropiada del USDOT.

ATTACHMENT E – NOTICE TO THE PUBLIC

NYE COUNTY TRANSPORTATION SERVICES' NON-DISCRIMINATION NOTICE TO THE PUBLIC

NYE COUNTY TRANSPORTATION SERVICES hereby gives public notice that it is the agency's policy to assure full compliance with Title VI of the Civil Rights Act of 1964, Title II of the Americans with Disabilities Act of 1990 (ADA), and other related authorities in all of its programs and activities. NYE COUNTY TRANSPORTATION SERVICES Title VI and ADA Programs require that no person shall, on the grounds of race, color, national origin or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. Any person, who believes his/her Title VI or ADA rights have been violated, may file a complaint. Any such complaint must be in writing and filed with NYE COUNTY TRANSPORTATION SERVICES within one hundred eighty (180) days following the date of the alleged discriminatory occurrence.

For additional information about NYE COUNTY TRANSPORTATION SERVICES Civil Rights programs and the procedures to file a complaint, contact NYE COUNTY TRANSPORTATION SERVICES below:

NYE COUNTY TRANSPORTATION SERVICES
Title VI Coordinator – Timaree Koscik
Post Office Box 392
Tonopah, NV 89049
tkoscik@co.nye.nv.us

AVISO DE NO DISCRIMINACIÓN PARA EL PÚBLICO DE NYE COUNTY TRANSPORTATION SERVICES

SERVICIOS DE TRANSPORTE DEL CONDADO DE NYE por la presente notifica al público que es política de la agencia asegurar el cumplimiento total con el Título VI de la Ley de Derechos Civiles de 1964, el Título II de la Ley de Estadounidenses con Discapacidades de 1990 (ADA) y otras autoridades relacionadas en todos los sus programas y actividades. SERVICIOS DE TRANSPORTE DEL CONDADO DE NYE Los programas de Título VI y ADA requieren que ninguna persona, por motivos de raza, color, nacionalidad o discapacidad, sea excluida de la participación, se le nieguen los beneficios o sea objeto de discriminación en virtud de cualquier programa o actividad. Cualquier persona que crea que se han violado sus derechos de Título VI o ADA, puede presentar una queja. Cualquier queja de este tipo debe presentarse por escrito y presentarse ante los SERVICIOS DE TRANSPORTE DEL CONDADO DE NYE dentro de los ciento ochenta (180) días posteriores a la fecha del supuesto hecho discriminatorio.

Para obtener información adicional sobre los programas de derechos civiles de los SERVICIOS DE TRANSPORTE DEL CONDADO DE NYE y los procedimientos para presentar una queja, comuníquese con los SERVICIOS DE TRANSPORTE DEL CONDADO DE NYE a continuación:

NYE COUNTY TRANSPORTATION SERVICES

Coordinador del Título VI - Timaree Koscik

Apartado de Correos 392

Tonopah, NV 89049

tkoscik@co.nye.nv.us

ATTACHMENT F – NYE COUNTY TRANSPORTATION SERVICES Title VI Complaint Form – English

Title VI of the Civil Rights Act of 1964 states "*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 subjected to discrimination under any program or activity receiving federal financial assistance.*"

Please provide the following information necessary to process your complaint. Assistance is available upon request. Complete this form and mail or deliver to:

NYE COUNTY TRANSPORTATION SERVICES

Title VI Coordinator – Timaree Koscik

Post Office Box 392

Tonopah, NV 89049

Complainant's Name (please print): _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Telephone No. (Home): _____ (Cell): _____

Person discriminated against (if other than complainant)

Name (please print): _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Telephone No. (Home): _____ (Cell): _____

1. What was the discrimination based on? (Check all that apply):

Race Color National Origin

2. Date of incident resulting in discrimination: _____ / _____ / _____

3. Describe how you were discriminated against. What happened and who was responsible? For additional space, attach additional sheets of paper or use back of form.

4. Did you file this complaint with another federal, state or local NYE COUNTY TRANSPORTATION SERVICES, or with a federal or state court? Yes No

If your answer is yes, check each agency/authority that a complaint was filed with:

Federal Federal Court State State Court
 Local Other

5. Provide the contact person information for the NYE COUNTY TRANSPORTATION SERVICES officer you also filed the complaint with:

Name: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Date Filed: _____

Sign below and attach or provide any supporting information that you believe may support your claim.

Complainant's Signature

Date

ATTACHMENT F – NYE COUNTY TRANSPORTATION SERVICES - Título VI Denuncia Forma - Español

Título VI de la ley de derechos civiles de 1964 Estados Unidos "ninguna persona en los Estados Unidos, por razón de raza, color u origen nacional, excluida de la participación en, ser negada los beneficios de o ser objeto de discriminación bajo cualquier programa o actividad recibiendo asistencia financiera federal". Dos órdenes ejecutivas extender las protecciones del título VI a la justicia ambiental, que también protege a las personas de bajos ingresos y habilidad limitada de inglés (LEP). Por favor proporcione la siguiente información necesaria para procesar su queja. Asistencia está disponible a petición. Complete este formulario y correo o entregar:

NYE COUNTY TRANSPORTATION SERVICES

Title VI Coordinator – Timaree Koscik

Post Office Box 392

Tonopah, NV 89049

El nombre del Querellante (por favor imprima):

Domicilio: _____

Ciudad: _____ Estado: _____ Código Postal: _____

Número de teléfono (Casa): _____ (Cell): _____

Persona discriminada (si no es querellante)

Nombre (por favor imprima): _____

Domicilio: _____

Ciudad: _____ Estado: _____ Código Postal: _____

Número de teléfono (Casa): _____ (Cell): _____

1. ¿Qué se basa la discriminación? (Marque todas las que apliquen):

Raza Color de Piel País de Origen

1. Fecha de incidente dando lugar a la discriminación: _____ / _____ / _____

2. Describir cómo fueron discriminados. ¿Lo que pasó y quién fue el responsable? Para espacio adicional, adjuntar hojas adicionales de papel o la parte posterior del formulario.

4. ¿Presentó esta denuncia con otro federal, estatal o agencia local; o ante un tribunal federal o estatal? (Compruebe el espacio correspondiente) Si No

Si tu respuesta es Sí, compruebe cada agencia que una denuncia con:

Agencia Federal Corte Federal Court Agencia Estatal
 Corte Estatal Agencia Local Otro

5. Proporcionar la información de contacto para la agencia que también presentó la denuncia ante:

Nombre: _____

Domicilio: _____

Cuidad: _____ Estado : _____ Codigo Postal: _____

Fecha de archivo: _____

Firmar a continuación y asegúrese de fijar o proporcionar cualquier información de apoyo que usted cree puede apoyar su reclamo.

Firma del Querellante

Fecha

ATTACHMENT G – FOUR FACTOR ANALYSIS

Factor 1:

The number or proportion of Limited English Proficiency (LEP) persons eligible to be served or likely to be encountered.

- **NYE COUNTY TRANSPORTATION Experience with LEP Persons**

NYE COUNTY TRANSPORTATION SERVICES staff and drivers do not encounter persons who cannot speak any English at all on a daily basis. For example, at NYE COUNTY TRANSPORTATION SERVICES, staff may receive one phone call one or two times per year requiring assistance from a Spanish-speaking representative. This trend is the same for in-person questions and for drivers who encounter passengers each day. There are provisions in place to assist LEP persons accessing the system. For example, fare and route information are printed in both English and Spanish, so staff and drivers can refer to the right information for the LEP persons to read.

Nye County Data

The 2019 American Community Survey (ACS) 5-year estimates indicated that 10% of residents in Nye County speak a language other than English at home. Spanish remains to be the dominate language other than English.

Table 1 Language Spoken at Home for Nye County	
Nye County, Nevada	Percentage of Total Population
Population 5 years and over	40,766
Speak only English	89.57%
Speak a language other than English	10.43%
<hr/>	
Speak a language other than English	4,252
Spanish	8.26%
Other Indo-European Languages	.91%
Asian and Pacific Island Languages	1.10%
Other Languages	.16%

Source: American Community Survey 2019

Factor 2:

The frequency with which LEP persons come into contact with the program.

As previously mentioned, NYE COUNTY TRANSPORTATION SERVICES demand services serve the LEP population of Nye County. Therefore, it is reasonable to assume that this population may utilize NYE COUNTY TRANSPORTATION SERVICES. However, as mentioned in the Factor 1 analysis staff and drivers

report that they do not encounter persons who cannot speak any English at all on a daily basis, and NYE COUNTY TRANSPORTATION SERVICES has provisions in place to assist the LEP persons accessing the system.

Factor 3:

The nature and importance of the program, activity or service provided by the program to people's lives.

Historical data indicates that LEP persons are likely to have a lower income and be less educated than the remainder of the population. Therefore, it is plausible that they use public transportation as an efficient and less expensive option to owning a vehicle. If this is true, then NYE COUNTY TRANSPORTATION SERVICES van and bus services could be a main transportation source for getting to work, school and social activities.

Factor 4:

The resources available for LEP outreach, as well as the costs associated with that outreach.

Based on the findings from this analysis and the relatively low percentage of LEP persons within NYE COUNTY TRANSPORTATION SERVICES service area, it appears that NYE COUNTY TRANSPORTATION SERVICES' current efforts and application of available resources used to communicate important information to the LEP population is adequate. The Title VI Implementation Plan summarized NYE COUNTY TRANSPORTATION SERVICES' efforts to reach out to LEP persons. This includes opportunities to serve LEP persons at the agency location, through marketing outreach and signage for vans and buses.

As mentioned in Factor 3, the most critical service NYE COUNTY TRANSPORTATION SERVICES provides for the LEP population is demand service; it is important that this population is able to understand when changes occur. NYE COUNTY TRANSPORTATION SERVICES has assistance available to provide this information. The cost to provide this information to the LEP population is invaluable to those who utilize the system.

As the U.S. Census data indicates, the majority of the LEP populations within NYE COUNTY TRANSPORTATION SERVICES' area speak Spanish or Spanish Creole. NYE COUNTY TRANSPORTATION SERVICES has focused efforts on providing assistance with communicating in Spanish. Also, as more technology is developed, NYE COUNTY TRANSPORTATION SERVICES is dedicated to continuing to offer information in both Spanish and English. NYE COUNTY TRANSPORTATION SERVICES will continue to monitor the LEP population and provide more services as demand requires and funding becomes available.

ATTACHMENT H – TRAINING APPROVAL LETTER FROM NDOT
(Under Review)

ATTACHMENT I – REVIEW OF DIRECTIVE LOG

Month of _____ 's*	Directive/Policy Title	Action Taken	Title VI Coordinator's Initials of Review
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

ATTACHMENT J – APPROVALS

The Title VI Implementation Plan was accepted and approved on June 17, 2021, by the Nye County Senior Nutrition Program, Inc. Board of Trustees.

Caroline Fitzpatrick
Signed

Caroline Fitzpatrick, Chairperson
Printed Name and Title

June 17, 2021
Date