

## A. Language Access Overview.

1. The Port of Houston Authority of Harris County, Texas (“Port Houston”) recognizes the importance of providing language access services to ensure meaningful access to its programs, activities, and services for individuals with Limited English Proficiency (“LEP”). This Language Access Plan (the “Plan”) outlines the strategies and resources Port Houston will use to ensure that LEP individuals are provided such meaningful access; fulfill its obligations as a recipient of federal financial assistance; and comply with federal civil rights laws regarding LEP individuals, including:
  - a. Title VI of the Civil Rights Act of 1964, which prohibits discrimination based on race, color, or national origin (including language).
  - b. Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency.
2. **Applicability.** The Plan applies to all the information, programs, services, and activities of Port Houston, not just those receiving applicable federal financial assistance.
3. **Background.** Port Houston operates within a linguistically diverse region with a significant population of LEP individuals. Port Houston receives federal financial assistance from the U.S. Department of Homeland Security (DHS) and other federal agencies and is subject to language access requirements. In addition, the success of Port Houston’s operations is dependent upon meaningful interaction and cooperation with stakeholders throughout the world, including those with LEP. The Plan identifies steps Port Houston will take to ensure compliance with those requirements.

## B. Responsibility for Plan Implementation and Monitoring.

1. **Role of the Civil Rights Coordinator.** The **Chief Business Equity Officer** shall serve as Port Houston’s Civil Rights Coordinator and shall be responsible for ensuring Port Houston takes appropriate steps to:
  - a. Identify LEP individuals who need language assistance,
  - b. Implement language assistance measures to provide adequate resources,
  - c. Distribute and provide training regarding the Plan, both internally and externally,
  - d. Provide notice to LEP individuals,
  - e. Monitor, assess, and update the LEP plan,
  - f. Consult with community organizations,
  - g. Receive, address, and monitor complaints, and
  - h. Report as required, and as needed, for the overall Plan efficacy.

2. Accountability in achieving the objectives of the Plan will be shared by all Port Houston management.

### C. Key Components of Language Access Plan

1. **Identifying LEP Individuals and Frequency of Contact.** Port Houston will conduct ongoing assessments to determine the need for language assistance in connection with Port Houston programs, services, and activities:

- a. **Demographic Information.** Port Houston will identify the primary languages spoken by LEP individuals in Harris County using available demographic information, including the information available at [data.census.gov](https://data.census.gov) and [www.LEP.gov](https://www.LEP.gov).

- i. Based upon U.S. Census data, specifically its 2022 American Community Survey 1-Year Estimates, the top five languages spoken (except English) in Harris County are: Spanish, Vietnamese, Chinese, Arabic and French. Within this data, the ability to speak English “Very Well” and “Less Than Very Well” is distinguished. In the “Less Than Very Well” category, 750,487 persons in Harris County are estimated to have Spanish as their primary language. Also speaking English “Less Than Very Well” in the are an estimated 49,394 persons whose primary language is Vietnamese, 23,826 persons whose primary language is Chinese (including Mandarin and Cantonese), 8,019 persons who primarily speak Arabic and 6,548 persons who primarily speak Tagalog (including Filipino).

- ii. Relying on government data and past contacts with its stakeholders and the public, Port Houston assumes that it will, with greatest frequency, be called upon to provide language assistance to LEP individuals having Spanish as their primary language. As Port Houston strives to meet the language assistance needs of LEP individuals seeking access to its programs, services and activities, the reliability of this premise will be regularly tested. Adjustment to the Port Houston language assistance program and the Plan will be made, as necessary, based upon actual experience.

- b. **Information Gathered from Port Houston Activities.** Port Houston will gather information from numerous points of contact within Port Houston regarding interactions with outside parties and other potential LEP individuals, including, but not limited to, staff working in receptionist positions and members of the Community Relations, Human Resources, Government Relations, Trade Development, Real Estate, Marketing, Branding, and External Communications, Environmental Affairs, Project and Construction Management, Police, Fire, Security, Emergency Management, Safety, Procurement Services, Risk Management, and Legal Departments, and the Executive, Business Equity, Government and Public Relations, Operations, Maintenance, and Channel Infrastructure Divisions.

- i. **Frequency of Contact.** Based on the information gathered from these various sources, Port Houston will assess frequency with which LEP individuals encounter Port Houston’s various programs, services, and activities.

**2. Prioritizing Access to Certain Programs, Services and Activities.**

- a. While all information, programs, services, and activities are valuable, the ones that provide immediate or emergency assistance are considered most essential. Next highest priority is given to information, programs, or services addressing Port Houston’s policies and other major decisions, such as Port Commission meetings.
- b. Port Houston will continuously assess the need for LEP services and what constitutes “vital” documents in accordance with federal guidance. Classification of a document as “vital” depends upon the importance of the program, information, encounter, or service involved, and the consequence to the LEP individual if the information in question is not provided accurately or in a timely manner. “Vital” documents may include, but are not limited to:
  - i. Administrative complaints, release, or waiver forms,
  - ii. Claim or application forms,
  - iii. Letters of findings,
  - iv. Public outreach or educational materials (including web-based material),
  - v. Letters or notices pertaining to statutes of limitations, referrals to other federal agencies, a decision to decline to investigate a case or matter, or closure of an investigation, case or matter,
  - vi. Written notices of rights, denial, loss, or decreases in benefits or services,
  - vii. Forms or written material related to individual rights,
  - viii. Notices of community meetings or other case-related community outreach,
  - ix. Press releases announcing activities or matters that affect communities with LEP,
  - x. Notices regarding the availability of language assistance services provided by Port Houston at no cost to LEP individuals, and

- xi. Certain consent orders, decrees, Memoranda of Agreement, or other types of pleadings or litigation materials, within the discretion of the department/division of Port Houston.

### **3. Language Assistance Measures.**

- a. Port Houston has a variety of language assistance resources and measures from which to draw. When making a selection, the needs of the LEP individual and surrounding circumstances are to be considered. Available language services include:
  - i. Oral interpretation (in-person, remote/virtual audio-visual, telephonic). Interpretation is provided by qualified Bi-Lingual Staff subject to their availability. When qualified Bi-Lingual Staff are not reasonably available third parties or telephone service lines proficient in the required language provide the necessary oral interpretation assistance.
  - ii. American sign language (in person, remote/virtual audio visual). Qualified staff members or, in their absence, qualified third parties proficient in sign language provide this service.
  - iii. Translation of written materials. Translation is provided by qualified Bi-Lingual Staff, to the extent they are reasonably available. When qualified Bi-Lingual Staff are not available, third parties proficient in the required language provide the necessary translation.
  - iv. Written information in other formats (large print, audio, accessible electronic formats, etc.). Reformatting is routinely accomplished in-house by qualified staff. When not possible, qualified third parties provide reformatting services.

### **4. How to Respond to LEP Individuals Who Have In-Person Contact with Port Houston.**

- a. Every contact with the public, including LEP individuals, should be polite, courteous and nondiscriminatory.
- b. **I-Speak Cards.**
  - i. All primary reception areas and manned points of entry through which members of the public may enter Port Houston are/shall be equipped with I-Speak preferred language identification cards (“I-Speak Cards”).
  - ii. By referring to translated text present on these cards, an LEP individual can identify and point to the language they speak. A Port Houston employee or representative card can then contact either the Director of Marketing, Branding, and External Communications or Chief Business Equity Officer for reasonable and necessary language assistance.

- c. **Spanish Language Safety Posters.** Notices posted in English to ensure the safety of personnel or visitors to Port Houston are/shall be posted in Spanish in proximity to the English language version in areas where LEP individuals are likely to be present.
- d. **Other Forms.** Forms facilitating the delivery of services, programs or activities to LEP individuals are translated or reformatted based upon need as determined through ongoing monitoring of requests for language assistance services. The Chief Business Equity Officer serves as custodian of translated forms and, as appropriate, arranges for their posting on the Port Houston website.

#### 5. How Staff Can Obtain Language Assistance Services.

- a. Contacting Director of Marketing, Branding, and External Communications or Chief Business Equity Officer. Staff members may contact the Director of Marketing, Branding, and External Communications at 713.670.2860 or [cabbruscato@porthouston.com](mailto:cabbruscato@porthouston.com) or Chief Business Equity Officer at 713.670.2436 or [cwright@porthouston.com](mailto:cwright@porthouston.com) for assistance in obtaining language assistance services.
- b. **Bi-lingual Staff.** Port Houston shall identify employees proficient in languages other than English (“Bi-Lingual Staff”). The Chief Business Equity Officer shall compile a list of Bi-Lingual Staff known to be capable of reliable interpretation and/or translation services. This list, which includes contact information, language aptitude and the staff member’s department location, is provided to each public facing department and Port Houston personnel expected to have contact with the general public. Chief Business Equity Officer as custodian of the list ensures that the list remains current and that updates are promptly and appropriately circulated.
- c. **Contract Translation Services.** Port Houston maintains a contract with/has arranged for a third party to provide translation and/or interpretation services in instances when Bi-Lingual Staff lack required language proficiencies or are not available to provide timely assistance.
  - i. Port Houston personnel may request the assistance of the third-party translator/interpreter through either the Director of Marketing, Branding, and External Communications or Chief Business Equity Officer.
- d. **Translation Applications and Programs.** Staff may contact either the Director of Marketing, Branding, and External Communications or Chief Business Equity Officer for information regarding translation applications/programs available on-line, or on tablets or phones.
- e. **Choosing Appropriate Translation Resource.** The appropriateness of using any of the above translation resources will depend upon the context and

importance of the information, program, service, or activity the LEP individual seeks from Port Houston.

#### 6. **Training and Awareness.**

- a. **Distribution.** Copies of the Plan will be provided as part of new hire orientation and posted on internal and external websites. When significant changes are made, the updated Plan will be redistributed to employees and posted on internal and external websites.
- b. **Training.** As a preventative and proactive step, Port Houston employees will receive training on preventing discrimination and knowledge and utilization of the Plan and the complaint process.
- c. **Community Outreach.** Port Houston will engage with local community organizations to understand the needs of LEP individuals and inform them about the language access services available.

#### 7. **Monitoring and Evaluation.**

- a. **Feedback Mechanisms.** Port Houston will establish a process for collecting feedback from LEP individuals and community stakeholders on the effectiveness of language access measures.
  - b. **Periodic Review.** Every two years (or as otherwise required by law), Port Houston will conduct an annual review of the Plan to assess its effectiveness and make necessary adjustments.
8. **Budgetary Resources.** Port Houston will allocate sufficient resources to support the implementation of the Plan, including funding for translation and interpretation services, staff training, and community outreach.

### **D. Complaints.**

#### 1. **Filing a Complaint.**

- a. **Complaints to Port Houston.** Port Houston provides a procedure for filing of complaints of alleged discrimination by aggrieved parties, including employees and members of the public. Any aggrieved party who feels subjected to discrimination by Port Houston or representatives of Port Houston, can file a discrimination complaint to Port Houston by:

- i. contacting Port Houston's Civil Rights Coordinator:

Carlecia Wright  
Chief Business Equity Officer  
111 East Loop North  
Houston, Texas 77029  
713.670.2436

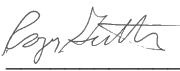
[cwright@porthouston.com](mailto:cwright@porthouston.com)

- ii. e-mailing [communityrelations@porthouston.com](mailto:communityrelations@porthouston.com) or by calling Port Houston's Community Information Line at 713-670-1000;
  - iii. following the instructions contained in Port Houston's Misconduct Reporting Policy, available at [https://porthouston.com/wp-content/uploads/2022/11/Misconduct\\_Reporting\\_Policy\\_June\\_2014\\_FINAL.pdf](https://porthouston.com/wp-content/uploads/2022/11/Misconduct_Reporting_Policy_June_2014_FINAL.pdf); or
  - iv. using the online portal at <https://secure.ethicspoint.com/domain/media/en/gui/65635/index.html>
2. **Complaints to DHS.** Complaints can also be filed with the U.S. Department of Homeland Security Office for Civil Rights and Civil Liberties at via the web portal available at <https://www.dhs.gov/file-civil-rights-complaint>, e-mail to: [CRCLCompliance@hg.dhs.gov](mailto:CRCLCompliance@hg.dhs.gov), fax to 202 401-4708, or postal mail to U.S. Dept. of Homeland Security, Office for Civil Rights and Civil Liberties Compliance Branch, 245 Murray Lane, SW, Building 410, Mail Stop #0190, Washington, D.C. 20528. For additional information visit: [www.dhs.gov/crcl](http://www.dhs.gov/crcl) or call 202-401-1474 or toll-free 1-866-644-8360.
3. **Confidentiality.** Port Houston recognizes that confidentiality is important to all parties involved in a discrimination investigation. Confidentiality will be maintained to the extent possible; however, it cannot be guaranteed, particularly in light of Port Houston's obligations to comply with the Texas Open Meetings Act and the Texas Open Records Act (Texas Government Code, Sections 551 and 552, as amended, respectively).
4. **No Retaliation.** Port Houston will not tolerate retaliation against an individual who initiates, pursues, or assists with a complaint of alleged discrimination reported to Port Houston or to any government agency.
5. **Complaint Process:** The details of the complaint process can be reviewed by accessing the Port Houston's Misconduct Reporting Policy, available at [Misconduct\\_Reporting\\_Policy\\_June\\_2014\\_FINAL.pdf \(porthouston.com\)](https://porthouston.com/wp-content/uploads/2022/11/Misconduct_Reporting_Policy_June_2014_FINAL.pdf).

## **E. Language-Related Accommodations.**

1. Port Houston will make every reasonable effort to ensure access to its programs and services. For persons with disabilities, services will be made available in accordance with the Americans with Disabilities Act and Port Houston's policies on diversity, equity, inclusion, and nondiscrimination, and may include, but are not limited to:
  - a. Auxiliary aids and services, such as real-time transcription, qualified sign language interpreters, and written information in other formats (large print, audio, accessible electronic formats, etc.), to communicate effectively with persons with disabilities.

- b. **If these services are needed in connection with anything other than Port Houston’s public meetings**, please contact the Chief Business Equity Officer, Carlecia Wright, by phone at 713.670.2436, email at [cwright@porthouston.com](mailto:cwright@porthouston.com), or mail at 111 East Loop North, Houston, Texas 77029. Requests should be made at least 48 hours prior to the need of the services.
  
- c. **If these services are needed for Port Houston’s public meetings**, please contact the Chief Legal Officer, Erik Eriksson, by phone at 713.670.2614, email at [eeriksson@porthouston.com](mailto:eeriksson@porthouston.com), or mail at 111 East Loop North, Houston, Texas 77029. Requests should be made at least three days prior to the meeting.

APPROVED BY:  \_\_\_\_\_

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Plan Owner: Chief Business Equity Officer  
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# Port Houston Language Access Plan May 2024 - for signature

Final Audit Report

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