

2023

# Standard Title VI/Program Compliance Plan

LAMAR STATE COLLEGE PORT ARTHUR

Lamar State College Port Arthur  
Title VI Non-Discrimination Assurances



Lamar State College-Port Arthur  
MEMBER Texas State University System

March 8, 2023

Re: FMCSA Applicant Title VI Compliance Plan  
Policy Statement

Lamar State College Port Arthur (LSCPA) Policy Statement

LSCPA commits to comply with 49 CFR part 21 and CFR part 303.

Included in this Title VI Program Compliance Plan is the signed Title VI Program Assurance.

Ms. Tammy Riley will serve as the LSCPA Agency-wide Title VI Program Coordinator and can be reached at [rileytl@lamarpa.edu](mailto:rileytl@lamarpa.edu) or by phone at 409 984-6237. Ms. Riley will effectively implement the College's Title VI Program.

I commit to delegating sufficient responsibility and authority to Ms. Riley to effectively implement the College's title VI Program.

For further information regarding the LSCPA organizational policy and official dissemination of the policy please visit our website at <https://www.lamarpa.edu/General/Policies/Current-Policies>

Sincerely,  
DocuSigned by:

*Dr. Betty Reynard*

011CAE9ED7BB45E...  
Dr. Betty Reynard

President  
Lamar State College Port Arthur

Lamar State College Port Arthur  
Title VI Non-Discrimination Assurances

**The United States Department of Transportation**  
**Standard Title VI/Non-Discrimination Assurances**  
**DOT Order No. 1050.2A**

The *Lamar State College Port Arthur (LSCPA) Commercial Driving Academy* (herein referred to as the “Recipient”), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the United States Department of Transportation (DOT), through the **Federal Motor Carrier Safety Administration (FMCSA)**, 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);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Title IX of the Education Amendments of 1972, as amended, (20 U.S.C. § 1681 *et seq.*), (prohibits discrimination on the basis of sex in education programs or activities);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability);
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 *et seq.*), (prohibits discrimination on the basis of disability);
- 49 C.F.R. part 21 (entitled *Nondiscrimination In Federally-Assisted Programs Of The Department of Transportation—Effectuation Of Title VI Of The Civil Rights Act Of 1964*);
- 49 C.F.R. part 27 (entitled *Nondiscrimination On The Basis of Disability In Programs Or Activities Receiving Federal Financial Assistance*);
- 49 C.F.R. part 28 (entitled *Enforcement Of Nondiscrimination On The Basis Of Handicap In Programs Or Activities Conducted By The Department Of Transportation*);
- 49 C.F.R. part 37 (entitled *Transportation Services For Individuals With Disabilities (ADA)*);
- 49 C.F.R. part 303 (FMCSA’s Title VI/Nondiscrimination Regulation);
- 28 C.F.R. part 35 (entitled *Discrimination On The Basis of Disability In State And Local Government Services*);
- 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.

Although not applicable to Recipients directly, there are certain Executive Orders and relevant guidance that direct action by Federal agencies regarding their federally assisted programs and activities to which compliance

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is required by Recipients to ensure Federal agencies carry out their responsibilities. Executive Order 12898 (1995), entitled “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations” emphasizes that Federal agencies should use existing laws to achieve Environmental Justice, in particular Title VI, to ensure nondiscrimination against minority populations. Recipients should be aware that certain Title VI matters raise Environmental Justice concerns and FMCSA intends that all Recipients evaluate and revise existing procedures (as appropriate) to address and implement Environmental Justice considerations. See the following FHWA website for more information and facts about Environmental Justice: [http://www.fhwa.dot.gov/environment/environmental\\_justice/index.cfm](http://www.fhwa.dot.gov/environment/environmental_justice/index.cfm)

Additionally, Executive Order 13166 (2001) on Limited English Proficiency, according to the U.S. Department of Justice in its Policy Guidance Document dated August 16, 2000 (65 Fed. Reg. at 50123), clarifies the responsibilities associated with the “*application of Title VI’s prohibition on national origin discrimination when information is provided only in English to persons with limited English proficiency.*” When receiving Federal funds Recipients are expected to conduct a Four-Factor Analysis to prevent discrimination based on National Origin. (See also U.S. DOT’s “*Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons,*” dated December 14, 2005, (70 Fed. Reg. at 74087 to 74100); the Guidance is a useful resource when performing a Four-Factor Analysis).

### **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, national origin, sex, age, disability, low-income, or LEP 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 FMCSA.”*

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 of 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 Assurances, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted **FMCSA Program**:

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

*“The LSCPA Commercial Driving Academy, 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, all contractors will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of the*

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*owner's race, color, national origin, sex, age, disability, income-level, or LEP in consideration for an award.”;*

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations;
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient;
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith;
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property;
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
  - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
  - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
  - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
  - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, *LSCPA Commercial Driving Academy* 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 **FMCSA** 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 **FMCSA**. You must keep records, reports, and submit the material for review upon request to **FMCSA**, or its designee in a timely, complete, and accurate way. Additionally, you must

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comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

*LSCPA Commercial Driving Academy* 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 Department of Transportation under the **FMCSA Program**. This ASSURANCE is binding on [insert State], other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the **FMCSA Program**. The person (s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

**LSCPA Commercial Driving Academy**

*(Name of Recipient)*

**Betty Reynard, President  
Lamar State College Port Arthur**

by \_\_\_\_\_  
*(Signature of Authorized Official)*

DocuSigned by:  
*Dr. Betty Reynard*  
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DATED March 8, 2023

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## APPENDIX A

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

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Motor Carrier Safety Administration (FMCSA), as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, national origin, sex, age, disability, income-level, or LEP 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 as set forth in the Appendix E, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 C.F.R. 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, national origin, sex, age, disability, income-level, or LEP.
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 FMCSA 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 FMCSA, 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 FMCSA may determine to be appropriate, including, but not limited to:
  - a. withholding payments to the contractor under the contract until the contractor complies; and/or
  - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will act with respect to any subcontract or procurement as the Recipient or the FMCSA 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.

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## APPENDIX B

### CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

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

**NOW, THEREFORE**, the Department of Transportation as authorized by law and upon the condition that the xxxxxxxxxxx will accept title to the lands and maintain the project constructed thereon in accordance with the State of Texas, the Regulations for the Administration of **Federal Motor Carrier Safety Administration (FMCSA) Program**, and the policies and procedures prescribed by the **FMCSA** of the Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, Department of Transportation, subtitle A, Office of the Secretary, part 21, Non-discrimination in Federally-assisted programs of the 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 xxxxxxxxxxx all the right, title and interest of the 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 xxxxxxxxxxx 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 xxxxxxxxxxx, its successors and assigns.

The xxxxxxxxxxx, 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, national origin, sex, age, disability, income-level, or LEP 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 xxxxxxxxxxx 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, Department of Transportation, subtitle A, Office of the Secretary, part 21, Non-discrimination in Federally-assisted programs of the Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.<sup>1</sup>

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<sup>1</sup> Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI.



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## 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 xxxxxxxxxxxx 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 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, national origin, sex, age, disability, income-level, or LEP 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, the xxxxxxxxxxxx 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.<sup>2</sup>
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the xxxxxxxxxxxx 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 xxxxxxxxxxxx and its assigns.<sup>3</sup>

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<sup>2</sup> Reverter clause and related language to be used only when it is determined that such a clause is necessary to effectuate the purpose of Title VI.

<sup>3</sup> Reverter clause and related language to be used only when it is determined that such a clause is necessary to effectuate the purpose of Title VI.

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**APPENDIX D**

**CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED  
UNDER THE ACTIVITY, FACILITY OR PROGRAM**

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by the xxxxxxxxxxxx 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, national origin, sex, age, disability, income-level, or LEP 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, national origin, sex, age, disability, income-level, or LEP 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, the xxxxxxxxxxxx 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.<sup>4</sup>
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, the xxxxxxxxxxxx will there upon revert to and vest in and become the absolute property of the xxxxxxxxxxxx and its assigns.<sup>5</sup>

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<sup>4</sup> Reverter clause and related language to be used only when it is determined that such a clause is necessary to effectuate the purpose of Title VI.

<sup>5</sup> Reverter clause and related language to be used only when it is determined that such a clause is necessary to effectuate the purpose of Title VI.

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**APPENDIX E**

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

- Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. § 2000d *et seq.*), (prohibits discrimination on the basis of race, color, national origin), as implemented by 49 C.F.R. § 21.1 *et seq.* and 49 C.F.R. part 303;
- 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, as amended (29 U.S.C. § 794 *et seq.*) (prohibits discrimination on the basis of disability); and 49 C.F.R. 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 (Pub. L. 97-248 (1982)), as amended (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987 (102 Stat. 28) (“...which restore[d] the broad scope of coverage and to clarify the application of title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and title VI of the Civil Rights Act of 1964.”);
- 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 Justice regulations at 28 C.F.R. parts 35 and 36, and 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 agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. § 1681 *et seq.*).

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### **Description of Federal-Aid Programs**

*LSCPA Commercial Driving Academy* is applying for four High Priority Grants. The following paragraphs describe how the Program impacts members of the public.

*Application # 1:* The objective of this project is to identify the risk factors that influence CMV crashes on horizontal curves located on rural two-lane highways. The project results will be used in prioritizing the horizontal curve locations for implementing the countermeasures in a systemic manner. The project will not have any direct interactions with members of the general public. However, the project will assist the transportation agencies in addressing the traffic safety concerns by implementing the engineering or educational countermeasures. The project will also be beneficial for law enforcement agencies to deploy their limited resources at the prioritized locations and thereby improving the traffic safety in rural areas.

*Application # 2:* The proposed project's objective is to promote safe interactions between bicyclists and large trucks/buses in Texas through a range of project tasks, including a survey of bicyclists, survey of drivers and employers, review of existing educational materials, and developing educational materials for both bicyclists and truck drivers that promote safe interactions.

*Application # 3:* The proposed project's goal is to understand large truck crash data sources to develop guidance for crash data stakeholders. This is critical for being able to adequately track trends over time and to be able to appropriately compare the findings across different studies. The goal will be met through a variety of tasks, including identifying and reviewing data sources, developing protocols for consistent definitions, and preparing guidance for data stakeholders.

*Application # 4:* The *LSCPA Commercial Driving Academy* proposes a project that addresses commercial motor vehicle (CMV) safety on rural roads and improving CMV safety and compliance with CMV safety regulations in Texas. The long-term goal of this project is to prevent crashes and reduce crash severity for events involving large truck CMVs through reducing high-risk driving behaviors. This goal will be addressed by capitalizing on data sources beyond solely using crash data to better understand the magnitude and locations where high-risk driving behaviors occur. Data sources for high-risk driving behaviors will include truck telematics / in-vehicle monitoring system data from six oil and gas companies operating across Texas and connected vehicle data for passenger cars from Wejo, a data aggregator company. Findings from the data analysis will be used to improve employer and truck driver knowledge of high-risk behaviors and associated roadway characteristics. Materials will be provided to law enforcement officers to assist them in conducting more targeted enforcement to prevent risky behaviors among truck drivers and as the passenger vehicles driving around them. This project builds on prior FMCSA-supported project performed by *LSCPA Commercial Driving Academy* [1] which resulted in robust methods for identifying large trucks in crash records from Texas and a more precise classification of rural roadways that enables comparison with urban and fringe (i.e., the area between urban and rural areas) roadways.

### **Notification to Beneficiaries/Participants**

*LSCPA Commercial Driving Academy* has posted a Public Notice of Title VI Program Rights to LSCPA's Commercial Driving Academy intranet (<https://www.lamarpa.edu/faculty-staff/human-resources>) and in public areas of the building.

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## **Public Notice of Title VI Program Rights**

The *LSCPA Commercial Driving Academy* gives public notice of its' policy to uphold and assure full compliance with the non-discrimination requirements of Title VI of the Civil Rights Act of 1964 and related Nondiscrimination authorities. Title VI and related Nondiscrimination authorities stipulate that no person in the United States of America shall on the grounds of race, color, national origin, sex, age, disability, income level or Limited English Proficiency 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.

Any person who desires more information regarding the *LSCPA Commercial Driving Academy's* Title VI Program can contact its Title VI Coordinator, Tammy Riley, at the address noted below.

Any person who believes they have, individually or as a member of any specific class of persons, been subjected to discrimination on the basis of race, color, national origin, sex, age, disability, income level or Limited English Proficiency has the right to file a formal complaint. Any such complaint must be in writing and submitted within 180 days following the date of the alleged occurrence to either:

### **Tammy Riley, Title VI Coordinator**

Commercial Driving Academy  
Lamar State College Port Arthur  
1500 Procter Street  
Port Arthur, TX 77641  
(409) 984-6237  
[HR@lamarpa.edu](mailto:HR@lamarpa.edu)

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### **Sub-Recipient Compliance Reports**

LSCPA Commercial Driving Academy does not subaward FMCSA funds.

In the past, *LSCPA Commercial Driving Academy* has not had any subrecipients, contractors, or consultants on FMCSA projects. *LSCPA Commercial Driving Academy* does not plan to have any subcontractors this year. As requested by FMCSA, LSCPA Commercial Driving Academy can require the subcontractor to provide a signed Assurance and Title VI Program document. *LSCPA Commercial Driving Academy* can include the pre-award Nondiscrimination paragraph from the Assurance into all RFPs/Solicitation For Bids. *LSCPA Commercial Driving Academy* can include both the Title VI Program Assurance and Nondiscrimination paragraph as an appendix in the subcontract. *LSCPA Commercial Driving Academy* will insert the Nondiscrimination paragraph in all RFPs/Solicitations For Bids and will insert Appendices A & E of the Assurance in all Contracts/Consultant Agreements. Contractors/Consultants are then required to insert Appendices A & E in all sub-contracts/sub-consultant agreements.

### **Training**

All *LSCPA Commercial Driving Academy* employees are required to take Lamar State College Port Arthur's nondiscrimination web-based training, including training on Title VI of the Civil Rights Act of 1964, as amended, within 30 days of hire and every two years thereafter. Additionally, LSCPA's Commercial Driving Academy will offer FMCSA's training model to all individuals (employees, program participants, and any sub-grantees) involved in the FMCSA grant.

Dr. Ben Stafford and Erskine Leysathe have participated in the FMCSA Title VI training.

### **Access to Records**

*LSCPA Commercial Driving Academy* maintains its affirmative action plans and keeps them up to date on a yearly basis. All civil rights related complaints are investigated, documented, and resolved in accordance to Lamar State College Port Arthur's System policy, timeline, and record keeping requirements.

*LSCPA Commercial Driving Academy* commits to provide documents relating to a compliance review or compliant investigation either hard copy and/or electronic format during normal business hours.

### **Complaint Disposition Process**

*LSCPA Commercial Driving Academy* has a Lamar State College Port Arthur System policy and regulation, and an agency procedure, for responding to civil rights complaints. This includes procedures for the receipt and investigation of these complaints, including documentation and recording. *LSCPA Commercial Driving Academy* is committed to ensuring compliance with federal, state and Lamar State College Port Arthur System regulations regarding Title VI. A copy of *LSCPA's Commercial Driving Academy* Title VI Program Complaint Log is included on the following page.

Lamar State College Port Arthur  
Title VI Non-Discrimination Assurances

**LSCPA Commercial Driving Academy Title VI Complaint Log**

<b>Complainant Name</b>	<b>Demography</b>	<b>Allegation</b>	<b>Complaint Date</b>	<b>Date of Investigation</b>	<b>Determination &amp; Date</b>	<b>Other Relevant Info:</b>

Lamar State College Port Arthur  
Title VI Non-Discrimination Assurances

**Status of Corrective Actions Implemented by Applicant to Address Deficiencies Previously Identified During a Title VI Program Compliance Review**

The *LSCPA Commercial Driving Academy* has not been previously identified with any deficiencies in addressing Title VI compliance.

**Community Participation Process**

The *LSCPA Commercial Driving Academy* does not provide/conduct motorist licensure/motor vehicle registration-related services/activities; therefore, this section is not applicable.

**CMV Inspection Selection & Unbiased Enforcement Policies**

This section is not applicable to the *LSCPA Commercial Driving Academy*, as we do not conduct enforcement activities.