AGENDA
ARK-TEX COUNCIL OF GOVERNMENTS
EXECUTIVE COMMITTEE MEETING
JANUARY 25, 2018

The Executive Committee of the Board of Directors of the Ark-Tex Council of Governments (ATCOG) will meet at 10:00 a.m., Thursday, January 25, 2018, at the Titus County Extension Office, 1708 Industrial Road, Mt. Pleasant, Texas.

Item 1. Call to order.

Item 2. Invocation.


Item 4. Approve the minutes as submitted of the Ark-Tex Council of Governments Executive Committee Meeting held Thursday, October 26, 2017, in Mt. Pleasant, Texas.

Review and Comment

Item 5. Review and comment on an Environmental Assessment to the Texas Commission on Environmental Quality (TCEQ) for proposed Air Quality Permit Renewal by Luminant Generation Company, LLC to authorize the continued operation of the Lamar Power Plant, located at 3205 FM 137 in Paris, Lamar County, Texas. (See page 6 – to be presented by staff member Paul Prange)

Regular Business

Item 6. Review and consider authorizing the Executive Director, as the ATCOG Authorized Official, to submit an application to the Office of the Governor, Criminal Justice Division, for the purchase of Juvenile Justice Services Project for FY 2019. (See attachment 1 – page 8) (To be presented by staff member Patricia Haley)

Item 7. Review and consider approval of the ATCOG Rural Transit District (RTD) Drug & Alcohol Testing Policy and Procedures Manual, as mandated by the Federal Transit Administration and the Texas Department of Transportation, as specified by the Code of Federal Regulations. (See attachment 2 – page 10) (To be presented by staff member Nancy Hoehn.)

Item 8. Review and consider approval of the appointment of one new member to the Area Agency on Aging Regional Advisory Council. (See attachment 3 – page 58) (To be presented by staff member Lisa Reeve)

Other Business

Item 9. Review and discuss draft resolutions concerning 9-1-1 rural addressing and road naming to be presented to each county’s Commissioner’s Court for approval in the near future. (See attachment 4 – page 59) (To be presented by staff member Mary Beth Rudel)

Item 10. Discussion of urban/rural transit boundaries and policies regarding TRAX. (To be presented by Executive Director Chris Brown)

Item 11. Discussion regarding 2018 NADO Washington Policy Conference. (To be presented by Executive Director Chris Brown)

Item 12. Discussion regarding retirement of Director of Administration and organizational chart. (To be presented by Executive Director Chris Brown)
Item 13. Executive Director’s Report (For information only - see page 65) (To be presented by Executive Director Chris Brown)

- Finance Report
- CSEC Single Audit Report – 911
- Area Agency on Aging RAC Minutes
- Criminal Justice RAC Bylaws, local priorities and score sheets

**Announcements**

The next Board of Directors Meeting will be held Thursday, February 22, 2018, at 10:00 a.m., at the ATCOG Office, hosted by Executive Director Chris Brown and ATCOG Staff.
MINUTES
ARK-TEX COUNCIL OF GOVERNMENTS
EXECUTIVE COMMITTEE MEETING
OCTOBER 26, 2017

The Executive Committee of the Board of Directors of the Ark-Tex Council of Governments (ATCOG) met at 10:00 a.m., Thursday, October 26, 2017 at the Titus County Extension Office, in Mt. Pleasant, Texas.

Item 1. L.D. Williamson, Judge, Red River County, called the meeting to order.


Item 3. Judge Williamson introduced Frank Estes from the City of Avery.

Item 4. The next order of business was to approve the minutes as submitted of the Ark-Tex Council of Governments Executive Committee meeting held Thursday, August 31, 2017, in Mt. Pleasant, Texas.

   Motion to approve was made by Lynda Munkres, Judge, Morris County, and seconded by Scott Lee, Judge, Franklin County. The minutes were approved as submitted.

Review and Comment

Item 5. Paul Prange, Environmental Services Coordinator, presented for consideration an Environmental Assessment to the Texas Commission on Environmental Quality by Day & Zimmerman Lone Star LLC, authorizing the continued operation of the Thermal Treatment Unit & Degreasers at the Tex Americas East Facility, located at 9795 West New Boston Road, Hooks, Bowie County, Texas.

   Motion to approve was made by Ann Rushing, Mayor, City of Clarksville, and seconded by Brian Lee, Judge, Titus County. It was approved.

Item 6. Mr. Prange presented for consideration Environmental Assessments to TCEQ for proposed Water Quality Permit Renewals by the following:

   a) City of Lone Star, authorizing the discharge of treated wastewater from the facility located near US Highway 259, Morris County Road 2315 and FM 729 in Morris County, Texas, ultimately to Lake O’ the Pines.

   b) U.S. Tubular Steel Products to authorize the addition of a continuous galvanizing line and the reduction of E.coli testing frequency from the plant site at Lone Star, Morris County, Texas, ultimately to Big Cypress Creek Below Lake Bob Sandlin.

   Motion to approve was made by Judge Munkres and seconded by Judge Scott Lee. Both items were approved.

Item 7. Vickie Williamson, Regional Projects Coordinator, presented for consideration an application to the U.S. Department of Health & Human Services, Office of Head Start, by Detroit Independent School District, for a grant in the amount of $957,079, to be matched with $239,270 cash and in-kind, for continuation/refunding of Head Start.

   Motion to approve was made Judge Scott Lee and seconded by Mayor Rushing. It was approved.

Regular Business

Item 8. Mr. Prange presented for consideration approval of ATCOG joining a coalition with the cities of Texarkana, Texas and Texarkana, Arkansas, to submit a grant application to the EPA Brownfields Program in an effort to obtain hazardous substances and petroleum assessment funds in the amount of $600,000 to be utilized within Bowie County, Texas and Miller County, Arkansas.
Motion to approve was made by Mr. Fisher and seconded by Judge Brian Lee. It was approved.

Item 9. Chris Brown, Executive Director, presented for consideration approval of revisions to an Interlocal agreement between East Texas Council of Governments (ETCOG) and ATCOG. This agreement was originally approved by the Board of Directors in September; however, the Texas Department of Transportation requested formatting changes, which require additional approval.

After review of the revisions, motion to approve was made by Judge Brian Lee and seconded by Judge Munkres. It was approved.

**Other Business**

Item 10. Patricia Haley, Criminal Justice Coordinator, presented for consideration ratification of an Interlocal Agreement between the Office of the Governor, Criminal Justice Division, and ATCOG.

Motion to approve was made by Judge Scott Lee and seconded by Mayor Rushing. It was approved.

Item 11. Mr. Brown presented for consideration ratification of a contract extending the Transportation Management Services Contract with the Texarkana Urban Transit District (TUTD).

Motion to approve the five year renewal was made by Judge Brian Lee and seconded by Judge Scott Lee. It was approved.

Item 12. Mr. Brown presented for information only updates on the following:
- Finance Report
  - Indirect Funds
  - Report of 990 filings
  - Update on financial software conversion
- Update on the Northeast Texas Rural Transportation Summit to be held on Tuesday, October 31, 2017 in Sulphur Springs, Texas.

**Announcements**

Judge Williamson announced the next Board of Directors meeting will be held on Thursday, December 14, 2017 at the Hopkins County Courthouse, hosted by the Honorable Robert Newsom, Judge, Hopkins County.

He also announced there would be a North East Texas Economic Development District meeting immediately following today’s Executive Committee meeting.

There were no other announcements, so the meeting was adjourned.

**EXECUTIVE COMMITTEE MEMBERS PRESENT**
L.D. Williamson, Judge, Red River County  
Chuck Superville, Judge, Lamar County  
Lynda Munkres, Judge, Morris County  
Jason Murray, Judge, Delta County  
Brian Lee, Judge, Titus County  
Scott Lee, Judge, Franklin County  
Ann Rushing, Mayor, City of Clarksville  
Emily Glass, Councilwoman, City of Sulphur Springs  
Brady Fisher, Northeast Texas Resource Conservation & Development District

**GUESTS PRESENT**
Frank Estes, City of Avery
STAFF PRESENT
Chris Brown, Executive Director
Sharon Pipes, Director of Administration
Nancy Hoehn, Transportation Manager
Paul Prange, Environmental Resources Coordinator
Vickie Williamson, Regional Development Coordinator
Patricia Haley, Criminal Justice Coordinator
Leslie McBride, Human Resources Coordinator
Amber Thurston, Executive Assistant

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L.D. Williamson, President
Ark-Tex Council of Governments

ATTEST:

____________________________
**ARK-TEX COUNCIL OF GOVERNMENTS**  
**APPLICATION / PROJECT STAFF REVIEW FOR**  
**ENVIRONMENTAL ASSESSMENT**

<table>
<thead>
<tr>
<th>Project SAI No: TX-R-20180102-0001-05</th>
<th>Date Received: 12-05-17</th>
<th>Staff Assignment: Paul Prange</th>
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**Applicant:** Luminant Generation Company, LLC

**Project Description:** This application to the Texas Commission on Environmental Quality (TCEQ) Luminant Generation Company, LLC is for renewal of Air Quality Permit No. 38326, which would authorize continued operation of the Lamar Power Plant, an electric services facility. The facility is located at 3205 FM 137 in Paris, Lamar County, Texas. The existing facility is authorized to emit the following air contaminants: carbon monoxide, nitrogen oxides, organic compounds, particulate matter with diameters of 10 and 2.5 microns or less, and sulfur dioxide.

**PROJECT/EA REVIEW:**

**Area to be served:** Paris, Lamar County, Texas

**Does the project comply or furnish reasonable assurances of compliance with applicable federal, state, and local laws, regulations, and ordinances?** The TCEQ executive director has determined that the application is administratively complete and will conduct a technical review of the application.

**Is the project consistent with state, area wide, and/or local planning or does it contribute toward goals or objectives identified at one or more of governmental levels?** Yes. This permit application meets all statutory and regulatory requirements.

**Has this project been coordinated through the Texas Commission on Environmental Quality?** Yes, coordination is in progress.

**Does the project address a clearly defined need and does the project take into account preservation of the environment?** There is a clearly defined need for production of electricity in Paris to support ongoing residential and commercial activities. All guidelines required by TCEQ to protect the environment from harmful emissions are being followed.

**Is the project likely to produce any significant adverse effects on the environment?** No. The issuance of the permit will not result in an unsafe level of allowable emissions.

**Do the anticipated accomplishments of the project justify the disruption to the environment?** Yes. This electrical power generation facility provides enough electricity to power all of Paris and the surrounding area. The disruption of the environment is minimal compared to the positive benefits to the citizens.

**STAFF ASSESSMENT OF ENVIRONMENTAL IMPACT:** The permit renewal application will not create any further significant detrimental impact to the environment as determined by TCEQ.

**RECOMMENDED COMMENT:** Staff recommends support of this Air Quality Permit Renewal Application by Luminant Generation Company, LLC.
RESOLUTION NO. EC18-006

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS WITH REVIEW AND COMMENT ON PROPOSED RENEWAL OF AIR QUALITY PERMIT NO. 38326 BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) FOR LUMINANT GENERATION COMPANY, LLC TO AUTHORIZE THE CONTINUED OPERATION OF THE LAMAR POWER PLANT, AN ELECTRIC SERVICES FACILITY, LOCATED AT 3205 FM 137 IN PARIS, LAMAR COUNTY, TEXAS.

WHEREAS, under Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 and Title IV of the Intergovernmental Cooperation Act of 1968, the Ark-Tex Council of Governments has been designated as the area wide agency to review certain projects; and

WHEREAS, it is desirable and in the public interest that certain development plans be reviewed by the Ark-Tex Council of Governments for their consistency with the overall development of the Region, and any environmental impacts resulting wherefrom.

NOW, THEREFORE BE IT RESOLVED BY THE ARK-TEX COUNCIL OF GOVERNMENTS:

Section 1 - That the Board of Directors recognizes the Executive Director as the Authorized Official, and he has been given the power to comment upon projects having an environmental impact. This application has been reviewed by the Board of Directors and can reasonably be approved.

Section 2 - That the above-mentioned permit is desirable and needed for continued development in the Region.


L. D. Williamson, President
Ark-Tex Council of Governments

ATTEST:
ITEM 6:

Review and consider authorizing the Executive Director, as the ATCOG Authorized Official, to submit an application to the Office of the Governor, Criminal Justice Division, for the Purchase of Juvenile Justice Services Project for FY 2019.

BACKGROUND:

The Purchase of Juvenile Justice Services Project provides necessary funds to allow county juvenile probation departments in the ATCOG nine-county region to purchase quality services for juveniles that have been referred to them. Services to be purchased include psychological and psychiatric evaluations, as well as professional therapy and mental health counseling services, anger management, and juvenile sex offender counseling/treatment.

DISCUSSION:

Upon approval, ATCOG will be applying for a total of $57,000 for this project.

Proposed Contractual Services will include an approximate total of:
  $40,000 for Juvenile Justice Services

RECOMMENDATION:

The staff recommends approval of authorization for the Executive Director, as the Authorized Official, to submit the application for the Purchase of Juvenile Justice Services.
RESOLUTION NO. BD18-007

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS WITH REVIEW AND COMMENT ON AN APPLICATION TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, FOR A GRANT TO PROVIDE THE PURCHASE OF JUVENILE JUSTICE SERVICES FOR BOWIE, CASS, DELTA, FRANKLIN, HOPKINS, LAMAR, MORRIS, RED RIVER, AND TITUS COUNTIES IN TEXAS. THIS RESOLUTION IS EFFECTIVE FOR FY 2019.

WHEREAS, the rules and regulations of the Texas Criminal Justice Division require that this application be reviewed and approved by the Ark-Tex Council of Governments Board of Directors.

WHEREAS, the Ark-Tex Council of Governments finds it in the best interest of the citizens of the Region that the Purchase of Juvenile Justice Services Project be operated for FY 2019.

NOW, THEREFORE BE IT RESOLVED BY THE ARK-TEX COUNCIL OF GOVERNMENTS:

Section 1 - That the Board of Directors recognizes the Executive Director as the Authorized Official, and he has been given the power to apply for, accept, reject, alter, or terminate a grant with the Office of the Governor, Criminal Justice Division; for a grant to provide the Purchase of Juvenile Justice Services for Bowie, Cass, Delta, Franklin, Hopkins, Lamar, Morris, Red River, and Titus Counties in Texas. This grant project has been reviewed by the Board of Directors and can reasonably be expected to become part of the overall Regional Plan, and is approved for submission to the Office of the Governor, Criminal Justice Division.

Section 2 - That the above mentioned improvements are desirable and urgently needed for the public safety and welfare.

Section 3 - That the Board of Directors agrees that, in the event of loss or misuse of funds, that funds will be returned to the Office of the Governor, Criminal Justice Division.

REVIEWED AND APPROVED THIS 25th DAY OF JANUARY, 2018.

____________________________________
L.D. Williamson, President
Ark-Tex Council of Governments

ATTEST:

____________________________________
ITEM 7:
Review and consider approval of amendment, in the form of a Resolution, of the Ark-Tex Council of Governments Drug and Alcohol Testing Policy & Procedures with revisions.

BACKGROUND
Ark-Tex Council of Governments Rural Transit District is required under FTA Regulations to comply with all DOT Drug & Alcohol Testing Regulations. On an annual basis the ATCOG Board takes action reaffirming the policy and the compliance with it. Periodically there are changes in the Federal Regulations that require the amendment of the policy and the adoption of the new regulations in the form of a Resolution.

DISCUSSION
TxDOT has regularly performed reviews of the ATCOG Drug and Alcohol Program. In 2017 it was decided that this task would be conducted by a consulting firm RLS & Assoc. The review took place in late September with the results provided to ATCOG in mid-November. As part of the process, RLS conducted a review of the Drug & Alcohol Testing Policy and Procedures.

At the same time that this was taking place, the US DOT adopted new regulations that expanded the drug testing panel to include four semi-synthetic opioids (i.e. hydrocodone, oxycodone, hydromorphone and oxymorphone). The change is effective January 1, 2018. This has obviously become an increasingly problematic issue in the Country and these new regulations attempt to address the problem while ensuring the safety of our passenger and other vehicles on the road.

Based on this new regulation, RLS included these changes in the policy revisions recommended. The policy in your packet shows the revisions from the current policy to assist you in focusing on the needed changes. Some of the changes reflect new terminology which others add detail or clarifications of responsibilities.

We have included for your information the Employee Notice created by DOT to inform all safety-sensitive employees of the changes that took effect January 1st.

RECOMMENDATION
Drug and Alcohol Testing Policy & Procedures

This policy applies to all employees of Ark Tex Council of Governments to meet the qualifications outlined in Title 49 Code of Federal Regulation Part 655 and Part 40.

The following policy is designed to comply with U. S. Department of Transportation, Federal Transit Administration Regulations Concerning Drug and Alcohol Testing.

Any provisions set forth in this policy that are included under the sole authority of Ark Tex COG and are not provided under the authority of the above named Federal regulations are underlined. Any tests conducted under the sole authority of Ark Tex COG will be performed on NON-USDOT forms and will be separate from USDOT testing in all respects.

This policy in no way supersedes any of the Department of Transportation regulations governing drug and alcohol testing.

Program and policy sponsored by:

Allied Compliance Services, Inc. ®
2827 74th St, Lubbock, TX
800.411.6906
A. Purpose of Employee Drug and Alcohol Testing

B. Applicability & Safety Sensitive Functions

C. Definitions

D. Prohibited Substances

E. Prohibited Behavior

F. Required Testing

G. Drug Testing Procedures

H. Drug Testing Cutoff Levels

I. Alcohol Testing Procedures

J. Training

K. Education

L. Positive Test/Refusal to Test

M. Reference for Employee Assistance Program

N. Record Keeping

O. Personnel and Services

P. Forms
For the purpose of this policy, ARK TEX COUNCIL OF GOVERNMENTS, INC. will hereafter be referred to as "The Transit Agency" or as the "Employer".

Date of Board Approval for Revised Policy________________________

655.15 The Designated Employee Representative (DER) will be responsible to answer employee questions about the drug and alcohol testing program

The duties of the DER are as follows:

- To manage the drug and alcohol testing program in conjunction with the Third Party Provider, Medical Review Officer and Substance Abuse Professional
- To maintain test records in a secured location apart from personnel files and medical records
- To disseminate informational materials to all employees on the requirements of this Policy and Procedures
- To provide information, and otherwise answer any questions an employee may have regarding applicable state and federal drug and alcohol testing laws, what rights each employee has, and what responsibilities each employee must follow to participate in this drug and alcohol testing program

DER for this Transit Agency: Transportation Manager
Address of DER: P O Box 5307, Texarkana, TX 75505
Phone number of DER: 903-832-8636

A. Purpose of Employee Drug and Alcohol Testing

655.1 The purpose of this part is to establish a drug and alcohol testing program designed to help prevent accidents, injuries and fatalities resulting from the misuse of alcohol and use of prohibited drugs by employees who perform safety-sensitive functions.

The use of illegal drugs and alcohol is prohibited at all times and employees in safety-sensitive positions may be tested for drugs anytime while on duty.

655.11 This document provides a uniform procedure concerning the testing of employees or applicants for employment to detect individuals having drugs or alcohol in their systems.

The purpose of such testing is to provide, in the interest of the safety of employees, passengers, and the general public, work and service environments that are free from the effects of drug and alcohol abuse. THE TRANSIT AGENCY is committed to providing a safe work place for its employees that is free of the effects of substance abuse. Since THE TRANSIT AGENCY is involved in public service, the community depends on careful attention by all employees. Such attention cannot be affected by the use of drugs and/or alcohol.
The Federal Transit Administration of the U.S. Department of Transportation has published 49 CFR Part 655, as amended, that mandates urine drug testing and breath alcohol testing for safety-sensitive positions and prohibits performance of safety-sensitive functions when there is a positive test result, or refusal to test. The USDOT has also published 49 CFR Part 40, as amended that sets standards for the collection and testing of urine and breath specimens.

THE TRANSIT AGENCY expects employees to report for work in condition to perform their duties. On-the-job involvement with drugs and/or alcohol is a violation of THE TRANSIT AGENCY’s policy and Federal law. THE TRANSIT AGENCY also recognizes that employee off-the-job involvement with drugs and alcohol can have an impact on the workplace and our ability to accomplish the goal of a safe, effective, drug and alcohol-free work environment.

B. Applicability

655.3 The Federal Transit Administration requires a Drug and Alcohol testing program to each recipient and subrecipient receiving Federal assistance under: 49 U.S.C. 5307, 5309 or 53 111 or 23 U.S. C 103 (e) (4) and any contractor of a recipient or subrecipient of Federal assistance under: 49 U.X.S.C. 5307, 5309 or 5311for 23 U.S.C. 103 (e) (4). Drug and alcohol testing will be conducted in accordance with 49 CFR Part 40.

A drug and alcohol testing program applies to:
These procedures apply to all safety-sensitive employees, including paid part-time employees, temporary employees, volunteers, contract employees and contractors who perform safety-sensitive functions.

The use of illegal drug is prohibited at all times and employees may be tested for drugs anytime while on duty.

Covered employees are:

- Operate a revenue vehicle, in or out of revenue service
- Operate an non-revenue vehicle requiring a CDL
- Control movement or dispatch of a revenue service vehicle (determined by the employer)
- Maintenance of a revenue service vehicle, or equipment used in revenue service

They also apply to off-site lunch periods or breaks when an employee is scheduled to return to work. Under the sole authority of the Transit Agency, visitors, vendors, and contractor employees who may not perform safety-sensitive duties, may also be subject to NON-DOT procedures while on THE TRANSIT AGENCY premises and will not be permitted to conduct THE TRANSIT AGENCY business if found to be in violation of these procedures.

Notice of Testing

655.7

This procedure will act as notice of Drug and Alcohol Testing as prescribed in the Omnibus Transportation Employee Testing Act of 1991 and Department of Transportation (DOT) regulations. These regulations are 49 CFR Part 655, "Prevention of Prohibited Drug Use in Transit Operations", 49 CFR Part 655, "Prevention of
Alcohol Misuse in Transit Operations" and 49 CFR Part 40, "Procedures for Transportation Workplace Drug and Alcohol Testing Programs".

In addition, the Federal government published 49 CFR Part 29, "The Drug-Free Workplace Act of 1983", which requires the establishment of drug-free workplace policies and the reporting of certain drug-related offenses to the Federal Transit Administration (FTA). These procedures incorporate those requirements for safety-sensitive employees and others when so noted.

655.6: Part 655 preempts any state or local law, rule, regulation or order.

Intent

THE TRANSIT AGENCY is dedicated to providing safe and dependable transportation services to our passengers. THE TRANSIT AGENCY's employees are our most valuable resource and it is our goal to provide a healthy, satisfying working environment, which promotes personal opportunities for growth. In meeting these goals, it is our intent to:

- Assure that employees are not impaired in their ability to perform assigned duties in a safe, productive, and healthy manner
- Create a workplace environment free from the adverse effects of drug abuse and alcohol misuse
- Prohibit the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances
- To encourage employees to seek professional assistance anytime personal problems, including alcohol or drug dependency, adversely affects their ability to perform their assigned duties

655.4 A safety-sensitive function is any duty related to the safe operation of a THE TRANSIT AGENCY, as defined below.

Functions performed by employees in a safety sensitive function include one or more of the following:

- Operate revenue service vehicles, including when not in revenue service
- Operate non-revenue service vehicles for which drivers are required to hold a commercial driver’s license (CDL)
- Dispatch or control movement of revenue service vehicles
- Perform maintenance on transit vehicles and equipment used in revenue service (except for maintenance contractors for Section 5311 transit agencies) unless the agency is an area less than 200,000 in population and contracts out such services.
- Provide security and carry a firearm
Condition of Employment

655.41 All applicants and potential employees shall be notified of THE TRANSIT AGENCY's drug and alcohol testing policy and shall be advised that they will be required to submit to and pass a drug test prior to employment. Employment of any person is contingent upon passing a drug test.

All applicants and potential employees shall be required to acknowledge and sign THE TRANSIT AGENCY's policy. Failure to submit to the drug test by the applicant shall result in the immediate elimination of the individual from any further consideration for employment.

655.15 Participation in THE TRANSIT AGENCY drug and alcohol testing program is a requirement of all safety-sensitive employees and therefore, is a condition of employment.

Changes Or Modifications

THE TRANSIT AGENCY reserves the right to change the provisions of this testing procedure. All personnel will be notified of changes prior to instituting the changes.

C. Definitions

655.4

**Accident** - An occurrence associated with the operation of a vehicle in and out of service, if as a result:

- A fatality
- An individual suffers a bodily injury and immediately receives medical treatment away from the scene of the accident
- A mass transit vehicle involved that is a bus, electric bus, or automobile, and one or more vehicles (including non-FTA funded vehicles) incurs disabling damage as the result of the occurrence and is transported away from the scene by a tow truck or other vehicle

**Administrator** – Administrator of the Federal Transit Administration or the Administrator’s designee

**Air Blank** - A reading by an EBT of ambient air containing no alcohol

**Alcohol** - The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl or isopropyl alcohol. References to use or possession of any beverage, mixture or preparation containing ethyl alcohol (including any medication containing alcohol)

**Alcohol Test** - A test conducted by a Breath Alcohol Technician, or any other person approved by the DOT rules, using an Evidential Breath Testing Device to measure the amount of alcohol concentration in a volume
of breath, or any other test used to detect the presence of alcohol that is approved by the Department of Transportation

**Alcohol Use** - The consumption of any beverage, mixture, or preparation, including any medication, containing alcohol

**Anti-Drug program** – a program to detect and deter the use of prohibited drugs as required by this part

**Breath Alcohol Technician (BAT)** - An individual trained to proficiency and certified in the use of an evidential breath testing device

**CDL** - Commercial Driver's License

**Certification** – a recipient's written statement, authorized by the organization's governing board or other authorizing official that the recipient has complied with the revisions of this part (655.82 and 655.83)

**Confirmation Test** – For alcohol testing, a confirmation test means a second test following a screening test with a result of 0.02 or greater, that provides a quantitative data of alcohol concentration. Confirmation of the screening test must be by an Evidential Breath Testing (EBT) device that appears on ODAPC’s Web page for “Approved Evidential Breath Measurement Devices” because it conforms with the model specifications available from NHTSA.

For controlled substances testing, a confirmation test means a second analytical procedure to identify the presence of a specific drug metabolite which is independent of the screen test and which uses a different technique and chemical principle from that of the screen test in order to ensure reliability and accuracy. Gas Chromatography/Mass Spectrometry (GC/MS) is the authorized confirmation method for cocaine, marijuana, opioids, amphetamines, and phencyclidine

**Controlled Substance** - For purposes of these procedures, controlled substances or drugs are cocaine, marijuana, opioids, amphetamines, phencyclidine and any other substance determined by the U.S. Department of Transportation to be a controlled substance

**Controlled Substance Test** - A method for determining the presence of controlled substances in a urine sample using a scientifically reliable method performed in accordance with procedures specified in 49 CFR Part 40

**Covered employee** – a person, including an applicant or transferee, who performs or will perform a safety-sensitive function for an entity subject to this part.

A volunteer is a covered employee if:

- They are required to hold a CDL to operate the vehicle
They perform a safety-sensitive function for an entity subject to this part and receive remuneration in excess of their actual expenses incurred while engaged in the volunteer activity.

Covered Position - Any person, including an applicant, or transferee, who performs, or could potentially perform any safety-sensitive function

Cut-Off Limit - The quantitative level that determines whether a controlled substance or drug is positive or negative, as listed in 49 CFR Part 40, as amended

DHHS - United States Department of Health & Human Services

DOT, The Department, DOT Agency - These terms encompass all DOT agencies, including, but not limited to, the Federal Aviation Administration (FAA), the Federal Railroad Administration (FRA), the Federal Motor Carrier Safety Administration (FMCSA), the Federal Transit Administration (FTA), the National Highway Traffic Safety Administration (NHTSA), the Pipeline and Hazardous Materials Safety Administration (PHMSA), and the Office of the Secretary (OST). For purposes of 49 CFR Part 40, the United States Coast Guard (USCG), in the Department of Homeland Security, is considered to be a DOT agency for drug testing purposes. These terms include any designee of a DOT agency.

Disabling Damage - Damage that precludes departure of a motor vehicle from the scene of the accident in its usual manner in daylight after simple repairs.

- Inclusion: Damage to motor vehicles that could have been driven, but would have been further damaged if so driven

- Exclusion: Damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available or damage to headlights, taillights, turn signals, horn, or windshield wipers that make them inoperative

Employee - Any person employed by THE TRANSIT AGENCY or referred to as the Donor on testing forms

Employer - a recipient or other entity that provides mass transportation service or which performs a safety-sensitive function for such recipient or other entity.

EBT - A device approved by the NHTSA for the evidential testing of breath at the 0.02 and the 0.04 alcohol concentrations, and appears on ODAPC’s Web page for “Approved Evidential Breath Measurement Devices” because it conforms with the model specifications available from NHTSA.

FTA - Federal Transit Administration

Gas Chromatography/Mass Spectrometry (GC/MS) - A type of chemical analysis used to perform the confirmation of a drug test

Immunoassay Technology - One type of chemical analysis used to perform the initial or first test of a drug screen

MRO - Medical Review Officer - A licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by the drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's confirmed positive
Non-negative Test Result - An alcohol breath test result equal to or greater than 0.02, but less than 0.04

On Premises - Any work location, revenue service vehicle, property, or office or work stations/areas, which is owned, serviced or used by THE TRANSIT AGENCY personnel, or its clients or contractors

Performing a Safety-Sensitive Function - An employee is considered to be performing a safety-sensitive function during any period in which he or she is actually performing, ready to perform, or immediately available to perform any safety-sensitive function

Positive rate - the sum of the annual number of positive results for random drug tests conducted under this part plus the annual number of refusals to submit to a random drug test authorized under this part divided by the sum of the annual number of random drug tests conducted under this part plus the annual number of refusals to submit to a random drug test authorized under this part

Recipient – an entity receiving Federal financial assistance under 49 U.S.C. 5307, 5309, 5311 or under 23 U.S.C 103 (e) (4)

Refuse to submit – any circumstance outlined in 49 CFR 40.191 and 40.261, or other DOT agency regulation, as defined below:
1. Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer.
2. Fail to remain at the testing site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test has not refused to test.
3. Fail to attempt to provide a breath or urine specimen. An employee who does not provide a urine or breath specimen because he or she has left the testing site before the testing process commenced for a pre-employment test has not refused to test.
4. In the case of a directly-observed or monitored urine drug collection, fail to permit monitoring or observation of your provision of a specimen.
5. Fail to provide a sufficient quantity of urine or breath without a valid medical explanation.
6. Fail or decline to take a second test as directed by the collector or the employer for drug testing.
7. Fail to undergo a medical evaluation as required by the MRO or the employer's Designated Employer Representative (DER).
8. Fail to cooperate with any part of the testing process.
9. Fail to follow an observer's instructions to raise and lower clothing and turn around during a directly-observed test.
10. Possess or wear a prosthetic or other device used to tamper with the collection process.
11. Admit to the adulteration or substitution of a specimen to the collector or MRO.
12. Refuse to sign the certification at Step 2 of the Alcohol Testing Form (ATF).
13. Fail to remain readily available following an accident.
14. As a covered employee, if the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test.

Revenue Service Vehicle – All transit vehicles that are used for passenger transportation service.

Safety-Sensitive Function - Any of the following duties:

- Operating a revenue service vehicle, including when not in revenue service (drivers and others required to operate revenue vehicles as part of their job duties)
- Operating a non-revenue service vehicle, when required to be operated by a holder of a Commercial Driver's License
- Controlling dispatch or movement of a revenue service vehicle (dispatchers or those who as part of their job duties fill in for a dispatcher or cross-train)
- Maintaining a revenue service vehicle or equipment used in revenue service (mechanics, service mechanics, service helpers, and vehicle washers)

**Split Sample** - The dividing of a urine specimen into two specimen bottles. The primary specimen bottle shall contain thirty (30 ml) milliliters of urine, with the secondary, or split specimen containing at least fifteen (15 ml) milliliters of urine. The additional sample is collected with the original specimen, to be tested in the event the original specimen tests positive.

**SAP** - Substance Abuse Professional - A licensed physician (medical doctor or doctor of osteopathy), or a licensed or certified psychologist, social worker, employee assistance professional, state-licensed or certified marriage and family therapist, or drug and alcohol counselor (certified by an organization listed at https://www.transportation.gov/odapc/sap), with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol-related disorders. Reference Part 40.281

**Third Party Administrator** - Any company, consortium, corporation, or other entity designated by the employer to administer or provide chemical or drug testing services or programs. Reference Part 40 Subpart Q

**Vehicle** - a bus, electric bus, van, automobile, rail car, trolley car, trolley bus or vessel used as a mass transit vehicle for mass transportation or for ancillary services.

**Verified Negative Drug Test Result** - A drug test result reviewed by a Medical Review Officer and determined to have no evidence of prohibited drug use.

**Verified Positive Drug Test Result** - A drug test result reviewed by a Medical Review Officer and determined to have evidence of prohibited drug use.

**Violation rate** – the sum of the annual number of results from random alcohol tests conducted under this part that have alcohol concentration of .04 or greater plus the annual number of refusals to submit to alcohol tests authorized under this part, divided by the sum of the annual number of random alcohol tests conducted under this part plus the annual number of refusals to submit to a drug test authorized under this part.

### D. Prohibited Substances

**655.21 and 655.31** Prohibited substances addressed by these procedures include the following:

- **Illegally Used Controlled Substances or Drugs**
  
  **655.21**
  
  Substances which include, but are not limited to, any form of alcohol, dangerous drug, controlled substance, prescriptive, inhalant, illegal drugs, or combination thereof. Any illegal drug or substance identified in Schedules I through V Section 202 of the Controlled Substance Act (21 U.S.C. 812), as further defined by 21 CFR 1300.11 through 1300.15. **This includes:** Marijuana, Amphetamines, Opioids, Phencyclidine (PCP), Cocaine as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration. Illegal use includes the use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs.

- **Legal Drugs**
  
  The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, under the sole authority of ATCOG (and not required by the USDOT or DOT Agency federal regulations), the use of any medication which carries a warning label that indicates that...
• Alcohol
The use of beverages containing alcohol or substances including any medication, mouthwash, food, candy, or any other substance such that alcohol is present in the body while performing safety-sensitive functions is prohibited. The concentration of alcohol is expressed in terms of grams of alcohol per 210 liters of breath as measured by an evidential breath testing device, as defined in 49 CFR Part 40, as amended.

E. Prohibited Behavior 655.31 and 655.33

Alcohol Testing

• Employees will be removed immediately from safety sensitive duties if their breath alcohol test is 0.04 or above

• If a safety-sensitive employee has a breath alcohol concentration of 0.02-0.039, USDOT-FTA regulations require the employee to be removed from the performance of safety-sensitive duties until:
  o The employee’s alcohol concentration measures less than 0.02; or
  o The start of the employee’s next regularly scheduled duty period, but not less than eight hours following administration of the test.

• Safety-sensitive and non-safety-sensitive employees under company policy shall not possess alcohol while on duty or operating a commercial motor vehicle

• The use of alcohol while performing their safety-sensitive or non-safety-sensitive job functions is prohibited

• Performing safety-sensitive and non-safety-sensitive functions within four hours of having used alcohol

• The use of alcohol by safety-sensitive and non-safety-sensitive employees within eight hours following an accident, or before undergoing a post-accident alcohol test, whichever comes first.

• Employees are prohibited from consuming alcohol while on call.

• Employees on call will be given the opportunity to acknowledge the use of alcohol and the inability to perform safety sensitive functions.

The Transit Agency has a zero tolerance policy and consequences for a positive test result is termination of employment.

Referral Resources

Any covered employee that has a verified positive drug or alcohol test, or test refusal, will be removed from his/her safety-sensitive position, informed of educational and rehabilitation programs available, and will be provided with a list of at least two (2) USDOT qualified SAPs. The SAP must follow guidelines according to Part 40 Subpart 0.
655.21 Drug Testing

- Reporting for duty, remaining on duty, or performing safety-sensitive and non-safety-sensitive functions after having tested positive for a controlled substance is prohibited.
- Using, manufacturing, distributing, dispensing or possessing controlled substances is prohibited.
- Failure by a safety-sensitive or non-safety-sensitive employee to submit immediately to a chemical or alcohol test when requested is prohibited and will be considered equivalent to a positive test result.

Supervisors and managers are directed to use and apply all aspects of this procedure in an unbiased and impartial manner. Any supervisor or manager who knowingly disregards the requirements of this procedure, or who is found to deliberately misuse the procedure in regard to subordinates, shall be subject to disciplinary action, up to and including termination.

The Transit Agency has a zero tolerance policy and consequences for a positive test result is termination of employment.

Drug Statute Conviction Consistent with the Drug Free Workplace Act of 1998, all employees are required to notify THE TRANSIT AGENCY of any criminal drug statute conviction for a violation occurring in the workplace within five days after such conviction. Failure to comply with this provision shall result in disciplinary action including termination.

F. Required Testing

655.41 Pre-employment Testing:

All safety-sensitive applicants shall undergo urine drug testing immediately following the offer of employment or transfer into a safety-sensitive position.

It is allowed to hire an applicant and assign non-safety-sensitive duties until the test result is received. An employer may not transfer an employee from a non-safety-sensitive position until a verified negative test result is received.

Receipt of a negative drug test result is required prior to the performance of safety-sensitive functions. If an individual refused to be tested or fails the pre-employment drug test, they will be provided with a list of at least two (2) USDOT qualified Substance Abuse Professionals (SAPs). The applicant will be disqualified for employment for a period of six months.

Any applicant who has previously had a USDOT positive drug or alcohol test, or test refusal, must provide the employer proof of having successfully completed a referral, evaluation, and treatment plan as described in Section 655.62.

655.41

A pre-employment test is required for an employee who has been removed from safety sensitive duties and removed from the random testing pool for more than 90 days.

Applicants are required (even if ultimately not hired) to provide the Employer with signed written releases requesting USDOT drug and alcohol records from all previous, USDOT-covered, employers that the applicant has worked for within the last two years. Failure to do so will result in the employment offer being rescinded.
Employer is required to ask all applicants (even if ultimately not hired) if they have tested positive or refused to test on a pre-employment test for a USDOT covered employer within the last two years. Failure to do so will result in the employment offer being rescinded.

If a pre-employment test is canceled, The Employer will require the applicant to take and pass another pre-employment drug test.

Pre-employment testing will be conducted in accordance with procedures established in 49 CFR Parts 655 and 40 or as amended.

655.34 and 655.44 Post-Accident Testing:

- **FATAL ACCIDENTS** – A covered employee will be required to undergo urine and breath testing if they are involved in an accident with a transit vehicle, whether or not the vehicle is in revenue service at the time of the accident, when a fatality occurs. This includes all surviving covered employees that are operating the vehicle at the time of the accident and any other whose performance could have contributed to the accident, as determined by the employer using the best information available at the time of the decision.

- **NON FATAL ACCIDENTS** – A post accident test of the employee operating the public transportation vehicle will be conducted if an accident occurs and at least one of the following conditions is met:
  - An injury requiring transportation to a medical treatment facility, and the covered employee may have contributed to the accident
  - One or more vehicles incurs disabling damage as a result of the occurrence where a vehicle must be transported from the scene, and the covered employee may have contributed to the accident
  - Any other safety-sensitive or non-safety-sensitive employee under company policy whose performance could have contributed to the accident, as determined by THE TRANSIT AGENCY using the best information available at the time of the accident, will be given a drug and alcohol test.

Post-accident drug and alcohol tests must be conducted as soon as possible after the accident.

- Drug tests must be performed within 32 hours after the accident
- Alcohol tests should be performed within 2 hours after the accident. If an alcohol test required by this part is not administered within 2 hours of the accident, documentation shall be prepared and maintained on file stating the reasons the test was not promptly administered.
- If an alcohol test required by this part is not administered within 8 hours following the accident, all attempts to administer the test shall cease and documentation shall be maintained.

A covered employee who is subject to post-accident testing who fails to remain readily available for such testing, including notifying THE TRANSIT AGENCY of his or her location if he or she leaves the scene of the accident prior to submission to testing, may be deemed by THE TRANSIT AGENCY to have refused to submit to testing.

Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident or to prohibit a covered employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care.
Post-accident testing will be conducted in accordance with procedures established in 49 CFR Parts 655 and 40 or as amended.

ATCOG reserves the right to conduct NON-USDOT drug and/or alcohol testing under the sole authority of ATCOG following an accident/incident which does not meet the USDOT-FTA post-accident testing thresholds discussed above in this section. This testing would be completely separate from all USDOT testing in every respect and would be conducted on NON-USDOT / NON-FEDERAL testing forms.

655.43 Reasonable Suspicion Testing: All safety-sensitive employees may be subject to a fitness for duty evaluation, and urine and/or breath testing when there are reasons to believe that drug or alcohol use is adversely affecting job performance. A reasonable suspicion referral for testing will be made on the basis of documented objective facts and circumstances which are consistent with the short-term effects of substance abuse.

Reasonable suspicion referrals must be made by a supervisor who is trained to detect the signs and symptoms of drug and alcohol use and who reasonably concludes that an employee may be adversely affected or impaired in his/her work performance due to possible prohibited abuse or misuse. An employer's determination that reasonable suspicion exists shall be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the covered employee. The questioned conduct must be witnessed and documented in writing.

Alcohol testing is authorized only if the observations of this section are made during, just preceding, or just after the performance of safety-sensitive functions. An employer may only direct a covered employee to undergo reasonable suspicion testing for alcohol while the employee is performing safety-sensitive functions, just before the employee is to perform safety-sensitive functions, or just after the employee has ceased performing such functions.

Alcohol tests must be performed within 2 hours after the determination reasonable suspicion testing is required. If a test required by this part is not administered within 2 hours of the determination, documentation shall be prepared and maintained on file stating the reasons the test was not promptly administered. If a test required by this part is not administered within eight hours following the determination, all attempts to administer an alcohol test shall cease and documentation shall be maintained.

Transit Agency officials other than supervisors may also make reasonable suspicion determinations as long as they have received reasonable suspicion training.

Reasonable Suspicion testing will be conducted in accordance with procedures established in 49 CFR Part 655.14(b)(2) and Part 40, as amended.

655.45 Random Testing: Conducted on employees who perform safety-sensitive functions. Random testing will be conducted on an unannounced basis, spread reasonably throughout the calendar year, day of the week, hours of the day. The number of employees randomly selected for drug/alcohol testing during the calendar year shall be not less than the percentage rates set each year by the FTA administrator. The current year testing rates can be viewed online at https://www.transportation.gov/odapc/random-testing-rates.
The employer will ensure that the random computer program used is monitored to achieve the annual testing rates. Under the scientific method for selection process used, each covered employee shall have an equal chance of being tested each time selections are made.

All random drug and alcohol testing shall be unannounced and the dates of testing shall be spread reasonably throughout the year. Selected employees will report for random testing immediately after notification. Prior notice will not be given to the contact person or DER selected for Random testing.

The testing will be conducted during all hours and days when safety-sensitive duties are performed. Testing can occur during the beginning, middle, or end of an employee’s shift.

Random tests can be conducted at any time during an employee’s shift for drug testing. Alcohol random tests can only be performed just before, during, or just after the performance of a safety sensitive duty. However, under the employer’s authority, a non-DOT random alcohol test may be performed any time the covered employee is on duty.

In instances where a covered employee is not performing safety-sensitive functions for a period of 90 days or more regardless of reason, and is removed from the random testing pool during that time, the employee will be required to take a pre-employment drug test and have a negative test results prior conducting safety-sensitive functions.

Dilute Negative Test Results
40.197
The Medical Review Officer will require a recollection under direct observation if the creatinine level is greater than or equal to 2 mg/dl but less than or equal to 5 mg/dl based on the creatinine level found in the specimen.

Random testing will be conducted in accordance with procedures established in 49 CFR Parts 655 and 40, as amended.

655.46, 655.52 and 655.62 Return-to-duty Testing ATCOG will terminate the employment of any employee that tests positive or refuses to test as specified in this policy. However, in the rare event an employee is reinstated with court order or other action beyond the control of the transit agency, the employee must complete the return-to-duty process prior to the performance of safety-sensitive functions. All covered safety-sensitive employees (or applicants) who have previously tested positive or refused to take a drug or alcohol USDOT test shall be tested for prohibited drug and/or alcohol use before they return to duty to meet DOT requirements. It is a requirement for the employee to have an evaluation from the Substance Abuse Professional and documented evidence of completed treatment before a Return to Duty test may be completed.

Any employee who tests positive on an alcohol or drug test or has refused such testing must be evaluated by a Substance Abuse Professional (SAP) who shall determine what assistance the employee needs in resolving problems associated with alcohol or drug use.

Return-to-duty testing will be conducted in accordance with procedures established in 49 CFR Parts 655 and Part 40, or as amended.

655.47 Follow-up Testing: If allowed to return to duty, safety-sensitive employees shall be subject to unannounced follow-up testing for at least 12 but not to exceed 60 months. Follow-up testing is separate from and in addition to the random testing program. The employer is responsible for determining the unannounced dates for testing.

Rev 1-18
Follow-up testing will be conducted in accordance with procedures established in 49 CFR Parts 655 and 40, or as amended.

G. Drug Testing Procedures
Part 40 Subpart D & Subpart E
655.51
All collections of urine samples shall be according to the rules established by the Department of Health & Human Services and will be conducted in accordance with procedures established in 49 CFR Part 655 and 40, as amended.

The procedures will be performed in a private, confidential manner and every effort will be made to protect the employee, the integrity of the drug testing procedure and the validity of the test result.

The procedure:
- Donor identity is checked with a photo identification
- A urine specimen will be collected using the split specimen collection method described in 49 CFR Part 40 as amended.
- Each specimen will be accompanied by a DOT Custody and Control Form with a unique ID number for the specimen to the correct individual
- A DHHS certified laboratory will conduct the specimen analysis
- The initial test will be conducted on the primary urine specimen
- Non negative specimens will be confirmed by Gas Chromatography/Mass Spectrometry (GC/MS)
- A positive test result will be reported if the amounts of the drug and/or its metabolites identified by the GC/MS test are above the confirmation limits
- The MRO receives and reviews the test result from the certified lab
- The MRO ensures the validity of the test and determines whether there is a medical explanation for a confirmed positive, substitute or adulterated test result
- The MRO will attempt to contact the donor to verify a legitimate medical reason for the test result
- The test will be verified positive or refusal to test if there is not a legitimate medical reason for the result
- The test result will be reported.
• The DER or verified contact person will be notified immediately of the positive test result and documentation of time, date and name of person receiving the information will be made on the test result. The hard copy will be mailed.
• The test will be reported to the DER as a negative if there is a legitimate explanation for the result.
• A retest will be conducted under direct observation if the test is invalid without a medical explanation.

The collection site person and the employee shall be present at the same time during the following:

• The collection site person shall place securely on the bottle an identification label that contains the date, the individual’s specimen number, and any other identifying information provided or required by the employer. If separate from the label, the tamper-proof seal shall also be applied.

• The individual shall initial the identification label on the specimen bottle for the purpose of certifying that it is the specimen collection from the donor.

• The collection site person shall enter on the drug testing CCF form all information identifying the specimen. The collection site person shall sign the drug testing CCF form certifying that the collection was accomplished according to the applicable Federal requirements.

Confirmation Test
All specimens identified as positive on the initial test shall be confirmed using gas chromatography/mass spectrometry (GC/MS) techniques adhering to the most current DHHS cutoff levels or as amended.

Split Sample Testing
40.171

If the test result of the primary specimen is positive, the employee may request that the MRO direct that the split specimen be tested in a different DHHS certified laboratory for the presence of the drug(s) for which a positive result was obtained in the test of the primary specimen. The MRO shall honor such a request if it is made within 72 hours of the employee having been notified of a verified positive test result.

If the result of the test of the split specimen fails to reconfirm the presence of the drug(s) or drug metabolite(s) found in the primary specimen, the MRO shall cancel the test, and report the cancellation and the reasons for it to the DOT, the employer and the employee.

I. Alcohol Testing Procedures
655.33
Employees are prohibited from consuming alcohol while on call. Employees will be given the opportunity to acknowledge the use of alcohol and the inability to perform safety sensitive functions.

655.35, 655.62
Consequences of a positive alcohol test:
A test result of 0.02 or above, but less than 0.04 will require temporary removal from safety sensitive duties until the next shift, but not less than 8 hours; or temporary removal from safety sensitive duties until the verified alcohol concentration is less than 0.02. Employees will be immediately removed from safety sensitive duties if their breath alcohol test is 0.04 or above and referred to a list of Substance Abuse Professionals.

655.31 & Part 40 Subpart J

Rev 1-18
All alcohol testing shall be performed according to the rules established by the Department of Health & Human Services and will be conducted in accordance with procedures established in 49 CFR Parts 655 and 40. Testing must occur before, during or immediately after performing a safety-sensitive duty.

Breath Tests must be conducted by a Breath Alcohol Technician trained to operate a Evidential Breath Testing device (EBT). A list of approved EBTs can be found on ODAPC’s Web page for “Approved Evidential Breath Measurement Devices”.

Alcohol screening tests may be performed with alcohol screening devices found on ODAPC’s Web page for “Approved Screening Devices to Measure Alcohol in Bodily Fluids”.

Alcohol Testing Form
Part 40.225 and 40.227

The alcohol testing form must comply with the provisions as contained in 49 CFR Part 40, or as amended, with regard to the information that must be contained on the form. The form must address the specific requirements contained in 49 CFR Part 40. The form may not be modified or revised.

Screening Test Procedures
655.48 & 40 Subpart L

The procedure will follow the guidelines of Part 40.241 through 40.247.

If the result of the screening test is less than 0.02, the BAT shall date the form and sign the certification. If the test is equal to or above 0.02 the employee must sign step 4 to acknowledge that he has seen the test result. A confirmation test must then be taken.

Confirmation Test Procedures
655.48 & Part 40 Subpart M

The procedure must follow the guidelines of Part 40.251 through 40.255.

The BAT shall transmit all alcohol testing results to the Designated Employee Representative (DER) in a confidential manner. All communications by BATs shall be to the DER only and may be provided in writing, in person, or by telephone or electronic means. The BAT shall ensure that immediate transmission of test result to THE TRANSIT AGENCY is conducted in order for THE TRANSIT AGENCY to prevent the employee from performing any covered functions if necessary.

If the screening test is performed with a DOT approved saliva test and requires a Breath Alcohol confirmation test, the supervisor on duty will immediately accompany the donor to the nearest facility with an approved EBT and a BAT to administer the test.
Refusal to Test and Uncompleted Tests

**655.49 & Part 40 Subpart N**

Refusal to test includes:

- Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer.
- Fail to remain at the testing site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test has not refused to test.
- Fail to attempt to provide a breath or urine specimen. An employee who does not provide a urine or breath specimen because he or she has left the testing site before the testing process commenced for a pre-employment test has not refused to test.
- In the case of a directly-observed or monitored urine drug collection, fail to permit monitoring or observation of your provision of a specimen.
- Fail to provide a sufficient quantity of urine or breath without a valid medical explanation.
- Fail or decline to take a second test as directed by the collector or the employer for drug testing.
- Fail to undergo a medical evaluation as required by the MRO or the employer's Designated Employer Representative (DER).
- Fail to cooperate with any part of the testing process.
- Fail to follow an observer's instructions to raise and lower clothing and turn around during a directly-observed test.
- Possess or wear a prosthetic or other device used to tamper with the collection process.
- Admit to the adulteration or substitution of a specimen to the collector or MRO.
- Refuse to sign the certification at Step 2 of the Alcohol Testing Form (ATF).
- Fail to remain readily available following an accident.

As a covered employee, if the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test.

**J. Education and Training**

**655.14**

Every covered employee will receive a copy of this policy and will have ready access to the corresponding federal regulations including 49 CFR Parts 655 and 40, as amended.

In addition, all covered employees will undergo a minimum of 60 minutes of training on the signs and symptoms of drug use including the effects and consequences of drug use on personal health, safety, and the work environment. The training also includes manifestations and behavioral cues that may indicate prohibited drug use.

In addition, all supervisory personnel shall receive an additional minimum of one hour's education and training on the manifestations of and the behavioral, physical and performance indicators that may indicate drug use and an additional minimum of one hour's education and training on the manifestations of and the behavioral, physical and performance indicators that may indicate alcohol misuse.

Transit Agency officials other than supervisors may also make reasonable suspicion determinations as long as they have received reasonable suspicion training.
K Education
655.14

The following information is to be used for the education of all employees in the manifestations and behavioral cues that may indicate prohibited drug use.

Types and Effects of Drugs

Cocaine (Stimulants/Uppers)

Signs and Symptoms

Physical
- Congested nose as if a common cold
- Mood swings
- Superabundant energy
- Hyperactivity
- Extended wakefulness
- Loss of appetite
- Difficulty in concentration
- Dilated pupils and vision problems
- High blood pressure, chest pains with palpitations
- Excessive sweating
- Vomiting, stomach cramps
- Irritability, anxiety, apprehension

Withdrawal Symptoms
- Apathy
- Long periods of sleep
- Irritability
- Depression
- Disorientation

Work Related
- Isolation and withdrawal from others
- Excess absences
- Poor work product
- Financial problems
- Secretive behavior

Amphetamines (Stimulant)

Signs and Symptoms
- Sweating
- Dilated pupils
- Restlessness
- Panic
Withdrawal Symptoms
- Apathy
- Long periods of sleep
- Depression
- Disorientation

Work Related
- Avoids others
- Excessive absences
- Financial problems
- High rate of accidents

Opioids (Narcotic) Signs and Symptoms
- Constricted pupils
- Euphoria
- Respiratory depression
- Slow mental functions
- Drowsiness
- Nausea

Withdrawal Symptoms
- Watery eyes
- Runny nose
- Loss of appetite
- Tremors
- Panic
- Cramps and nausea
- Chills and sweating

Work Related
- Financial problems
- Excessive absences
- High rate of accidents
- Avoids others

PCP (Hallucinogens)
Phencyclidine

Signs and Symptoms
- Dilated pupils
- Illusions
Withdrawal Symptoms
- None known

Work Related
- Financial problems
- Cannot understand instructions
- Avoids others
- Excessive absences

Marijuana (Hallucinogen and/or Depressant)

THC

Signs and Symptoms

Low doses
- Bloodshot eyes (often masked by eye drops)
- Distinctive odor on clothing
- Lack of motivation
- Restlessness
- Increased sense of well being
- Dreamy state of relaxation
- Frequently hungry, especially for sweets

High doses
- Bloodshot eyes
- Distinctive odor on clothing
- Lack of motivation
- Rapidly fluctuating emotions
- Impaired memory
- Loss of personal identity

Withdrawal Symptoms
- Insomnia
- Hyperactivity
- Decreased Appetite

Work Related
- Isolation and withdrawal from others
- Excess absences
- Financial problems

Effects of Alcohol

Alcohol is a non-illegal drug that has been consumed throughout the world for centuries. It is considered a
recreational beverage when consumed in moderation for enjoyment during social gatherings. However, when consumed primarily for its physical and mood altering effects, it is a substance of abuse. As a depressant, it slows down physical response and progressively impairs mental functions.

Signs and Symptoms of Use

- Dulled mental process
- Lack of coordination
- Odor of alcohol on breath
- Possible constricted pupils
- Sleepy or stuporous condition
- Slowed reaction time
- Slurred speech

Health Effects

The chronic consumption of alcohol (average of three servings per day of beer (12 ounces), whiskey (1 ounce), or wine (6 ounce glass) over time may result in the following health hazards:

- Decreased sexual functioning
- Dependency
- Fatal liver diseases
- Increased cancers of the mouth, tongue, pharynx, esophagus, rectum, breast, and malignant melanoma
- Kidney disease
- Pancreatitis
- Spontaneous abortion and neonatal mortality
• Ulcers
• Birth defects (up to 54% of all birth defects are alcohol related)
• Forty percent of family court cases are alcohol problem related
• Alcoholics are 15 times more likely to commit suicide than are other segments of the population
• More than 60 percent of burns, 40 percent of falls, 69 percent of boating accidents, and 76 percent of private aircraft accidents are alcohol related

L. Positive Test/Refusal To Test
655.61, 655.62

A positive drug/alcohol test, or refusal to test is a violation of THE TRANSIT AGENCY’s policy and FTA regulations. The employee will immediately be removed from safety-sensitive duties and will be provided with a list of USDOT qualified SAPs.

A safety-sensitive or non-safety-sensitive employee who refuses to submit to a drug and/or alcohol test, will be considered to have failed the test. Failure to comply with request for drug/alcohol testing will result in disciplinary action including termination.

THE TRANSIT AGENCY employees with positive drug/alcohol screens will be informed in a meeting with their supervisor and/or department manager. If the employee is a member of a union, a Union Representative may be present, if requested by the employee.

M. Reference List for Employee Assistance Program
655.53

The following resources are available to employees of THE TRANSIT AGENCY. These facilities have qualified Substance Abuse Professionals on staff that may be used in evaluating and resolving problems associated with the misuse of alcohol and use of controlled substances. The SAP must follow guidelines according to Part 40 Subpart 0.

The DAPM or DER will confirm that the facility has a specific name of a Substance Abuse Professional to use as a reference for the employee.
American Substance Abuse Professionals (ASAP) 888-792-2727
www.SAPlist.com
www.SAPreferralservice.com

N. Record Keeping
655.71

The DER shall maintain all drug and alcohol testing results in secured files that will be separate from personnel files and medical records. Only the DER, and those personnel who are authorized by the DER to be directly involved in the drug testing program, will have access to the secured files.

Records shall be maintained:
Five years - Records of non-negative drug or alcohol test
<table>
<thead>
<tr>
<th>Timeframe</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Two years</td>
<td>Records related to the collection process and employee training</td>
</tr>
<tr>
<td>One year</td>
<td>Records of negative drug and alcohol test results</td>
</tr>
<tr>
<td></td>
<td>Documentation of refusals to test</td>
</tr>
<tr>
<td></td>
<td>Referrals to the SAP</td>
</tr>
<tr>
<td></td>
<td>Annual MIS reports</td>
</tr>
</tbody>
</table>
Types of Records:
- Records related to the collection process
- Test result records
- Records of employee training

655.72 An employee is entitled, upon written request, to obtain copies of any records pertaining to his or her use of alcohol or controlled substances, including any records pertaining to his/her alcohol or controlled substances tests. THE TRANSIT AGENCY shall promptly provide the records requested by the employee. Records may be released to other authorized persons only as directed by law or written consent of the employee.

Monitoring Program

THE TRANSIT AGENCY shall audit all contractor drug and alcohol testing programs to determine compliance. Auditing may occur by (but is not limited to):

- Require an affidavit of compliance from the contractor
- Review the contractor's Drug and Alcohol testing program
- Require the contractor to allow access to property and records by THE TRANSIT AGENCY, the DER's Auditor and any federal or state official as required by the regulations

O. Personnel and Services

- **Consortium Information**
  
  Allied Compliance Services, Inc.
  
  2827 74'h Street
  
  Lubbock, TX 79423
  
  806.748.1120
  
  Fax 806.748.7096
  
  1-800-411-6906

- Laboratory Information – DHHS Certified laboratories list attached
  
  MedTox
  
  402 W County Rd D
  
  St. Paul, MN 55112
  
  800.832.3244
  
  Or any DHHS certified laboratory ACS assigns as recipient for specimens

- Medical Review Officer- Effective 11-3-06
  
  Dr. Neil J. Dash
  
  D.R.S.
  
  546 Franklin Ave.
  
  Massapequa, NY 11758
  
  PH 800-343-1221 FX 516-797-1293

- Collection Facility
  
  On site at each agency location
  
  Qualified local clinic collection site

Rev 1-18
P. Forms

(1) Policy Acknowledgment
To be signed by each regulated employee stating that he/she has read and understands the Drug and Alcohol Testing Policy of THE TRANSIT AGENCY.

(2) Drug & Alcohol Testing Notification
To be given to employee when he/she is notified of a required drug and/or alcohol test.

(3) Employee Add or Delete Form
This form must be completed and sent to Allied Compliance Services, Inc.® as soon as an employee is added to or deleted from a covered position to maintain the integrity of the pool.

(4) Pre-employment Drug Test Acknowledgement
Must be completed by each prospective employee prior to pre-employment drug test.

- Emergency room at each local community hospital facility for after hours or as needed.
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<table>
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<tbody>
<tr>
<td><strong>(5) Drug Tests Results</strong></td>
<td>Use by the DER to inform employees of test results</td>
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<tr>
<td><strong>(6) Reasonable Suspicion Record</strong></td>
<td>Must be completed by a supervisor who suspects alcohol misuse or use of controlled substances before requiring a reasonable suspicion test</td>
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<tr>
<td><strong>(7) Release of Records Consent</strong></td>
<td>Must be completed by employee with the employee signature and witness signature</td>
</tr>
<tr>
<td><strong>(8) SAP Request</strong></td>
<td>Must be completed by employer and signed by employee</td>
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<tr>
<td><strong>(9) SAP Release</strong></td>
<td>Must be completed by SAP and sent to employer</td>
</tr>
<tr>
<td><strong>(10) Collection Site Form</strong></td>
<td>Send a copy with the Donor to the collection site to ensure correct type of test to be done, fax a copy to ACS and keep a copy for your documentation of the request</td>
</tr>
</tbody>
</table>
Policy Acknowledgment

THE TRANSIT AGENCY does not approve of or allow the use of illegal drugs and/or the use of alcohol while performing the duties of THE TRANSIT AGENCY.

In an effort to provide a safe and healthful work environment and to comply with the U. S. Department of Transportation 49 CFR Part 655, THE TRANSIT AGENCY has implemented a Drug and Alcohol Testing Program.

This program will include, but is not limited to:

- Supervisor Training
- Employee Education
- Pre-employment Drug Testing
- Random Drug and Alcohol Testing
- Post Accident Drug and Alcohol Testing
- Reasonable Suspicion Drug and/or Alcohol Testing
- Return to Duty Testing
- Follow-up Testing

A copy of the complete policy and procedures for this program is made available to all employees covered by this policy. These employees include all persons who meet the requirements of 49 CFR Part 655 and Part 40.

________________________________________
Employee name - print

________________________________________
Employee Signature

By signing this document I am stating that I have been given and understand the drug and alcohol policy of THE TRANSIT AGENCY.
Drug & Alcohol Testing Notification

Has been selected for a urine drug screen and/or alcohol test. The testing procedures to be followed are in accordance with the U.S. Department of Transportation, Federal Transit Administration regulations. They are designed to ensure accuracy while protecting your rights to privacy. Failure to cooperate will deem you disqualified to perform covered duties for this company. This fact sheet was developed to advise you of your responsibilities as mandated in 49 CFR Part 40 and to help you prepare for the procedure.

Type of Test Required: Drug Screen ___________ Alcohol

Reason for Test: Pre-employment ____ Random _____ Post Accident _____ Return to Duty
Follow-up ______ Reasonable Suspicion/Cause ______ DOT Physical ________Other

Reminder: Make sure to have official photo identification, such as driver license, with you when you report to the specimen collection site.

1. Report to: ________________________________
   (Collection Site) ________________________________
   (Address) ________________________________
   Date ________________________________
   Time: ________________________________

2. Present your photo ID to the collection site staff.
3. Check your outer garments, briefcase, etc. with the collection site staff for safekeeping. You may retain your wallet. You have the right to request a receipt for your belongings.
4. Wash and dry hands.
5. Select a fresh specimen container from the collector.
6. Proceed to the private enclosure and provide a urine specimen into the container. At least 48ml are required. If you have a problem providing an adequate sample, you may be asked to drink fluids to induce urination. Do not attempt to tamper with or substitute the specimen. It will be visually inspected and its temperature will be measured. If the staff suspects tampering, you may be required to provide a second sample under direct observation.
7. Give the specimen container to the collector, making certain that it is kept in view at all times until it is officially sealed and labeled.
8. Observe the sealing and labeling. Initial and date the label.
9. You will be given a multi-part form called the "Custody and Control Form".
   • Complete Step 5 on copy 2 and sign the form
   • Retain copy 5 for your records
   • You may wish to complete the back of copy 5 by indicating any medications you are currently using.

Once the laboratory analyzes the specimen and the Medical Review Officer (MRO) reviews the findings you will be notified of the results.

Alcohol test protocol: Verbal directions will be given by the technician at the time of all alcohol testing to meet Part 40 requirements.

Allied Compliance Services, Inc.®
800.411.6906
Form 2

Rev 1-18
Add / Delete Form

Date: ____________________

Company Name: ___________________________________________________________

Contact Person: ___________________________________________________________

Add the following employees to the Random Testing Program
(All employees added to the Random Program throughout the year must have a pre-employment test on file)

<table>
<thead>
<tr>
<th>Name of Employee</th>
<th>Employee ID # (SS# Number)</th>
<th>Job Description</th>
<th>TDLR</th>
<th>Non-Reg</th>
<th>DOT</th>
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Delete the following employees from the Random Testing Program
(Caution! These employees will be permanently deleted; a pre-employment test will be required to add back to program)

<table>
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<tr>
<th>Name of Employee</th>
<th>Employee ID # (SS#)</th>
<th>Job Description</th>
<th>TDLR</th>
<th>Non-Reg</th>
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</table>

Authorized signature required

Return completed form to: Allied Compliance Services, Inc.
2827 74th Street
Lubbock, TX 79423
PH: 800-411-6906 FAX: 806-748-7096
Email - atnelia@alliedcompliance.com
Pre-employment Drug Test Acknowledgement

I understand that as required by the Federal Transit Administration Regulation, Title 49 Code of Federal Regulations, Section 655, all applicants of this Transit Agency must be tested for controlled substances as a pre-condition for employment.

I acknowledge the requirement for the urine sample collection and testing for controlled substances.

I understand that a positive test result for controlled substances will render me disqualified for employment with this Transit Agency.

The Medical Review Officer will maintain the results of my test. Negative and positive results will be reported to the Transit Agency. If the results are positive, the controlled substance will be identified. The results will not be released to any other parties without my written authorization.

I understand the above conditions and hereby agree to comply with them.

(Applicant's Name - print) (Month) (Day) (Year)

(Applicant's Signature)

Allied Compliance Services, Inc.
800.411.6906
Form 4
Drug Test Results

The controlled substance testing regulations require notification of an employee's positive test result following a random, reasonable suspicion, or post-accident drug test. In the case of pre-employment drug test, an applicant requesting results within 60 days of notification of the disposition of his or her employment application must be notified of the results by the Transit Agency.

Employer - Complete the following:

(Name of Employee - Print) (Month) (Day) (Year)

Type of Test: __ Pre-employment __ Random

_ Reasonable Suspicion __ Post-accident

Test Results: _ Negative __ Positive

If the employee has tested positive, indicate the drug identified:

__ Marijuana __ Cocaine __ Opioids

__ Amphetamines __ Phencyclidine (PCP)

I have received the above results.

(Employee's Signature) (Month) (Day) (Year)

Witnessed by:

(Signature of Employer) (Month) (Day) (Year)

(Title)

Allied Compliance Services, Inc.

800.411.6906

Form 5
Reasonable Suspicion Documentation

(Employee Name) (Employee ID or SSN)

(Date observed) (Time observed)

(Location of Incident)
Reasonable Suspicion testing is required by 49 CFR Part 655 and 40 when a supervisor, who has been trained in accordance with 49 CFR Part 655 and 40, has a reasonable suspicion of alcohol misuse or use of a controlled substance. Observations must be specific, contemporaneous and articulable. Observations may include indications of chronic and withdrawal effects of controlled substances. Observations of alcohol misuse must be made just before, during, or just after the driver's performance of a safety-sensitive function. All alcohol tests must be administrated within 8 hours following a reasonable suspicion determination. (If not administered within 2 hours, document why.) This record should be kept in a Confidential DOT Drug and Alcohol Testing File.

Reasonable Suspicion determined for: ________Alcohol _______ Controlled Substances

Give Specific descriptions of each that apply

1. Appearance: ______________________________________________________

2. Behavior: ______________________________________________________

3. Speech: ______________________________________________________

4. Body Odors: ____________________________________________________

5. Indications of the chronic and withdrawal effects of controlled substances: ___ Yes ___ No
   If yes, explain: __________________________________________________

6. Other observations for Reasonable Suspicion:
   ________________________________________________________________

Observations made by: ____________________________ (Signature) _____________ (Date)

Allied Compliance Services, Inc.
800.411.6906
Form 6
Referral Form to a Substance Abuse Professional

I acknowledge that I have received a referral for a Substance Abuse Professional as required by the Department of Transportation Title 49 CFR Part 40 regulations and as adopted by the Drug and Alcohol Testing Policy of ____________________________ dated _____________.

The cost of this service will be borne by _____________________________.

Substance Abuse Professional referral:

Name _____________________________.

Address _____________________________.

Phone _____________________________.

I have received a copy of this referral

______________________________  ________________________________  __________
Print Employee Name           Employee Signature            Date

______________________________
Print Company Representative Name

______________________________  ________________________________  __________
Print Employee Name           Employee Signature            Date

Additional Substance Abuse Professional referral:

Name _____________________________.

Address _____________________________.

Phone _____________________________.

I have received a copy of this referral

______________________________  ________________________________  __________
Print Employee Name           Employee Signature            Date

______________________________
Print Company Representative Name

______________________________  ________________________________  __________
Print Company Representative Name

Allied Compliance Services, Inc.®
800.411.6906
Form 8

Rev 1-18
Allied Compliance Services, Inc.®
Collection Site Request to Test

951 West Pipeline Road, Suite 320
Hurst, Texas 76053
P 817-589-9998  F 817-589-0809

2827 74th Street
Lubbock, Texas 79423
P 806-748-1120  F 806-748-7096

TOLL FREE: 1-800-411-6906  email: mail@alliedcompliance.com
Office Hours: Monday – Friday (open through lunch) 8:00 AM - 5:00 PM

• Please fax or email completed form to Allied Compliance Services, Inc. at the time the donor is notified to take a test. Fax 806-748-7096 This information will help us report your test results more efficiently.

• Please send this form with the donor to the collection site to ensure accurate testing.

Date of Test(s) ___________  Donor Notification Date ___________  and Time ___________ AM PM

Name of Collection Site ________________________________________________________________

City ___________________________  State ___________________________

Company Name ________________________________

Authorized by ______________________ (Print Name of DER) __________________________ (Signature of DER)

Donor’s SSN or ID# ___________________________  Donor’s Name ________________________________

Use ACS chain of custody on file at your collection site __  Donor will have chain of custody ___  Alter chain of custody to match attached example

Request for FEDERAL Collection:

Check FEDERAL DOT Mode:  ___ FAA ___ FMCSA ___ FRA ___ FTA ___ PHMSA ___ USCG

Check test(s) to be performed:  ___ DOT U/A Drug Test ___ DOT Alcohol Test

Check reason to test:  ___ Pre-employment ___ Random ___ Reasonable Cause ___ Post Accident

___ Return to Duty--MUST BE OBSERVED ___ Follow-up--MUST BE OBSERVED

Request for NON-FEDERAL Collection:  Non-Federal  TDLR

Check test(s) to be performed:  ___ U/A Lab Test ___ U/A Instant Screening Test ___ Alcohol Test

___ Hair Test ___ Saliva Test ___ Other (Specify) __________________________

Check reason to test:  ___ Pre-employment ___ Random ___ Reasonable Cause ___ Post Accident

___ Return to Duty ___ Follow-up ___ Annual ___ Other (Specify) ____________________________

Please fax this form to Allied Compliance Services, Inc.®. Fax 806-748-7096
This information will help us report your test results more efficiently.
Questions? Call us TOLL FREE 1-800-411-6906
RESOLUTION NO.  BD15-041


WHEREAS, under Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 and Title IV of the Intergovernmental Cooperative Act of 1968, the Ark-Tex Council of Governments has been designated as the area wide agency to review certain applications for which federal financial assistance is requested; and

WHEREAS, it is desirable and in the public interest that certain development plans be reviewed by the Ark-Tex Council of Governments for their consistency with the overall development of the Region.

NOW, THEREFORE, BE IT RESOLVED BY THE ARK-TEX COUNCIL OF GOVERNMENTS:

Section 1 - That the annual adoption of the ATCOG RTD Drug & Alcohol Policy and Procedures Manual with updates as mandated by the Federal Transit Administration and the Texas Department of Transportation as specified by the Code of Federal Regulations can reasonably be expected to become part of the overall regional plan.

Section 2 - That the above mentioned improvements are desirable and urgently needed for public safety and welfare.

Section 3 - That this Resolution shall be in effect immediately upon adoption.

REVIEWED AND APPROVED THIS 24th DAY OF SEPTEMBER, 2015.

L.D. Williamson, President
Ark-Tex Council of Governments

ATTEST:

[Signature]

48
Policy Acknowledgement

The drug and alcohol policy for the Ark-Tex Council of Governments Drug & Alcohol Testing Policy & Procedures has been revised on page 15, Section, Dilute Negative Test Results 40.197 as follows:

Dilute Negative Test Result

40.197

The Medical Review Officer will required a recollection under direct observation if the creatinine level is >2mg/dl but <5mg/dl based on the creatinine level found in the specimen.

If the creatinine level is >5 mg/dl, a recollection is not required by the Agency for a negative dilute test and the test will be considered a negative result. No additional testing will be required unless directed to do so by the MRO.

________________________________________
Employee name-Print

________________________________________
Employee Signature

By signing this document I am stating that I have been given and understand the change to the drug and alcohol policy of the Transit Agency.

Revised 8/26/2015
RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS (ATCOG) BOARD OF DIRECTORS ON THE ANNUAL ADOPTION OF THE ATCOG RURAL TRANSIT DISTRICT (RTD) DRUG AND ALCOHOL TESTING POLICY PROGRAM MANUAL AS MANDATED BY THE FEDERAL TRANSIT ADMINISTRATION AND THE TEXAS DEPARTMENT OF TRANSPORTATION AS SPECIFIED BY THE CODE OF FEDERAL REGULATIONS.

WHEREAS, under Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 and Title IV of the Intergovernmental Cooperative Act of 1968, the Ark-Tex Council of Governments has been designated as the area wide agency to review certain applications for which federal financial assistance is requested; and

WHEREAS, it is desirable and in the public interest that certain development plans be reviewed by the Ark-Tex Council of Governments for their consistency with the overall development of the Region.

NOW, THEREFORE, BE IT RESOLVED BY THE ARK-TEX COUNCIL OF GOVERNMENTS:

Section 1 - That the annual adoption of the ATCOG RTD Drug & Alcohol Policy and Procedures Manual with updates as mandated by the Federal Transit Administration and the Texas Department of Transportation as specified by the Code of Federal Regulations can reasonably be expected to become part of the overall regional plan for Fiscal Year 2015.

Section 2 - That the above mentioned improvements are desirable and urgently needed for public safety and welfare.

Section 3 - That this Resolution shall be in effect immediately upon its execution.

REVIEWED AND APPROVED THIS 25th DAY OF SEPTEMBER, 2014.

______________________________ Original signed
Charles McMichael, President
Ark-Tex Council of Governments

ATTEST:
RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS (ATCOG) BOARD OF DIRECTORS ON THE AMENDMENT TO THE ATCOG RURAL TRANSIT DISTRICT (RTD) DRUG AND ALCOHOL TESTING POLICY AND PROCEDURES MANUAL AS MANDATED BY THE FEDERAL TRANSIT ADMINISTRATION AND THE TEXAS DEPARTMENT OF TRANSPORTATION AS SPECIFIED BY THE CODE OF FEDERAL REGULATIONS.

WHEREAS, under Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 and Title IV of the Intergovernmental Cooperative Act of 1968, the Ark-Tex Council of Governments has been designated as the area wide agency to review certain applications for which federal financial assistance is requested; and

WHEREAS, it is desirable and in the public interest that certain policies and procedures be reviewed by the Ark-Tex Council of Governments for their compliance with Federal Regulations, Title 49 Code of Federal Regulation Part 655 and Part 40.

NOW, THEREFORE, BE IT RESOLVED BY THE ARK-TEX COUNCIL OF GOVERNMENTS:

Section 1 - That the amendment of the ATCOG RTD Drug & Alcohol Policy and Procedures Manual with updates as mandated by the Federal Transit Administration and the Texas Department of Transportation as specified by the Code of Federal Regulations can reasonably be expected to become part of the overall regional plan.

Section 2 - That the amendments are required to ensure the safe operation of the Rural Transit District’s services.

Section 3 - That this Resolution shall be in effect immediately upon adoption.

REVIEWED AND APPROVED THIS 25th DAY OF JANUARY, 2018.

L.D. Williamson, President
Ark-Tex Council of Governments

ATTEST:
ACKNOWLEDGEMENT
OF
EMPLOYER’S DRUG AND ALCOHOL TESTING POLICY

I, ___________________________________________, the undersigned, hereby

Print Full Name

acknowledge that I have received a copy of the addendum to the anti-drug and alcohol misuse program policy mandated by the U.S. Department of Transportation, Federal Transit Administration for all covered employees who perform a safety-sensitive function. This addendum addresses the changes effective January 1, 2018 to the DOT drug testing panel to include testing for four semi-synthetic opioids. I understand this policy is required by 49 CFR Part 655, as amended, and has been duly adopted by the governing board of the employer. Any provisions contained herein which are not required by 49 CFR Part 655, as amended, that have been imposed solely on the authority of the employer are designated as such in the policy document.

I further understand that receipt of the addendum to this policy constitutes a legal notification of the contents, and that it is my responsibility to become familiar with and adhere to all provisions contained therein. I will seek and get clarification for any questions concerning the provisions contained in the policy. I also understand that compliance with all provisions contained in the policy is a condition of employment.

I further understand that the information contained in the approved policy dated April 2014, is subject to change, and that any such changes, or addendum, shall be disseminated in a manner consistent with the provision of 49 CFR Part 655, as amended.

__________________________________________  _____________
Signature of Employee                              Date
The United States Department of Transportation (USDOT) – Office of Drug and Alcohol Policy and Compliance (ODAPC) has issued an update to USDOT’s drug and alcohol testing regulation (49 CFR Part 40). The new regulation has been revised and the changes (summarized below) will become effective on January 1, 2018. Therefore, the Ark-Tex Council of Governments drug and alcohol testing policy is amended as follows:

1. **CHANGES TO THE DRUG TESTING PANEL**
   a. Four new opioids added to the drug testing panel –
      i. The USDOT drug test remains a “5-panel” drug test; however, the list of opioids for which are tested will expand from three to seven opioids.
      ii. The “opioid” category will continue to test for codeine, morphine, and heroin; however, the “opioid” testing panel will now be expanded to include four (4) new semi-synthetic opioids:
         1. (1) Hydrocodone, (2) Hydromorphone, (3) Oxycodone, and (4) Oxymorphone.
         2. Common brand names for these semi-synthetic opioids include, but may not be limited to: OxyContin®, Percodan®, Percocet®, Vicodin®, Lortab®, Norco®, Dilaudid®, Exalgo®.
   b. ‘MDA’ will be tested as an initial test analyte
   c. ‘MDEA’ will no longer be tested for under the “amphetamines” category.

2. **BLIND SPECIMEN TESTING**
   a. The USDOT no longer requires blind specimens to be submitted to laboratories.

3. **ADDITIONS TO THE LIST OF “FATAL FLAWS”**
   a. The following three circumstances have been added to the list of “fatal flaws”:
      i. No CCF received by the laboratory with the urine specimen.
      ii. In cases where a specimen has been collected, there was no specimen submitted with the CCF to the laboratory.
      iii. Two separate collections are performed using one CCF.
4. **MRO VERIFICATION OF PRESCRIPTIONS**

a. When a tested employee is taking a prescribed medication, after verifying the prescription and immediately notifying the employer of a verified negative result, the MRO must then (after notifying the employee) wait five (5) business days to be contacted by the employee's prescribing physician before notifying the employer of a medical qualification issue or significant safety risk.

   i. Specifically, in cases where an MRO verifies a prescription is consistent with the Controlled Substances Act, but that the MRO has still made a determination that the prescription may disqualify the employee under other USDOT medical qualification requirements, or that the prescription poses a significant safety-risk, the MRO must advise the employee that they will have five (5) business days from the date the MRO reports the verified negative result to the employer for the employee to have their prescribing physician contact the MRO. The prescribing physician will need to contact the MRO to assist the MRO in determining if the medication can be changed to one that does not make the employee medically unqualified or does not pose a significant safety risk. If in the MRO's reasonable medical judgment, a medical qualification issue or a significant safety risk still remains after the MRO communicates with the employee's prescribing physician, or after five (5) business days, whichever is shorter, the MRO must communicate this issue to the employer consistent with 49 CFR Part 40.327.

5. **DEFINITIONS**

a. The term **"DOT, the Department, DOT Agency"**

   i. Modified to encompass all DOT agencies, including, but not limited to, FAA, FRA, FMCSA, FTA, PHMSA, NHTSA, Office of the Secretary (OST), and any designee of a DOT agency.

   ii. For the purposes of testing under 49 CFR Part 40, the USCG (in the Department of Homeland Security) is considered to be a DOT agency for drug testing purposes.

b. The term **"Opiate"** is replaced with the term **"Opioid"** in all points of reference.
c. The definition of “Alcohol Screening Device (ASD)” is modified to include reference to the list of approved devices as listed on ODAPC’s website.

d. The definition of “Evidential Breath Testing Device (EBT)” is modified to include reference to the list of approved devices as listed on ODAPC’s website.

e. The definition of “Substance Abuse Professional (SAP)” will be modified to include reference to ODAPC’s website. The fully revised definition includes:
   i. A licensed physician (medical doctor or doctor of osteopathy) or licensed or certified psychologist, social worker, employee assistance professional, state-licensed or certified marriage and family therapist, or drug and alcohol counselor (certified by an organization listed at https://www.transportation.gov/odapc/sap) with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol related disorders.

NOTE: The revisions listed in this addendum include only those revisions to 49 CFR Part 40 which may be referenced in our drug & alcohol testing policy. A list of all the revisions made to 49 CFR Part 40 can be found at https://www.transportation.gov/odapc.

Addendum Authorization Date: December 27, 2017

Authorized Official (Printed Name): Chris Brown, Executive Director

Signature: [Signature]
DOT Drug Testing: Part 40 - Employee Notice

This is a reminder that the U.S. Department of Transportation (DOT) drug testing program will soon require testing for four semi-synthetic opioids (i.e., hydrocodone, oxycodone, hydromorphone, oxymorphone). The change is effective January 1, 2018.

What does this mean for the employees?

Beginning January 1, 2018, in addition to the existing DOT drug testing panel (that includes marijuana, cocaine, amphetamines, phencyclidine (PCP), and opiates), you will also be tested for four semi-synthetic opioids (i.e., hydrocodone, oxycodone, hydromorphone, oxymorphone). Some common names for these semi-synthetic opioids include OxyContin®, Percodan®, Percocet®, Vicodin®, Lortab®, Norco®, Dilaudid®, Exalgo®.

If you test positive for any of the semi-synthetic opioid drugs, then as with any other drug test result that is confirmed by the laboratory, the Medical Review Officer (MRO) will conduct an interview with you to determine if there is a legitimate medical explanation for the result. If you have a valid prescription, you should provide it to the MRO, who will determine if the prescription is valid. If a legitimate medical explanation is established, the MRO will report the result to your employer as a ‘negative’. If not, the MRO will report the result to your employer as ‘positive’.

As it has been the requirement in the past, when your employer receives a ‘positive’ drug test result, your employer is to immediately remove you from performing safety-sensitive functions and provide you with a list of qualified Substance Abuse Professionals (SAP) available in your area. In order to return to performing safety-sensitive functions for any DOT-regulated employer, you must complete the return-to-duty process that will include an evaluation by a SAP, who will require education and/or treatment. The SAP will determine if you successfully completed the prescribed education and/or treatment. Before an employer could return you to safety-sensitive work, the employer must get a negative result on a directly observed return-to-duty drug test. After you return to safety-sensitive work, you must be subject to directly observed follow-up testing for 12-60 months depending on the SAP’s recommendations.

Do I need to tell anyone about my prescribed medications?

Your employer may have a policy that requires you to report your prescribed medications to them. So check with your employer. If your job function has DOT-regulated medical standards (truck/bus driver, airline pilot, mariner), the DOT agency regulation may require you to report your prescribed medications to those who approved your medical qualifications.
What should I tell my prescribing physician?

If you are taking any prescription medications, consider this to be a reminder to have a conversation with your prescribing physician to discuss your safety-sensitive work. Be proactive in ensuring that your prescribing physician knows what type of transportation-related safety-sensitive work you currently perform. For example, don’t just provide a job title but describe your exact job function(s) or ask your employer for a detailed description of your job function that you can give to your prescribing physician. This is important information for your prescribing physician to consider when deciding whether and what medication to prescribe for you. It is important for you to know whether your medications could impact your ability to safely perform your transportation-related work.

Will the MRO report my prescribed medication use/medical information to a third party?

Historically, the DOT’s regulation required the MRO to report your medication use/medical information to a third party (e.g. your employer, health care provider responsible for your medical qualifications, etc.), if the MRO determines in his/her reasonable medical judgement that you may be medically unqualified according to DOT Agency regulations, or if your continued performance is likely to pose a significant safety risk. The MRO may report this information even if the MRO verifies your drug test result as ‘negative’.

As of January 1, 2018, prior to the MRO reporting your information to a third party you will have up to five days to have your prescribing physician contact the MRO. You are responsible for facilitating the contact between the MRO and your prescribing physician. Your prescribing physician should be willing to state to the MRO that you can safely perform your safety-sensitive functions while taking the medication(s), or consider changing your medication to one that does not make you medically unqualified or does not pose a significant safety risk.

NOTE: This document informally summarizes some of the effects of recent changes to the Procedures for Transportation Workplace Drug and Alcohol Testing Programs that are important for transportation employees, but it should not be relied upon to determine legal compliance with those procedures.

December 11, 2017

[back to top of page]

Updated: Monday, December 11, 2017

Contact Us

Office of Drug & Alcohol Policy & Compliance
ITEM 8:

Review and consider approval of the appointment of one new member to the Area Agency on Aging Regional Advisory Council.

BACKGROUND:

The Area Agency on Aging is seeking approval by the Ark-Tex Council of Governments’ (ATCOG) Board of the appointment of one new member to fill a vacancy as the Hospital Representative for the Council.

DISCUSSION:

The appointee for the vacant Hospital Representative position is Ms. Tracie Smith with Titus Regional Medical Center who was nominated for appointment with a motion by Ruth Brown and seconded by Dorothy Young. Ms. Smith is the Marketing Director for Titus Regional Hospital and filled the vacant position of former RAC member Shannon Norfleet, previously with Titus Regional.

The appointment of Ms. Smith was approved by the Regional Advisory Council at the December 7, 2017, meeting. We are requesting approval by the ATCOG Board.

RECOMMENDATION:

Staff recommends approval of the appointee.
RESOLUTION

WHEREAS, Local units of government in the State of Texas are actively involved in providing their citizens with the Nationally recognized 9-1-1 Emergency Telephone Number System to assist in timely delivery of lifesaving public safety emergency response from law enforcement, fire and emergency medical, service agencies; and

WHEREAS, The highest quality Enhanced 9-1-1 and Next Generation 9-1-1 Systems rely upon geographically accurate addressing of residence and business buildings and road naming which are systematically documented by current mapping diagrams available to public and private providers of services; and

WHEREAS, The Regional 9-1-1 Program, coordinated for a nine county Northeast Texas area by the Ark-Tex Council of Governments, provides the rural addressing and 9-1-1 mapping in the region to ensure effective Enhanced 9-1-1 Service; and

WHEREAS, Benefits including monetary cost savings are known to accrue for a systematic addressed and currently mapped area for all providers of public safety as well as private sector services during times of emergency or of regular commerce; and

NOW, THEREFORE, BE IT RESOLVED THAT: The _______________ County Commissioners Court provides its wholehearted support to the Regional 9-1-1 Number System thorough the Ark-Tex Council of Governments Regional 9-1-1 Program to provide much needed rural addressing and mapping for its citizens.

APPROVED and ADOPTED on the _________ day of __________________, 2018.

ATTEST:

_________________________________  __________________________________
County Clerk                          County Judge
RESOLUTION

A RESOLUTION TO PROVIDE FOR THE DESIGNATION OF STRUCTURE ADDRESSING AND ROAD NAMING; TO PROVIDE FOR THE TYPES OF NUMBERS; TO PROVIDE FOR IMPLEMENTATION OF THE NUMBERING SYSTEM; TO PROVIDE EXEMPTIONS AND EXCLUSIONS; TO REQUIRE THE ASSIGNMENT OF STRUCTURE NUMBERS FOR NEW STRUCTURES, LOTS AND SUBDIVISIONS; TO PROVIDE FOR THE ASSISTANCE OF UTILITY COMPANIES IN REQUIRING COMPLIANCE; TO REQUIRE THAT COUNTY DEPARTMENTS ASSIST IN THE IMPLEMENTATION OF THE SYSTEM; TO PROVIDE PENALTIES FOR VIOLATIONS; TO PROVIDE AN EFFECTIVE DATE; TO REPEAL CONFLICTING RESOLUTIONS; AND FOR OTHER PURPOSES.

WHEREAS, ____________ County, Texas, is developing at a determined rate in all phases of construction; and

WHEREAS, ____________ County, Texas, does not now have a general county wide system of street numbers within its boundaries; and

WHEREAS, The United States Postal System has acknowledged the general acceptance of locational addressing systems nationally, and

WHEREAS, A county-wide system of structures numbers simplifies the location of a home, business, or industry for these aforementioned public safety services, utility services, private delivery services and the general public; and

THEREFORE, BE IT RESOLVED By the Commissioners Court of ____________ County, Texas, that:

ARTICLE I

1. Short Title

1.1 This Resolution shall be further referred to as the "Structure Numbering Resolution."

ARTICLE II

2. Designation of Street Names and Numbers

2.1 Streets and roads now being maintained by ____________ County and other public agencies within unincorporated ____________ County shall in the future be named and numbered as now designated on the Official Index for Structure Numbering Purposes.
2.2 In an effort to eliminate duplication, all new county and private street and road names within unincorporated _____________ County shall be approved by the _____________ County Commissioners Court regardless of maintenance authority;

2.3 County agrees to post road signs for both County and Private roads regardless of maintenance authority.

ARTICLE III

3. Designation of Structure Numbers

3.1 Structure numbers for dwelling, units, places or business, industrial locations and all other structures and uses requiring same within unincorporated _____________ County shall be assigned by The Ark-Tex Council of Governments Regional 9-1-1 Program in conjunction with the United States Postal Service System.

3.2 The Ark-Tex Council of Governments shall keep a record of all numbers assigned under this resolution. Such records shall be maintained in a data processing storage system.

ARTICLE IV

4. Posting of Designated Structured Numbers

4.1 If requested, the owner or occupant or person in charge of any dwelling unit, building or structure to which a number has been assigned shall be notified in writing by the implementing agency of the number assigned.

4.2 Within fifteen (15) days after receipt of such notification, the owner, occupant or persons in charge of any dwelling unit, building or structure to which a number has been assigned shall cause the same to be posted depending upon the following conditions:

4.2.1. On the structure front, if visible from the street, or on an above ground sign attached to a post or other object at the driveway or curb cut. The numbers shall be no less than five (5) inches in height and of a color contrasting with the background. This section does not prohibit an individual from numbering the front entrance of a structure.

4.2.2. In the case that a building is served by two or more driveways or curb cuts, the number shall be assigned and posted to the front entrance or driveway.
4.2.3. It shall be the duty of the owner, occupant or person in charge of the dwelling, unit, or structure, upon fixing the number assigned, to remove any different number which might be mistaken for or confused with the assigned number to the structure.

4.2.4. In such cases where the assigned number cannot be posted as required above, the number shall be posted by the owner, occupant or person in charge of the dwelling, unit, or structure as prescribed by the ______________ County Commissioners Court, after consultation with the owner, occupant or person in charge.

ARTICLE V

5. Existing Addresses

5.1 Because of the complex nature of ______________ County, and the existing numbering systems which may now be in place in some portions of unincorporated ______________ County, it shall be the policy of the ______________ County Commissioners Court to avoid changing existing numbered addresses if the existing system follows a logical and expandable order and can comply with requisites of the United States Postal Service and the Regional 9-1-1 Program.

ARTICLE VI

6. Exempt and Excluded Structures

6.1 The intent of this article is to exclude from this resolution, those structures which do not present endangerment to human life if destroyed by fire or other events.

6.2 The following structures shall be excluded from the provisions:

6.2.1 Agricultural buildings not requiring a separate mailing address such as a barn, poultry house, outbuilding or equipment storage building unless aforementioned structures require utility services.

6.2.2 Storage and accessory buildings for the use of the occupant on the same property.

6.3 Buildings used as dwelling units, offices, or the normal workstation of an employee shall not be exempt.
ARTICLE VII

7. New Structures and Lots

7.1 Structure numbers will be assigned to each new lot, tract or building site on the original drawings of a final subdivision plat, mobile (manufactured) home park plan, planned unit development or any other land following the required approval of the _______________ County Commissioners Court.

7.2 No building, electrical, plumbing, or mechanical permit for any new or remodeled or repaired structure will be issued by any department of the _______________ County government following the implementation of this resolution in the affected area of _______________ County until the owner, developer or builder has procured required Commissioners Court approval and an acceptable address from the Ark-Tex Council of Governments Regional 9-1-1 Program.

ARTICLE VIII

8. Utility Company Compliance

8.1 All utility services regulated by the Texas Public Utility Commission or any utility cooperative service organization, shall withhold service from any building as far as practical until the owner, occupant, person in charge or other requesting party has furnished the utility with a valid structure number.

ARTICLE IX

9. Implementation by County Commissioners Court

9.1 Every department and official under the jurisdiction of the _______________ County Commissioners Court shall not render any non- emergency service until the owner, occupant or requesting individual has provided a valid structure number as necessary. Non-emergency service includes any service provided by the _______________ County government except fire, rescue, and law enforcement or emergency medical service.

ARTICLE X

10. Penalties

10.1 Any person, corporation or enterprises who shall do anything prohibited by this resolution, or who shall fail to do anything required by this resolution, as the same
exists or as it may be amended, shall be amenable to the process of the County Court of _______________ County, Texas.

ARTICLE XI

11. Effective Date and Repealer

11.1 This resolution shall take effect and be in full force and effect upon execution and replaces any prior resolutions pertaining to rural addressing and road naming.

EXECUTED this ________________ day of ___________________, 2018.

ATTEST:

____________________________________  ____________________________________
County Clerk  County Judge
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**Total EXPENSE**

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Fiscal year thru period ending 12/31/17
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Run date: 01/05/2018
Bus date: 12/31/2017
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Fiscal year thru period ending 12/31/17

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December 11, 2011

Ms. Linda Moore
Financial Manager
Ark-Tex Council of Governments
P.O. Box 5307
Texarkana, TX 75505

Dear Ms. Moore:

Re: Single Audit Review for Fiscal Year 2016 – Management Decision Letter

The Commission on State Emergency Communications (CSEC) has reviewed the Ark-Tex Council of Governments (Ark-Tex) Single Audit Report for the period ending September 30, 2016.

In accordance with Texas Single Audit Circular requirements for awarding agencies, the CSEC is responsible for review of Single Audit Reports for findings and disallowed costs reported for the 9-1-1 program, and resolution of those items.

No findings or disallowed costs related to the Ark-Tex 9-1-1 program were reported for the period ending September 30, 2016, and no further actions by Ark-Tex related to the report are required.

Regards,

Kenneth D. Biddle

Kenneth D. Biddle, CPA
Chief Financial Officer

cc: C. Ross, Texas Workforce Commission
    M. Rudel, Public Safety Manager, Ark-Tex
    Pattillo, Brown, & Hill, CPA's
ARK-TEX AREA AGENCY ON AGING (AAA)
Regional Advisory Council Meeting

MINUTES

The Ark-Tex Council of Governments (ATCOG) Area Agency on Aging (AAA) Regional Advisory Council met at 10:00 a.m. on Thursday, December 7, 2017, at Titus Medical Plaza in Mount Pleasant, Texas. Bill Collins, Vice-Chairperson, called the meeting to order at 10:05 a.m.

Jenny Butler, AAA Aging Specialist, called roll. Regional Advisory Council members present were as follows:

Bill Collins, Lamar County Representative
Judge Williamson, Elected Official
Ruth Brown, Health Care Organization
Shelly Braziel, General Public
Terry Landers, Delta County Representative
Linda Strickland, Morris County Representative
Dorothy Young, Franklin County Representative

It was determined that a quorum was present.

Guests present were as follows:

Terri Arnold, Alzheimer’s Alliance Tri-State
Tracie Smith, Titus Regional Medical Center
Amanda Reeves, Proxy for L.M. Jester, Cass County Representative
Rhonda Rogers, Texas Silver Haired Legislature

Approval of Minutes of Last Meeting
A motion was made by Linda Strickland to approve the minutes of the September 7, 2017 meeting. Motion was seconded by Terry Landers. All members present were in favor.

Introduction of Guest Speaker
Lisa Reeve introduced Terri Arnold with the Alzheimer’s Alliance Tri-State. Terri Arnold explained that awareness of resources available in the area can sometimes be difficult and was glad for the opportunity to share the information with the RAC members. Physicians usually don’t have enough time to provide education regarding a dementia diagnosis. The Alzheimer’s Alliance Tri-State has been in business for over 30 years and is not a part of the National Alzheimer’s Alliance. This was decided years ago to ensure resources were provided locally. The greatest need is to give help to the caregiver of someone with dementia. Caregiving is extremely hard and especially with someone that has dementia. Dementia patients have an average life expectancy of 5 to 8 years where a caregiver has an average life expectancy of only 3 to 5 years.

Terri Arnold explained the services they are able to provide to caregivers and their loved ones at the Our Place Day Respite Center. They are open 3 times per week from 9:00 a.m. to 3:00 p.m. to provide respite care at those times. Our Place has trained volunteers to help provide the most enjoyable day for clients and gives the caregiver a break. 90% of volunteers have been caregivers themselves. There are 10-12 volunteers throughout the day. Dignity is maintained at all times and clients feel like they are at a social outing.
The Alliance has 3 staff members, the rest are volunteers. There are support groups throughout the AAA region and a list of the groups were distributed to the RAC members. The respite center does award scholarships to those who may not be able to afford the cost and are for 2 of the 3 respite days. Our Place is operated more like a home and is not institutional at all.

**Budget Update**
Lisa Reeve distributed a budget spreadsheet received from the state that shows the areas where funds were decreased. The total deduction was $54,725.00 across the board. Estimated funding from the state was not given until after the planning budget was due. Lisa went through the spreadsheet and explained each funding source and the decrease shown. CMS and MIPPA (Medicare) are not on the spreadsheet but were cut as well. The main area where funds were cut were transportation. However, anticipating a decrease in funding, the transportation and Aging department jointly applied for a grant, which was awarded. In 2019, the AAA will be required to get a Volunteer Coordinator for the Benefits Counseling and Ombudsman programs.

Judge Williamson asked if the Lennox Resource Center in Clarksville, TX has been approached for any grants. Lisa stated that she has looked at the qualifications for the grant and the money has to be spent in Red River or Lamar Counties and she will apply for the grant. She asked for suggestions on specific needs for those areas.

The AAA now has a new finance person, who is working out very well. Due to changes within the HHSC, the AAA does not know yet when they will be monitored.

**Announcements**
Rhonda Rogers with the Texas Silver Haired Legislature stated they met in Austin recently and have new members that are really enthusiastic. They are now working on resolutions for next year in April 2018. The resolutions will go through committees, then legislative action, then to the main floor in Austin to finalize the top 10 resolutions for Texas. She would like input from the RAC members regarding things to change at the state level to help seniors in the region. One that she is currently interested in is grandparent’s rights and nursing home abuse. The TSHL is always looking for members as well.

Lisa introduced Tracie Smith who is the Marketing Director for Titus Regional Medical Center. Shannon Norfleet, who has been the Hospital representative, is no longer with the hospital. Tracie Smith is her replacement and is interested in taking her place as a RAC member. The RAC members were asked if they were in favor of this transition. Ruth Brown motioned for Ms. Smith’s acceptance and the motion was seconded by Dorothy Young. Ms. Smith’s appointment will be presented to the ATCOG Board for approval.

Mileage reimbursement forms were distributed as well.

**Adjourn**
A motion was made to adjourn by Dorothy Young and seconded by Shelly Braziel. The meeting was adjourned at 10:56 a.m.

The next RAC meeting is March 1, 2018.
ARK-TEX COUNCIL OF GOVERNMENTS
REGIONAL CRIMINAL JUSTICE
ADVISORY COMMITTEE

BY-LAWS

ARTICLE I
NAME

The name of this body shall be the Regional Criminal Justice Advisory Committee (RCJAC) of the Ark-Tex Council of Governments (ATCOG).

ARTICLE II
AUTHORITY AND PURPOSE

The Committee shall assist and advise the staff and Executive Board of ATCOG on all appropriate matters relating to criminal justice issues in the region. Specifically, it shall:

- Review and consider recommendations concerning funding of local, State and/or Federal programs.
- Review and prioritize programs submitted for funding provided through the Office of the Governor, Criminal Justice Division (CJD), in accordance with RCJAC and CJD rules and regulations as adopted.

ARTICLE III
COUNTY MEMBERSHIP

The RCJAC shall have 27 county members. The membership per county shall be based on population with the following distribution: counties with 50,000 and above shall be allocated five members; counties with 25,000 and above shall be allocated four members; counties with 10,000 and above shall be allocated two members, and counties below 10,000 shall be allocated one member.

Members shall be recommended by the County Judge of the County where a vacancy exists, subject to approval by the ATCOG Board.

The membership shall be composed of representatives from law enforcement, juvenile justice, drug abuse prevention, nonprofit organizations, victim services, mental health, prosecution/courts, education and concerned citizens.

REGIONAL MEMBERSHIP

The RCJAC shall have additional members from the region, recommended by ATCOG Criminal Justice staff subject to approval by the ATCOG Board, in order to ensure representation from each membership category.
OTHER MEMBERSHIP

A member of the ATCOG Board may be appointed by the ATCOG Executive Committee to serve as a liaison between the Board and the RCJAC.

ATCOG Criminal Justice staff shall perform the necessary staff functions to support the Committee's activities.

ARTICLE IV
MEMBERSHIP TERMS

Terms of membership shall be two years. Members may be reappointed to serve additional terms. Terms of membership shall begin January 1 of every evenly numbered year.

Members who are absent from three consecutive meetings without a valid excuse shall be considered to have submitted his/her resignation. A member may resign at any time by submitting a written notice to ATCOG.

ARTICLE VI
OFFICERS

The officers of the RCJAC shall be Chairman, 1st Vice-Chairman, and 2nd Vice-Chairman. Officers shall serve two-year terms. Officers shall be selected from and by the RCJAC membership during the first quarter of every evenly numbered year. Officers may be elected to serve more than one term.

The Chairman shall preside at all meetings of the RCJAC. The 1st Vice-Chairman shall perform the duties of the Chairman in his/her absence. The 2nd Vice-Chairman shall perform the duties of the 1st Vice-Chairman in his/her absence. If both the Chairman and 1st Vice-Chairman are absent, the 2nd Vice-Chairman shall perform the duties of the Chairman.

ARTICLE VII
MEETINGS

All meetings of the RCJAC shall be open to the public. The meetings are not subject to the Texas Government Code, Chapter 551 (Texas Open Meetings Act). The RCJAC Chairman or presiding Chairman has the option of closing the meetings when deemed necessary for confidentiality purposes. Minutes of the RCJAC meetings, documents distributed and other records are the property of ATCOG. These materials are available for public view, at the ATCOG offices, upon receipt of a written request by the interested party. Except where these bylaws require otherwise, Robert’s Rules of Order shall govern the conduct of RCJAC meetings. All meetings of the ATCOG governing body, including those meetings which may address criminal justice related issues such as CJD grant prioritization, shall be held in compliance with the requirements described in Texas Government Code, Chapter 551 (Texas Open Meetings Act).
The RCJAC shall meet as often as necessary to accomplish RCJAC business. A meeting shall be conducted at a location, or at a specific date and time established for teleconference. Notification of the meeting shall be delivered to RCJAC members no less than seven days prior to the date of the meetings.

Twenty-five percent (25%) of the total membership will constitute a quorum at any meeting, whether at a location or by teleconference. If by teleconference, an official roll call will be taken to ensure a quorum is present.

The Chairman may call special meetings provided that members are notified at least twenty-four (24) hours prior to the time for convening the meeting.

Action taken by the committee shall be by a simple majority vote of the members present at the meeting location, or teleconference. If necessary, a simple majority vote(s) may be taken electronically with a reasonable time frame (as specified by ATCOG staff, RCJAC Chairman or presiding Chairman) offered to all RCJAC members submitting the vote(s).

ARTICLE VIII
SUBCOMMITTEES

The RCJAC Chairman shall appoint temporary subcommittees as the need arises to perform specific tasks related to the business and activities of the RCJAC.

ARTICLE IX
BY-LAWS AMENDMENTS

These by-laws may be amended at any meeting of the RCJAC by a simple majority vote, provided each member of the RCJAC has been notified of the proposed amendment at least five days in advance.

Previously Reviewed/Approved by the RCJAC 01-16-17 (no revisions necessary).
APPLICATION PROCEDURES

Community Plans

1. Each proposal must provide services, which have been identified as a need in the Community Plan covering the service delivery area. Each applicant should contact ATCOG Criminal Justice staff to determine if the proposed project is listed as a need in the Community Plan. ATCOG Criminal Justice staff can provide contact information for the Community Plans to applicants. The Community Plan is available to view on the ATCOG website, www.atcog.org.

2. The Community Plan for the region shall be reviewed each year, and revised if necessary, with an effort to follow the format recommended by the Criminal Justice Division of the Governor’s Office (CJD). Based on the current requirements by CJD, the top five priorities within each category of the Community Plan (Victim Services, Juvenile Services, Law Enforcement) will be used in the grant application scoring process and also submitted to CJD. Focus groups of the previously mentioned categories will be formed at the Regional Community Planning Meeting, and these individual groups will develop a list of recommendations for the top five (can be less than five if necessary) priorities of each category. These recommendations will be reviewed by the RCJAC for their approval prior to the scoring process. A list of participating representatives present at the Community Planning meeting, and their affiliation, should be attached to the Community Plan, with the date of review and revision.

Grant Application Workshop

3. Each applicant must attend a Grant Application Workshop presented by ATCOG Criminal Justice staff prior to beginning the application process each year until further notice. All local officials and anyone who has expressed an interest in applying for a grant will be notified of the date, time and location of the workshop. Mandatory workshop attendance may or may not be required in the future. This information will be announced with notification of availability of application packets. A one-on-one conference can substitute for workshop attendance if someone is unable to attend.

Notification of Application Deadlines

4. All local officials, current and potential grantees, will be notified of grant application deadlines as soon as they are established.

5. Under no circumstances will grant applications be accepted after the deadline.

Decreasing Ratio Funding/Maximum Funding Years

6. Decreasing ratio and five year maximum projects shall establish their CJD request each year by following the percentages listed below (Benchmark is based on the amount awarded by CJD in the first year of funding). This requirement is in effect for the following funding categories: Criminal Justice Programs, and General Juvenile Justice and Delinquency Prevention.

   1st year – 100% CJD funding (Benchmark amount established)
   2nd year - 80% CJD funding
   3rd year - 60% CJD funding
   4th year - 40% CJD funding
   5th year - 40% CJD funding
If a grant applicant is not funded during any year of the cycle, they will be allowed to apply at the same percentage/amount for the following year. (Ex. In 2008 an agency is currently at 80% (yr. 2) applying for $50,000, but they are not awarded the grant. In 2009, they will be allowed to apply at 80% (yr. 2) for $50,000. If awarded in 2009, they will then be allowed to apply at 60% (yr. 3) in 2010.)

Exceptions to this policy include the Purchase of Juvenile Services Project (GJJDP) and the Regional Law Enforcement Training Project (Criminal Justice Programs). These two projects are exempt from the decreasing funding ratio and maximum years policy.

Requests for Additional Information

7. ATCOG staff may request additional information from an applicant other than what is included in the CJD application, forms, or attachments. Failure to provide the requested information in a timely manner may result in delay in processing the application. Failure to provide the information at all may result in the RCJAC declining to review the application.

Prioritization Meeting

8. Mandatory Attendance of Prioritization/Scoring Meeting: All Prioritization meetings will be conducted at a physical location. Grant applicants are required to have a representative attend the RCJAC Prioritization Meeting, to provide a brief presentation regarding their project to the Committee. If no representative is present for an applicant, the Committee has the option to not consider the project for funding. Upon receipt of copies of the grant applications and review instruments, the committee members may complete the scoring sheets at their convenience and bring them to the Prioritization Meeting. Committee members must attend the meeting or their scores will not be considered. In an emergency situation, the Committee may consider allowing the submission of scores on an individual basis. If scores are accepted from a member based on an emergency, the member should then send a notarized letter to ATCOG relating the circumstances.

If Committee members wish to revise their scores after hearing the applicant presentations, they may do so before submitting them to ATCOG staff for tabulation.

CJD does not require that the Committee meet in order to score applications. Scoring may be completed by mail, with a follow-up meeting to approve the results of the scoring tabulation. At such time as the Committee should decide to follow that process, attendance by applicant representatives would no longer be mandatory.

Prioritization Meeting Outcomes

9. The results of the prioritization meeting will be compiled and mailed to the committee members and the grant applicants the following day, if possible. If an applicant wishes to inquire about the scoring results sooner, they may contact ATCOG staff.

10. The RCJAC has the option not to recommend for funding, an application or line item(s) identified as ineligible, or for funding sources other than the following:

   General Victim Assistance – Direct Services Program
   (Victims of Crime Act – VOCA)
   (Violence Against Women Act – VAWA)

   Violent Crimes Against Women Justice and Training Program –
   Domestic Violence, Sexual Assault, Dating Violence, and Stalking

   Juvenile Justice Program
   (Juvenile Justice and Delinquency Prevention Act – JJDP)
   (State Criminal Justice Planning Fund - 421)

   Justice Assistance Grant (JAG) Program
   (Byrne Justice Assistance Grant)
   (State Criminal Justice Planning Fund – 421)
11. The decision not to recommend funding these applications must be accurately reported to CJD.

12. The decision to recommend a different funding amount (different from the original amount requested by the grant applicant) must be reached by a consensus vote of the RCJAC present at the scoring meeting.

**SCORING GUIDELINES**

1. New projects and continuation projects shall be reviewed, scored, and prioritized for funding each year, as applicable, utilizing a standard review instrument.

2. All projects considered for CJD funding must meet the guidelines and requirements established by CJD annually.

3. A grant applicant, or individual(s) acting on behalf of the applicant, shall not contact any RCJAC member prior to any scoring/prioritization meeting to persuade a score. If an applicant, or individual(s) acting on behalf of the applicant, contacts a scoring member to persuade a score, their application may be disqualified at the discretion of the RCJAC.

   If a RCJAC member receives a contact of this nature from an applicant, or individual(s) acting on behalf of the applicant, the scoring member should contact the RCJAC Chairman and/or ATCOG Criminal Justice staff.

4. All applications in each funding category must be prioritized and ranked for funding consideration by the RCJAC. These recommendations shall be forwarded to the Ark-Tex Council of Governments Board of Directors/Executive Committee for their approval. ATCOG will submit prioritization results to CJD.

5. Each application shall be scored by each RCJAC member unless the member has a conflict of interest, and an average score shall be assigned to each proposal. Applications in each category shall be prioritized according to the average score assigned to the proposals. Proxy votes shall not be allowed at scoring meetings.

6. **Conflict of Interest**: The COG governing body, RCJAC members and COG staff must abstain from scoring and voting on any application, other than a grant application submitted by the COG, during the prioritization process if they or an individual related within the third degree by consanguinity or within the second degree by affinity:

   - Is employed by the applicant agency and works for the unit or division that would administer the grant if awarded,

   - Serves on any governing board that oversees the unit or division that would administer the grant if awarded,

   - Owns or controls any interest in a business entity or other non-governmental organization that benefits, directly or indirectly, from activities with the applicant agency,

   - Receives any funds, or a substantial amount of tangible goods or routine services, from the applicant agency as a result of the grant, if awarded.

If a CJAC member must abstain from scoring a project, that member must recuse themselves from scoring the project as well as remove themselves from the room while other CJAC members are scoring that specific project. Once the members have moved on to another project the CJAC member may return.
The high and low score of each grant application will be dropped if the number of eligible RCJAC scoring members (to submit their scores) for the particular funding source is ten or greater.

In the event of a tie, the following procedure will be utilized: Staff shall remove the lowest score from the applications that result in a tie and re-average the remaining scores. This process shall be repeated, continuing to remove the lowest remaining score until the tie is broken. The scores resulting from the tie breaking process will only be used for the purpose of breaking the tie. These scores will not be used to change any other rankings in the prioritization process. The CJAC shall be notified of the tie and the revised results.

All meetings of the RCJAC shall be open to the public. The meetings are not subject to the Texas Government Code, Chapter 551 (Texas Open Meetings Act). The RCJAC Chairman or presiding Chairman has the option of closing the meetings when deemed necessary for confidentiality purposes. Minutes of the RCJAC meetings, documents distributed and other records are the property of ATCOG. These materials are available for public view, at the ATCOG offices, upon receipt of a written request by the interested party. Except where these bylaws require otherwise, Robert’s Rules of Order shall govern the conduct of RCJAC meetings. All meetings of the ATCOG governing body, including those meetings which may address criminal justice related issues such as CJD grant prioritization, shall be held in compliance with the requirements described in Texas Government Code, Chapter 551 (Texas Open Meetings Act).

RCJAC Representation: The RCJAC is required to have a multi-disciplinary representation of members from the region. For the purpose of reviewing CJD grants, at a minimum, the RCJAC must include representation from the following: law enforcement, juvenile justice, drug abuse prevention, non-profit organizations, victim services, mental health, prosecution/courts, education, and concerned citizens or parents, with no more than one-third (1/3) of the total membership being representatives of one group.

Review Instrument: The review instrument used by the RCJAC to score the grant applications is developed by ATCOG staff to accommodate the recommendations/approvals by the RCJAC, based on CJD requirements and the local priorities in the Regional Criminal Justice Strategic Plan. This review instrument is subject to change each year, as the CJD requirements and the local priorities are also subject to change.

Appeal Procedure: Each applicant will be allowed to appeal actions of the Regional Criminal Justice Advisory Committee (RCJAC). Appeals must be based on a verifiable error made during the prioritization or review process and the applicant must be able to show that the error actually caused the application or portion of the application to not be funded. Factors that allow discretion by RCJAC members will not be considered for an appeal. The applicant must submit written documentation in support of the appeal. Letters and phone calls of support will not be considered as part of the official appeal process.

All appeals must be handled as follows:

a) An applicant must notify the ATCOG Executive Director in writing of the alleged violation of the RCJAC scoring guidelines and/or the error(s) made in the scoring/prioritization process within ten (10) days following the scoring meeting.

b) The ATCOG Board of Directors shall consider all appeals in an open meeting. Documentation submitted by the applicant that meets the criteria as stated above will be considered by the ATCOG Board of Directors. Subsequent notification by ATCOG of a decision concerning funding serves as final notice of approval or denial.
### Funding Opportunity:

- **Juvenile Justice Grant Program**

### Applicant Agency:

- 

### Project Title:

- 

### Application Number:

- 

### Amount Requested:

- 

### Total Score:

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<td>If funded, would the applicant/agency be able to provide the necessary resources to manage and carry out the project in an effective and fiscally responsible manner?</td>
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<td>Does the project address a local need in the ATCOG region (as listed in the Regional Criminal Justice Strategic Plan - ATCOG Region)?</td>
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<td>Does this project avoid duplication or overlapping of existing resources or programs available within the project’s proposed service area and target population?</td>
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<td>Are the activities to be conducted reasonable and will they adequately accomplish the goals of the project?</td>
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<td>Are the budget line items eligible and essential to meeting the goals of the project?</td>
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<td>Does the organization have a clear plan to generate, collect, and assess output and outcome measures to support evaluation of results?</td>
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<tr>
<td>Does the project document coordinated collaboration with other agencies and/or organizations?</td>
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<td>Is the applicant on Vendor Hold with CJD?</td>
<td>NO (No Penalty)</td>
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**TOTAL**

---

**Printed Name of CJAC Member**

**Signature of CJAC Member**

---

***SEE REVERSE SIDE FOR COMMENTS & EXEMPT STATUS SECTIONS***
### CJAC Application Score Sheet

**Funding Opportunity:** Juvenile Justice Grant Program  
**Applicant Agency:**  
**Project Title:**  
**Application Number:**

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☐  

Check If Exempt  

Reason: ____________________________________________________________  

______________________________________________________________
# CJAC Application Score Sheet

<table>
<thead>
<tr>
<th>Funding Opportunity:</th>
<th>Justice Assistance Grant Program (JAG)</th>
<th>Date:</th>
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<tbody>
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### Attendance

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Was a knowledgeable representative from the applicant agency available at the CJAC scoring meeting to present their project and address potential questions?

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### Management & Fiscal Capability

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If funded, would the applicant/agency be able to provide the necessary resources to manage and carry out the project in an effective and fiscally responsible manner?

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### Local Priorities

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Does the project address a local need in the ATCOG region (as listed in the Regional Criminal Justice Strategic Plan - ATCOG Region)?

- Updated and adequate equipment for law enforcement purposes
- Law Enforcement Training that is beneficial and meets the needs of current and potential officers
- Manpower and sufficient response, along with officer safety, in order to support the level of crime and also the level of individuals with mental health issues/mental illness in the local communities throughout the region
- Resources to address the excessive crime rate in certain areas of the region
- Updated comprehensive systems, allowing for agency and interagency communication and cooperation

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### Documentation of Problem

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Does this project avoid duplication or overlapping of existing resources or programs available within the project’s proposed service area and target population?

Does the supporting data validate the problem within the proposed target area?

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### Cost and Program Effectiveness

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- Are the activities to be conducted reasonable and will they adequately accomplish the goals of the project?
- Are the budget line items eligible and essential to meeting the goals of the project?
- Does the organization have a clear plan to generate, collect, and assess output and outcome measures to support evaluation of results?
- Does the project document coordinated collaboration with other agencies and/or organizations?
- Is the applicant on Vendor Hold with CJD?

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**Total**

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Printed Name of CJAC Member

Signature of CJAC Member

***SEE REVERSE SIDE FOR COMMENTS & EXEMPT STATUS SECTIONS***
## CJAC Application Score Sheet

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**Comments:**

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**Office of the Governor, Criminal Justice Division**

**CJAC Application Score Sheet**

If you have a conflict of interest you are exempt from scoring or commenting on the application in conflict and must remove yourself from the room until the conflicting application is presented/scored.

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**Local Priorities**

Does the project address a local need in the ATCOG region (as listed in the Regional Criminal Justice Strategic Plan - ATCOG Region)?

- 24hr. crisis intervention, legal advocacy, and counseling to victims, and also provide shelter services & case management
- Legal consultation, representation/assistance with protective order processing, Crime Victims’ Compensation, Texas VINE
- Provide safe child-friendly atmosphere for child abuse victims & collaborative relationships with investigative agencies
- Educational programs, public awareness, community involvement to increase awareness for child abuse, neglect, Domestic Violence & Sexual Assault
- Short-term housing assistance for victims of domestic violence and sexual assault, as well as other types of victims (i.e. victims with mental health/mental illness)

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Local Priorities for Grant Year FY19

Victim Services

- 24 hour crisis intervention, legal advocacy, and counseling to victims of domestic violence, sexual assault, stalking, and dating violence, and other victims of violent crimes, and also provide shelter services and case management to the victims as necessary.
- Legal consultation, representation and/or assistance with protective order processing, as well as assistance with Crime Victims’ Compensation (CVC) and Texas Victim Information & Notification Everyday (VINE), in relation to violent crime victims.
- Provide a safe child-friendly atmosphere for child abuse victims, while fostering collaborative working relationships with investigative agencies, thus reducing the trauma experienced by child victims and their non-offending family member when interviewed and provide follow up services.
- Educational programs, public awareness, and community involvement to increase awareness regarding child abuse, neglect, domestic violence, and sexual assault.
- Short-term housing assistance for victims of domestic violence and sexual assault, as well as other types of victims (i.e. victims with mental health issues/mental illness).

Juvenile Services

- Resources for sex offender treatment, psychological/psycho-sexual evaluations, and other mental health and substance abuse services for at-risk youth, including psychiatric evaluations, counseling, and treatment.
- School Resource Officers to lead pre-preventative intervention services and classes such as the DARE program and peer support groups, and combat school violence, delinquency, and truancy.
- Programs to divert at-risk youth from entering the juvenile justice system, such as pre-prevention services and mentoring programs for children under age 10.
- Programs/services to assist youth in their development of cognitive behavioral skills including positive decision making and thought processes, and also independent living skills for ages 16 and older.

Law Enforcement Services

- Updated and adequate equipment for law enforcement purposes.
- Law Enforcement Training that is beneficial and meets the needs of current and potential officers.
- Manpower and sufficient response, along with officer safety, in order to support the level of crime and also the level of individuals with mental health issues/mental illness in the local communities throughout the region.
- Resources to address the excessive crime rate in certain areas of the region.
- Updated comprehensive systems, allowing for agency and interagency communication and cooperation.