

RESOLUTION NUMBER 2016-3

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF GREENSBURG, INDIANA ADOPTING THE CITY OF GREENSBURG TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 IMPLEMENTATION PLAN AND ADDRESSING RELATED MATTERS

WHEREAS: The City of Greensburg is a recipient of federal funds and desires to continue to be such a recipient; and

WHEREAS, In receiving federal funds, have contractual obligations to comply when the Assurances of Nondiscrimination (Assurances) are signed as a condition of receiving those funds; and

WHEREAS, Title VI of the Civil rights Act of 1964 seeks to prevent and eliminate existing discrimination and ensure public funds are used for public benefit; and

WHEREAS, The full text of Title; and Vi prohibits discrimination on the basis of race, color, or national origin; and

WHEREAS, Subsequent to the enactment of the Civil Rights Act of 1964 additional federal regulations and executive orders have extended the list to also include prohibitions for discriminations against others on the basis of: sex, sexual orientation, gender identity, age, disability, Religion, Income Status or limited English proficiency; and

WHEREAS, Executive Order 12898 on Economic Justice specifically prohibits desperate treatment of low income and/or minorities in the administration of federal funds; and

WHEREAS, Executive Order 13166 on Limited English Proficiency requires that all programs, services and projects accommodate individuals that do speak English well in a manner that allows those individuals full participation; and

WHEREAS, Recipients of federal funds are required to have a Title VI Program Manager, grievance procedures, a complaint log, evidence of regular Title VI training, signed Assurances annual title VI implementation Plan that demonstrates that Title VI requirements are integrated into programs;

NOW, THEREFORE, BE IT RESOLVED

1. That the City of Greensburg hereby adopts the City of Greensburg, Indiana 2016 Title VI Implementation Plan attached hereto as Exhibit A.
2. That Ronald L. May, City Engineer is designated as the Title VI Program Manager for the City of Greensburg, Indiana.
3. That the grievance procedure set forth within the City of Greensburg, Indiana 2016 Title VI Implementation Plan is hereby adopted by the City.
4. That the complaint log set forth within the City of Greensburg, Indiana 2016 Title VI Implementation Plan is hereby adopted by the City.

5. That the assurance of nondiscrimination set forth within the City of Greensburg, Indiana 2016 Title VI Implementation Plan and signed by the Mayor is hereby adopted by the City.
6. That The City of Greensburg's Title VI Non-Discrimination Notice & Policy set forth within the City of Greensburg, Indiana 2016 Title VI Implementation Plan and signed by the Mayor is hereby adopted by the City.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF GREENSBURG, INDIANA
this Third day of October, 2016 at 9 o'clock P.M.



Dan Manus, Mayor

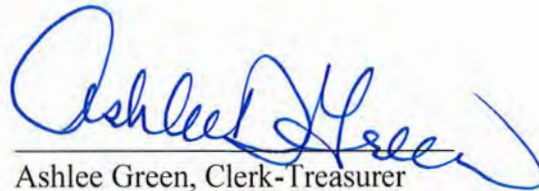
ATTEST:



Ashlee Green, Clerk-Treasurer
City of Greensburg, Indiana

CERTIFICATE

The undersigned duly qualified and acting Clerk-Treasurer, of the City of Greensburg, Indiana certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Common Council of the City of Greensburg, Indiana held on October 3, 2016.

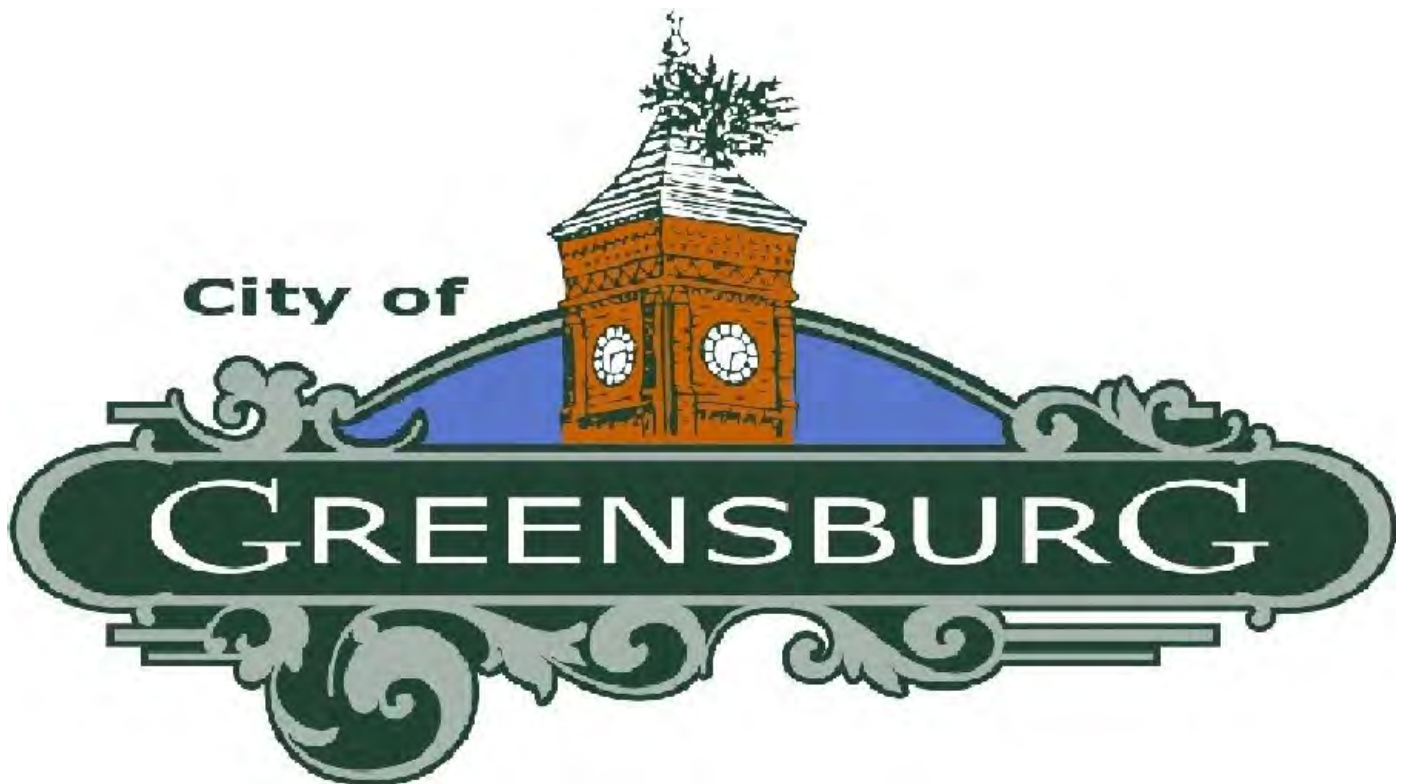


Ashlee Green, Clerk-Treasurer
City of Greensburg, Indiana

EXHIBIT A

CITY OF GREENSBURG, INDIANA

2016 TITLE VI IMPLEMENTATION PLAN v2016.1



Prepared by:
Ronald L. May
City of Greensburg Title VI /ADA Coordinator
City Hall
314 West Washington Street
Greensburg, Indiana 47240
Phone: (812) 663-3344
Facsimile: (812) 662-6925
rmay@greensburg.in.gov

INTRODUCTION

This Title VI Implementation Plan is a part of the City of Greensburg's continual and ongoing effort to proactively meet and exceed the minimum compliance requirements established under Title VI of the Civil Rights Act of 1964 (Title VI), 49 CFR § 26, and the related antidiscrimination statutes and regulations. With this Implementation Plan, the City of Greensburg seeks to provide continued transparency, clarity and technical guidance for internal and external constituents regarding its Title VI program.¹

Title VI Implementation Plans outline and document policies and procedures that together comprise the City's Title VI Program. For information related to our annual program goals and accomplishments, please refer to The City of Greensburg's Annual Title VI Goals and Accomplishments Report.

CITY OF GREENSBURG'S TITLE VI MISSION STATEMENT

The City of Greensburg will implement compliance with Title VI 49 CFR § 21, 23 CFR Part 200; and related statutes and regulations to ensure that no person is excluded from participation in, denied the benefits of, or subjected to discrimination under any program or activity receiving federal financial assistance from the U.S. Department of Transportation (DOT) or other federal agencies on the grounds of race, color or national origin.

¹ The City of Greensburg's Title VI Program is the system of requirements the City developed to implement Title VI of the Civil Rights Act of 1964. References to Title VI requirements and regulations shall not be limited to Title VI of the Civil Rights Act of 1964. Where appropriate, this term also refers to the civil rights provisions of other Federal statutes, **regulations and directives and Indiana state law to the extent that they prohibit discrimination on the grounds of race, color, sex, age, disability, national origin or income status in programs receiving Federal financial assistance** of the type subject to Title VI itself.

THE CITY OF GREENSBURG'S TITLE VI NON-DISCRIMINATION NOTICE & POLICY

The City of Greensburg values each individual's civil rights and intends to provide equal opportunity and equitable service for the citizens of this city. As a recipient of federal funds, the City strives to conform to Title VI and all related statutes, regulations, and directives, which provide that no person shall be excluded from participation in, denied benefits of, or subjected to discrimination under any program or activity receiving federal financial assistance on the grounds of race, color, age, sex, sexual orientation, gender identity, disability, national origin, religion, income status or limited English proficiency. The City further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, regardless of whether those programs and activities are federally funded.

It is the policy of the City to comply with Title VI of the Civil Rights Act of 1964; Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e; Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107; Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. §§ 4601-4655; 1973 Federal Aid Highway Act, 23 U.S.C. § 324; Title IX of the Education Amendments of 1972, Pub. L. No. 92-318, 86 Stat. 235; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §§ 701 et seq.; Civil Rights Restoration Act of 1987, Pub. L. No. 100-259, 102 Stat. 28; Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101 et seq.; Title VIII of the Civil Rights Act 1968, 42 U.S.C. §§ 3601-3631; Exec. Order No. 12898, 59 Fed. Reg. 7629 (1994) (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations); and Exec. Order No. 13166, 65 Fed. Reg. 50121 (2000) (Improving Access to Services for Persons with Limited English Proficiency).

The Civil Rights Restoration Act of 1987, Pub. L. No. 100-259, 102 Stat. 28, broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs or activities (including those programs or activities for which no federal funds are used) of those receiving Federal funds, including subrecipients who receive federal funds directly and indirectly.

Pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. No. 93-112, 87 Stat. 355, the City hereby gives assurance that no qualified disabled person shall, solely by reason of disability, be excluded from participation in, be denied the benefits of or otherwise be subjected to discrimination, including discrimination in employment, under any program or activity that receives or benefits from federal financial assistance.

The City also assures that every effort will be made to prevent discrimination through the impacts of its programs, policies and activities on minority and low-income populations in compliance with the requirements of Environmental Justice (EJ) regulations. In addition, the City will take reasonable steps to provide meaningful access to services for persons with limited English proficiency (LEP). The City will, where necessary and appropriate, revise, update and

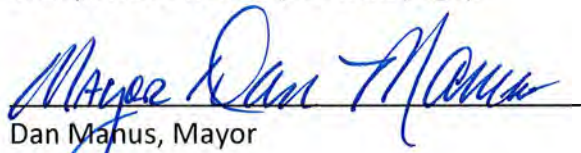
incorporate nondiscrimination requirements into appropriate manuals, directives and regulations.

Whenever the City distributes federal-aid funds to a second-tier subrecipient, the City will include Title VI language in all written agreements.

The following individual has been identified as the City's Title VI and ADA Coordinator and is delegated the authority necessary to maintain responsibility for initiating and monitoring Title VI activities, preparing reports and performing other responsibilities, as required by 23 C.F.R. § 200 and 49 C.F.R. § 21 and is specifically designated as the City of Greensburg's responsible individual to coordinate, maintain, and report the City's Title VI compliance efforts as required.

Ronald L. May
City of Greensburg Title VI/ ADA Coordinator
City Hall
314 West Washington Street
Greensburg, IN 47240
(812) 663-3344
rmay@greensburg.in.gov

The City of Greensburg affirms its commitment to nondiscrimination annually by publishing its Annual Title VI Implementation Plan and reaffirming its Assurances of Nondiscrimination, incorporated herein (see next page).


Dan Mahus, Mayor


Date

TITLE VI ASSURANCES

CITY OF GREENSBURG TITLE VI ASSURANCES

The City of Greensburg (hereinafter referred to as the "Recipient") HEREBY AGREES THAT as a condition to receiving any Federal financial assistance, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations (CFR), Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation- Effectuation of Title VI of the Civil Rights Act of 1964, Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes - Implementation and Review Procedures (hereinafter referred to as the Regulations) and other pertinent nondiscrimination authorities and directives, to the end that in accordance with the Act, Regulations, and other pertinent nondiscrimination authorities and directives, no person in the United States shall, on the grounds of religion, race color, or national origin, sex (23 USC 324), sexual orientation, gender identity (Executive Order 13672), age (42 USC 6101), disability/handicap (29 USC 790) and low income (Executive Order 12898) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance, including the Federal Highway Administration, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by Title 49 Code of Federal Regulations, subsection 21. 7(a)(1) and Title 23 Code of Federal Regulations, section 200.9(a) (1) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances.

1. That the Recipient agrees that each "program" and each "facility as defined in 49 CFR subsections 21.23(e) and (b) and 23 CFR 200.5(k) and (g) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all Federal Programs and, in adapted form in all proposals for negotiated agreements:


The City of Greensburg, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation and Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes, issued pursuant to such Acts, hereby notifies all

bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of religion, race, color, national origin, sex, sexual orientation, gender identity, age, disability/handicap and low income in consideration for an award.

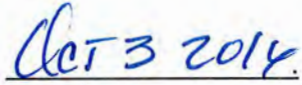
3. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to the Acts and the Regulations.
4. That the Recipient shall insert the clauses of Appendix B of this assurance, as a covenant running with the land, in any deed from the United States effecting a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

10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Recipient Department of Transportation under the Federal-Aid Highway Program and is binding on it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest and other participants in the Federal-Aid Highway Program. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient



Dan Mahus, Mayor



Date

APPENDIX A

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

- (1) **Compliance with Regulations:** The contractor shall comply with the Regulation relative to nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, and the Federal Highway Administration (hereinafter "FHWA") Title 23, Code of Federal Regulations, Part 200 as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
- (2) **Nondiscrimination:** The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of religion, race, color, national origin, sex, sexual orientation, gender identity, age, disability/handicap and low income in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by 49 CFR, section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- (3) **Solicitations for Subcontractors, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of religion, race, color, national origin, sex, sexual orientation, gender identity, age, disability/handicap and low income.
- (4) **Information and Reports:** The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the City, the Indiana Department of Transportation (INDOT) or the FHWA or other state or federal agencies to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to the City or INDOT or the FHWA or other State or Federal agencies as appropriate, and shall set forth what efforts it has made to obtain the information.
- (5) **Sanctions for Noncompliance:** In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the City shall impose such contract

sanctions as it or INDOT or the FHWA or other appropriate State or Federal agency may determine to be appropriate, including, but not limited to:

(a.) withholding of payments to the contractor under the contract until the contractor complies, and/or

(b.) cancellation, termination or suspension of the contract, in whole or in part.

(6) **Incorporation of Provisions:** The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto.

The contractor shall take such action with respect to any subcontract or procurement as the City, INDOT the FHWA or other State or Federal Agency may direct as a means of enforcing such provisions including sanctions for non-compliance. Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the City and/or Indiana Department of Transportation to enter into such litigation to protect the interests of the City and the Indiana Department of Transportation and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

APPENDIX B

A. The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

(GRANTING CLAUSE)

NOW, THEREFORE, the City of Greensburg, as authorized by law, and upon the condition that the City of Greensburg will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code of Federal Regulations, the Regulations for the Administration of Federal-Aid Highway Programs and the policies and procedures prescribed by FHWA, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation and Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the City of Greensburg all the right, title and interest of the Department of Transportation in and to said lands described in Exhibit "A" attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto the City of Greensburg and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on the City of Greensburg its successors and assigns.

The City of Greensburg, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person shall on the grounds of religion, race, color, national origin, sex, sexual orientation, gender identity, age, disability/handicap and low income be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on over or under such lands hereby conveyed [,]

[and]¹ (2) that the City of Greensburg shall use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation- Effectuation of Title VI of the Civil Rights Act of 1964, Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes - Implementation and Review Procedures, and as said Regulations may be amended [,] and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to re-enter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.*

¹ Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

APPENDIX C

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by the Indiana Department of Transportation City of Greensburg pursuant to the provisions of Assurance 7(a).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself, his heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes- Implementation and Review Procedures, and as said Regulations may be amended.

[Include in licenses, leases, permits, etc.]¹

That in the event of breach of any of the above nondiscrimination covenants, the City of Greensburg shall have the right to terminate the [license, lease, permit, etc.] and to re-enter and repossess said land and the facilities thereon, and hold the same as if said [licenses, lease, permit, etc.] had never been made or issued.

[Include in deed.]*

That in the event of breach of any of the above nondiscrimination covenants, the City of Greensburg shall have the right to re-enter said lands and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the City and its assigns.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by the City of Greensburg pursuant to the provisions of Assurance 7(b).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself, his personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds, and leases add "as a

¹ Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

covenant running with the land") that (1) no person on the ground of religion, race, color, national origin, sex, sexual orientation, gender identity, age, disability/handicap and low income shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land and the furnishing of services thereon, no person on the ground of religion, race, color, national origin, sex, sexual orientation, gender identity, age, disability/handicap and low income, shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations. Department of Transportation, Subtitle A, Office of the Secretary. Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964), Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes - Implementation and Review Procedures, and as said Regulations may be amended.

[Include in licenses, leases, permits, etc.]¹

That in the event of breach of any of the above nondiscrimination covenants, the City of Greensburg shall have the right to terminate the [license, lease, permit, etc.] and to re-enter and repossess said land and the facilities thereon, and hold the same as if said [license, lease, permit, etc.] had never been made or issued.

[Include in deeds]*

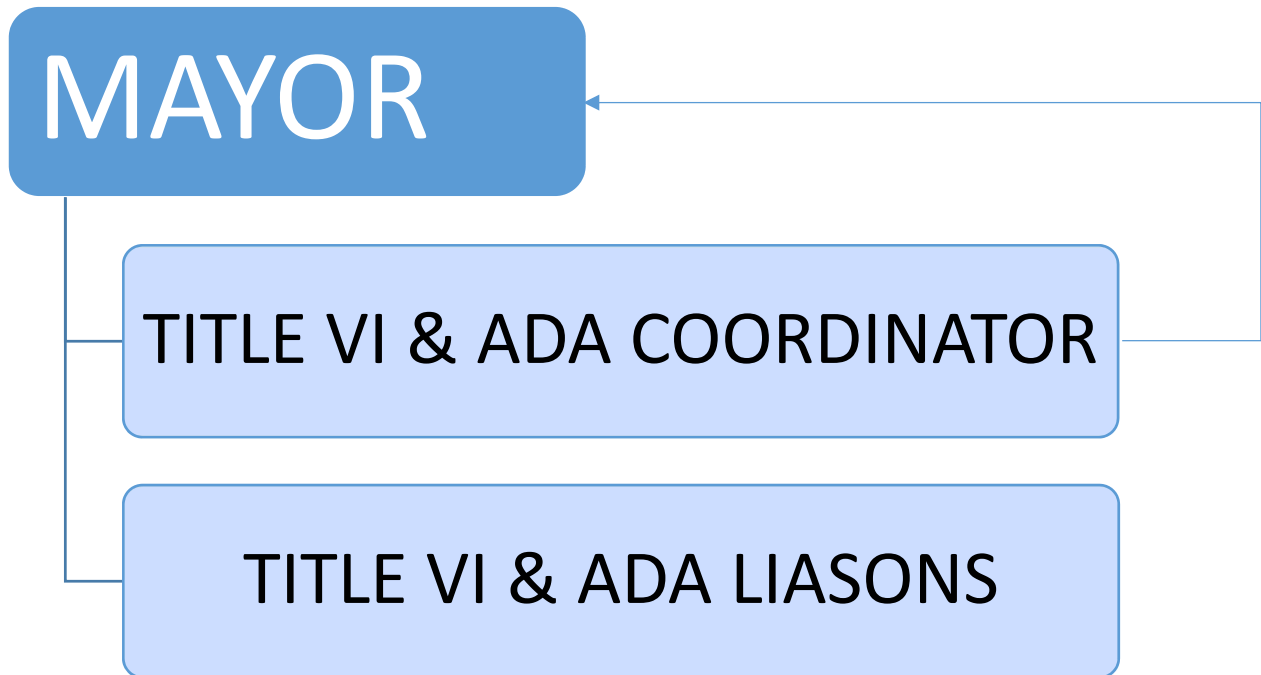
That in the event of breach of any of the above nondiscrimination covenants, the City of Greensburg shall have the right to re-enter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the City and its assigns.

¹ Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

CITY OF GREENSBURG KEY PLAYERS & RESPONSIBILITIES

This section identifies who is responsible for Title VI oversight at THE City of Greensburg. It demonstrates how Title VI is integrated into the City’s day-to-day operations and clearly identifies the general responsibilities of key players within the City.

CITY OF GREENSBURG TITLE VI ORGANIZATIONAL CHART



CITY OF GREENSBURG TITLE VI KEY PLAYERS

The following are descriptions of the Title VI- related roles of the following City representatives:

MAYOR

The residents of the City of Greensburg elects the Mayor. The Mayor is responsible for administering the City of Greensburg and is the Chief Executive for the City.

The Mayor is:

Dan Manus
City Hall
314 West Washington Street
Greensburg, Indiana 47240
(812) 663-3344

TITLE VI & ADA COORDINATOR

The Title VI/ADA Coordinator is responsible for the oversight and coordination of the City of Greensburg's compliance with Title VI and all related statutes, regulations, and directives. The Title VI/ADA Coordinator reports directly to the Mayor. General responsibilities of the Title VI/ADA Coordinator include, but are not limited to Implementing The City of Greensburg's Title VI and Americans with Disabilities Act of 1990, (ADA) plans; Developing processes and procedures for the investigation of complaints filed under Title VI and the ADA; Developing and implementing the City's Limited English Proficiency (LEP) Plan; Coordinating Title VI Program development with program Department Heads; Providing technical assistance, guidance and advice on the Title VI Program; Establishing procedures for processing Title VI reviews; Conducting Title VI reviews of the City's subrecipients, special interest programs and activities; Developing and conducting Title VI training; Preparing required reports; Participating in the design, development and dissemination of Title VI information to the public; and periodically updating the City's Title VI Implementation Plan.

The Title VI & ADA Coordinator is:

Ronald L. May, P.E.
Greensburg City Engineer
City Hall
314 West Washington Street
Greensburg, Indiana 47240
(812) 663-3344

TITLE VI & ADA LIAISONS

The City of Greensburg's Liaisons consist of the Department Heads from the various City Departments. The City's Liaisons have a four-part mission:

- To use an interdisciplinary and cross-department workflow approach to ensure compliance with Title VI and related nondiscrimination laws in the implementation of The City's programs and activities;

- To remove programmatic and architectural barriers from the City's programs and activities in accordance with the relevant nondiscrimination laws;
- To ensure meaningful access to the City's services and programs to all individuals regardless of race, color, national origin, sex, sexual orientation, gender identity, age, disability, religion, income level or limited English proficiency.
- To develop, integrate and maintain the City's Title VI implementation Plan.

Periodically the City will evaluate whether or not additional areas should be included in the Title VI Implementation Plan and, if so, who will serve as a liaison for any such additions. The City may also eliminate areas from representation to best accomplish City goals.

DEPARTMENT TITLE VI & ADA LIAISON RESPONSIBILITIES:

- Foster awareness of the City's Title VI program and its requirements by:
 - Ensuring each employee in their Department or district has received Title VI training within the last 2 years, and
 - Ensuring nondiscrimination is periodically a topic for discussion on Department meeting agendas.
- Developing and maintaining Department procedures for the collection and analysis of voluntarily reported statistical data (race, color, national origin, and sex, sexual orientation, gender identity, age, disability, religion, income status or limited English proficiency) of participants in, and beneficiaries of City programs within the Department
- Work to accomplish annual Department Title VI tasks.
- Participate in Periodic City-wide Title VI liaison conferences and schedule periodic Department Title VI meetings (independently or as part of another Department meeting) to establish and accomplish annual Title VI goals, inviting the Title VI & ADA Coordinator to attend meetings and ensuring minutes are kept for the same.
- Coordinate with the Title VI & ADA Coordinator to complete a periodic Department discrimination risk assessment that identifies and prioritizes risk areas and formulates mitigation strategies to be included in the Annual Title VI Implementation plan.
- Ensuring all aspects of their Department's operations occur in a manner consistent with the City's nondiscrimination policies and compliant with Title VI and nondiscrimination laws and regulations.
- Title VI & ADA Liaisons should also prepare a summary of its Title VI tasks & accomplishments with supporting documentation and submit the same to the Title VI Program Manager.
- Promote awareness of nondiscrimination requirements throughout the day-to-day operation of the Department

Current Title VI Liaisons for 2015-16 are identified in Appendix A.

OVERVIEW OF THE CITY'S TITLE VI POLICIES, PRACTICES & PROCEDURES

The following is summary information about policies and procedures related to Title VI with further information contained in the referenced appendices.

The following are policies related to key program areas required to be incorporated into our Title VI Plan and include the following:

1. Program Area Review Procedures (Includes Compliance and Enforcement Procedures)
2. Special Emphasis Program Areas (includes Compliance and Enforcement Procedures)
3. City Wide Data Collection Procedures for Title VI
4. Nondiscrimination Training
5. Complaint Policy
6. Subrecipient Review Procedures (Includes Compliance and Enforcement Procedures)
7. Public Involvement & Dissemination
8. Limited English Proficiency
9. Environmental Justice Programs

PROGRAM AREA REVIEW PROCEDURES

This section describes the pertinent City departments and programs and the Title VI responsibilities of each. It defines the process for conducting periodic reviews of departments and programs which includes:

- The objective of each review
- The types of reviews conducted for each program including:
 - What activities are being reviewed,
 - What data is being collected and how,
 - The procedure for analyzing collected data, and
 - How the review will be used to determine the effectiveness of the program area

As programs are added and reviewed, it may be necessary for the City to develop or revise its objectives, types of reviews, data collection procedures, and processes used to analyze data and make determinations. Changes to program reviews will be reflected in annual accomplishment report. This plan will be revised to reflect the same as necessary.

GENERAL PROGRAM REVIEW PROCEDURES

The following procedures apply to all departments and programs with current identified Title VI Tasks. These programs have an assigned Title VI Liaison to meet Title VI Program Goals. A list of current Title VI Liaisons can be found in Appendix A.

SELECTION AND IDENTIFICATION OF A PROGRAM AREA FOR TITLE VI PARTICIPATION

Departments and programs are identified and selected for Title VI program participation when it is determined that direct or significantly related Title VI Implications exist or are likely to exist within the program area. Title VI Implications include:

- Potential for disparate impacts to result from program are activities,
- Potential for disparate treatment to result from program are activities,
- Potential for discrimination to result from program are activities,
- Complaints of discrimination arising from program area activities,
- The program conducts activities intersecting accessibility, limited English proficiency, or environmental justice requirements,
- The program area involves contractual relationships with current and future subrecipients of Federal funds for which the City has subrecipient monitoring oversight authority and responsibility.

City Programs with one or more Title VI Implications or potential Title VI Implications may be identified by The Title VI Coordinator, Program Staff, INDOT, FHWA or other State or Federal agency for participation in the City's Title VI Program. Department and program selection is renewed periodically and programs are typically added and/or removed from direct program participation at the time the City revises its plan. Program participation allows for general monitoring of a program or an aspect of a program.

PERIODIC PROGRAM AREA EVALUATIONS

All City programs will be periodically considered and evaluated for participation in the Title VI program. The evaluation will focus on whether or not Title VI implications exist in the program and will include a periodic review of State Agency Directives for Title VI implications. When a program is evaluated for participation, the program manager will also ensure all employees in that program have received basic training on the City's nondiscrimination and accessibility policies and practices. This process ensures that as programs develop, expand, and/or reorganize, Title VI compliance can be maintained.

INITIAL PROGRAM AREA REVIEWS

When a new program is added to the Title VI Program, it is first tasked with assisting the program manager in the following:

- Identification of a Title VI Liaison
- Identification of the Title VI Implications existing or with potential to exist in the program
- Objective for review of the program
- Tasks necessary toward the achievement of the objective
- Data collection, analysis and reporting necessary to accomplish the identified tasks and
- Individuals who will assist in collecting, analyzing and reporting data sufficient to review the program as it relates to its Title VI Implications in order to:

- Identify and address any existing discrimination, disparate impacts, or disparate treatment having occurred or likely to occur within the program, or
- To ensure and demonstrate that, despite the existence of Title VI implications within the program, discrimination does not occur as a result of the program's operations.

Unless there is a need for immediate action, at least one program year is dedicated for each new program to the above-identified tasks to ensure effective and appropriate participation in the Title VI Program.

ONGOING PROGRAM PARTICIPATION

Following an initial review, a program will either:

- Be tasked with ongoing data collection and reporting related to Title VI implications, or
- Be identified as a special emphasis program area based upon:
 - the level of risk within that program,
 - an ongoing concern (such as a complaint investigation) or concern of a supervisory agency such as INDOT or FHWA regarding the program area (23 CFR 200.9(b)(6)), or

Program Reviews:

Program tasked with ongoing periodic reporting requirements will continue to be required to:

- Collect, analyze and report data regularly collected and reviewed to ensure Title VI compliance of the program
- Provide updates to the Title VI Coordinator that include:
 - Progress related to ongoing tasks and concerns
 - Individuals in the program who need Title VI Training
 - Trends or patterns in the data being collected that may warrant a more in-depth review or analysis. This includes instances where data collection efforts don't appear to be capturing the information intended or are otherwise insufficient to demonstrate compliance.
 - Copies of meeting agendas, minutes, and notes that evidence regular Title VI discussions as a part of the program's operations.
 - Any other issues related to Title VI.

Special Emphasis Programs:

Special Emphasis Program will, in addition to the above requirements for all program:

- Work with the program manager to develop a targeted action plan that addresses the objectives identified for the program area in light of the Title VI Implications that make this program one of special emphasis. These would include:
 - Conducting disparate impact and/or disparate treatment analysis
 - Reviewing and potentially revising policies and procedures that may result in discriminatory outcomes, and

- Addressing trends or patterns of discrimination identified during a review of the program area.
- Identify and train sufficient program individuals to accomplish the tasks identified in the action plan

The goal of identifying special emphasis programs is to ensure sufficient monitoring of high-risk programs and progress tracking for areas where there exists a material deficiency, disparate impact or treatment, or discriminatory practice that requires resolution and reporting.

Certain programs may remain Special Emphasis Programs on an ongoing basis due to the relationship of the work they do with Title VI requirements.

DATA COLLECTION, ANALYSIS & REPORTING

The type of data collected is dependent on the program area's objective. The City will collect various types of data to ensure compliance with Title VI. Some information may be collected for a period of time with the objective of determining what data needs to be collected. For example, the City's Title VI Coordinator may collect reports or studies from a program for one year to determine what implications exist and what types of information are reported, as well as what trends exist within that report or study. This practice may lead to specific categories of data gathered from those reports and evaluated over time.

The following types of data may be collected by the City: (examples are available in Appendix B)

- Public Involvement Surveys
- Records of Employee and Subrecipient Title VI required Training
- Records related to real estate transactions
- Records related to improving the accessibility of the City's assets. (the City's ADA Inventory)
- Environmental Justice analysis, studies and reports
- Complaints received, logged, processed and investigated by the City
- Limited English Proficiency requests
- Records of meeting minutes and discussions related to Title VI

Additional data being collected related to specific tasks and objectives will be identified in the City's Annual Goals and Accomplishments Report. It is within this annual report that the above information will be summarized and published. This report will be posted on the City's website after it has been approved.

COMPLAINTS OF DISCRIMINATION

The City of Greensburg has a compliant policy for complaints of discrimination related to Title VI and will promptly investigate all properly submitted complaints of alleged discrimination. Note that ALL COMPLAINTS AGAINST THE CITY will be referred to INDOT and/or the Federal

Highway Administration (FHWA) Division or the appropriate Federal Agency for investigation while the City will investigate complaints filed against sub recipients over whom the City has oversight authority.

The City will promptly investigate all properly submitted complaints of alleged discrimination. The City will further attempt to resolve such complaints and take corrective action upon a finding of a substantiated complaint. Within 60 days of receiving a complete complaint, the City will submit its final confidential investigative report to INDOT and/or FHWA or other appropriate State or Federal agency. The City's complaint process provides a procedure for appeal of all unsubstantiated claims of discrimination.

A. COMPLAINT INVESTIGATION PROCEDURES

The Title VI/ ADA Coordinator will make a determination to accept, reject or refer to the appropriate state/federal agency a complaint within ten (10) calendar days of its receipt. Complaints are not considered received until they are submitted to the City as complete complaints, both signed and in writing.

The City will determine whether the person or entity purportedly engaged in the alleged discriminatory act is a City sub-recipient (the legal entity to which the City made a sub-award and which is accountable to the recipient for the use of the funds provided). If the complaint does not specifically mention that the alleged discriminatory actor is a City sub-recipient, the City may presume so in deciding whether to accept the complaint for further processing.

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964 and its related statutes, regulations and directives; the Americans with Disabilities Act of 1990, as amended; and Section 504 of the Vocational Rehabilitation Act of 1973. These procedures do not affect the right of the Complainant to file formal complaints with other state or federal agencies or to seek private counsel for complaints alleging discrimination. These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the Complainant.

The City will make every effort to facilitate a voluntary early resolution of complaints at the lowest level possible. The City may exercise the option of informal resolution at any stage of the process. The Title VI/ADA Coordinator will make every effort to pursue a resolution of the complaint.

The Title VI/ADA Coordinator will refer all complaints against the City to INDOT and/or the FHWA or other appropriate State or Federal agency.

B. WHO MAY FILE A COMPLAINT

Any person who believes that he or she has been excluded from participation in, denied the benefits of or otherwise subjected to discrimination under any City service, program or activity

whether federally funded or not, based on their race, color, national origin, sex, sexual orientation, gender identity, age, disability, religion, income status or Limited English Proficiency may file a complaint. A complainant's representative may also file a complaint on behalf of such a person.

C. TIMELINESS OF COMPLAINTS

For a complaint against the City or a sub-recipient to be considered timely, it must be filed within 180 calendar days after the alleged incident has occurred. The City may waive the 180-day time limit for good cause solely at its discretion. The file date of a complaint is the earlier of the postmark or date a signed, written complaint is received by the City.

The City will determine on a case-by-case basis whether to waive the 180 calendar day time limit for good cause. Good cause for a waiver shall include, but is not limited to, the following instances:

Lack of Knowledge

The City may waive the time limit in situations where the person on whose behalf the complaint was filed did not know of and could not have reasonably known of the violation during the 180-day time limit. The complainant must file his or her complaint within 60 days of becoming knowledgeable of the violation.

Incapacitation

The City may also waive the time limit in situations where the person on whose behalf the complaint was filed was incapacitated because of illness or other incapacitating circumstances. The Complainant must provide independent documentation of the purported incapacitation. The complainant must file their complaint within 60 days after the period of incapacity ends.

D. LOCATION/AVAILABILITY OF COMPLAINT FORMS

The City will make its complaint forms available online via the City's website. Additionally, persons may contact the Title VI/ADA Coordinator to request a copy of the complaint form via email, facsimile or United States mail. The City's Title VI/ADA Coordinator shall provide copies of its complaint form in alternative formats upon request. Complainants are encouraged, but not required, to use the complaint form when filing a complaint.

E. HOW TO FILE A COMPLAINT

While a Complainant may preliminarily submit their complaint by mail, facsimile, or email to the Title VI/ ADA Coordinator, a signed, original copy of the complaint must be mailed to the Title VI I ADA Coordinator to officially begin the complaint process. Any person with a disability may

request to file his or her complaint using an alternative format. The City does not require a Complainant to use the City's complaint form when submitting his or her complaint. A copy of the City's Complaint Form and related Notices are included in **Appendix C**.

Direct all complaints of discrimination pursuant to Title VI to:

Ronald L. May
Title VI/ADA Coordinator
City of Greensburg
City Hall
314 West Washington Street
Greensburg, IN 47240
rmay@greensburg.in.gov
(812) 663-633442 (Phone)
(812) 662-6925 (Facsimile)

F. ELEMENTS OF A COMPLETE COMPLAINT

A complaint must be both written and signed to be complete. Verbal complaints must be reduced to writing and provided to the Complainant for confirmation, review and signature before processing. The complaint form is available for download from the City's website.

Additionally, a complaint must include the following information:

- The full name and address of the Complainant;
- The full name and address of the Respondent, the individual, agency, department or program that allegedly discriminated against Complainant; and
- A description of the alleged discriminatory act(s) that violated Title VI (i.e., an act of intentional discrimination or one that has the effect of discriminating on the basis of race, color, national origin, sex, age or disability) and the date of occurrence.

The following items are not acceptable as a complete complaint unless accompanied by a signed cover letter that specifically requests the City take action concerning the allegations:

- Anonymous complaints
- Inquiries seeking advice or information
- Newspaper articles
- Courtesy copies of court pleadings
- Courtesy copies of complaints addressed to other agencies
- Courtesy copies of internal grievances
- Oral complaints

The Title VI/ADA Coordinator shall notify the Complainant in writing if their complaint is incomplete and allot 15 calendar days for the Complainant to respond and provide the supplemental information needed to complete the complaint.

G. PROCESSING COMPLAINTS

The Title VI/ADA Coordinator will process all complaints. The Title VI/ADA Coordinator is responsible for:

- Maintaining a log of all complaints. The Title VI/ADA Coordinator will note the complaint in the log by sequential case number based on the year, month and order in which the City received the complaint. For example, if the City received its first complaint on March 4, 2011, the case number would be 2011-03-04.
- Acknowledging receipt of the complaint, informing the Complainant of the action taken or proposed action to be taken to process the complaint in the form of an acknowledgement letter. The acknowledgement letter shall include a restatement of the complaint, brief statement of the City's jurisdiction over the sub-recipient, and contact information for the investigator assigned to conduct the investigation.
- Providing written notice of the complaint to INDOT and/or the FHWA or other appropriate State or Federal agency within 10 working days of receipt of the complaint.
- Forwarding a notice via certified mail to the Respondent informing them of the allegations, requesting a position statement and providing the name and telephone number of the Title VI staff person assigned to investigate the complaint.
- Informing the Complainant that he or she has a right: (1) to have a witness or representative present during any interviews and (2) to submit any documentation he or she perceives as relevant to proving the allegations contained in the complaint.
- Providing the Respondent an opportunity to respond to all aspects of the Complainant's allegations.
- Determining which witnesses will be contacted and interviewed.
- Contacting the Complainant to provide the Complainant an opportunity to provide additional information before the City prepares its final report to be forwarded to INDOT and/or FHWA or other appropriate State or Federal agency.
- Writing a confidential investigative report (IR) and forwarding a copy of the same to INDOT and/or the FHWA or other appropriate State or federal agency within 180 calendar days following the receipt of the complaint by the City. The report shall not be disclosed to the Complainant or Respondent. The report shall include the following:
 - A summary of the written complaint;
 - A brief description of the standard of review/methodology used to investigate the complaint;
 - Summarized statements taken from witnesses;
 - Findings of fact and an analysis of the evidence gathered. The analysis should address each allegation in the complaint and Respondent's position;
 - A determination, based on the preponderance of evidence presented, of whether the complaint is substantiated or unsubstantiated; and
 - Proposed corrective action for substantiated cases.
- Drafting a Letter of Findings (LOF) and mailing the LOF to INDOT and/or the FHWA or other appropriate State or Federal agency, Respondent and Complainant within 180

calendar days of the date the complaint was received by the City. The LOF will include the following:

- A summary of the written complaint;
- A brief description of the standard of review/methodology used to investigate the complaint;
- Findings of fact and an analysis of the evidence gathered. The analysis should address each allegation in the complaint and Respondent's position;
- A determination, based on the preponderance of evidence presented, of whether the complaint is substantiated or unsubstantiated;
- Proposed corrective action for substantiated cases; and
- A notice of the right to appeal to INDOT and/or the FHWA or other appropriate State or Federal agency with an outline of the procedures for appeal.

H. CORRECTIVE ACTION

If the City recommends corrective action, the City will give the Respondent 30 calendar days to inform the City of the actions taken for compliance. The Title VI/ADA Coordinator shall monitor Respondent's corrective action compliance.

Corrective action may include actions that the Respondent will complete at a future date after the initial 30 days and must include projected time in which the Respondent will complete the action.

If the Respondent has not taken the recommended corrective action within the 30-day period allowed, the City will find the Respondent to be in noncompliance with Title VI and its implementing regulations. Noncompliance not corrected by informal means as described above may be subject to sanctions as per 49 CFR § 21.13.

I. INVESTIGATIVE/ ADMINISTRATIVE CLOSURES

It is the general practice of the City to investigate all complete complaints not referred to other agencies for investigation; however, the City may administratively close a complaint at its discretion. The types of complaints that may be administratively closed and will not be investigated include, but are not limited to, the following:

- Incomplete Complaints
- Complaints that fail to state a claim or provide any substantial or coherent claim;
- Complaints that are outside the scope of the City's Title VI jurisdiction;
- Untimely complaints filed more than 180 days after the alleged discriminatory acts;
- Complaints voluntarily withdrawn by the Complainant;
- Complaints in which the investigation has been impaired by the City's inability to locate the Complainant;

- Complaints that are a continuation of a pattern of previously filed complaints involving the same or similar allegations against the same recipient or other recipients that repeatedly have been found factually or legally unsubstantiated by the City;
- Complaints containing the same allegations and issues that have been addressed in a recently closed complaint or compliance review conducted by the City;
- Complaints containing allegations that are foreclosed by previous decisions by the Federal courts, Department of Justice or INDOT or other appropriate State agency policy determinations;
- Complaints filed for complainants or parties who refuse to cooperate with the investigation and whose lack of cooperation substantially impairs the completion of the investigation. In such circumstances, the Complainant should be contacted and advised that their lack of cooperation has hindered the investigation. Furthermore, the Complainant should be advised that continued failure to cooperate may result in an administrative closure of the complaint without further investigation;
- Complaints transferred to another agency for investigation; and
- Complaints where the death of a Complainant makes it impossible to investigate the allegations fully or the death of the Complainant forecloses the possibility of relief because the complaint involved potential relief solely for the Complainant or injured party.

The City shall notify Complainants in writing via certified mail when a determination is made to administratively close a case without further investigation. The notification shall include an explanation of the basis for the administrative closure.

J. APPEALS PROCEDURES

The Complainant has the right to appeal to INDOT and/or the FHWA or any other appropriate State or Federal agency any determination that results in an unsubstantiated claim. The City will convey to the Complainant the procedures for filing the appeal to the INDOT and/or the FHWA or any other appropriate State or Federal agency along with the Letter of Findings. The procedure for filing an appeal with INDOT and/or the FHWA or any other appropriate State or Federal agency is:

- Complainant must submit the appeal in writing to the Title VI/ADA Coordinator within 14 calendar days of receipt of the City's Letter of Findings.
- Complainant must cite in the appeal the specific portion(s) of the finding with which the Complainant disagrees and the reason(s) for the disagreement.
- The City will forward the appeal and the record within seven calendar days to INDOT and/or the FHWA or any other appropriate State or Federal agency for review.
- INDOT and/or the FHWA or any other appropriate State or Federal agency has 30 calendar days after the receipt of the appeal to complete its review.
- Written findings of INDOT and/or the FHWA or any other appropriate State or Federal agency are then sent to the Complainant.

K. CONFIDENTIALITY

In accordance with DOT Order 1000.12, The City shall keep all complainants' identities confidential except to the extent necessary for carrying out an investigation. If an investigator determines that it is necessary to disclose the Complainant's identity to the Respondent or a third party the investigator must first obtain Complainant's written permission. The City may refer complaints to the appropriate agency or entity (such as INDOT or FHWA) without obtaining permission as referral may be required. The City will notify Complainant of the referral at the time the referral is made. Otherwise, the City shall obtain a Complainant's written consent before providing a copy of the complaint to the Respondent or a third party.

L. RECORDS

The City's Title VI Coordinator shall maintain all records of an investigation in a confidential area for three years after the completion of the investigation.

SUBRECIPIENT COMPLIANCE MONITORING

The City of Greensburg is in the process of developing policies to monitor its subrecipients for compliance with Title VI as required and will be putting those policies into practice as they are developed. In as much as many subrecipients (generally consultants or contractors) also work directly for the Indiana Department of Transportation (INDOT), the City will rely upon the INDOT compliance monitoring activities of such consultants or contractors that also work directly for INDOT. Policies are being developed for review of consultants or contractors that do not work directly for INDOT. These policies will be specific to each type of subrecipient and represent, in many cases, layers of oversight and I or levels of review.

Objective:

The overall objective of compliance monitoring is to ensure all entities and agencies over which the City has Title VI oversight responsibility remain or are brought into compliance with Title VI and other nondiscrimination requirements.

When the City has subrecipients not also working directly for INDOT, the City will conduct compliance reviews to comply with Title VI, to monitor recipient and sub-recipient compliance, and to proactively identify and remedy potential and actual violations of the nondiscrimination laws.

TYPES OF SUBRECIPIENT COMPLIANCE MONITORING & REVIEWS

The City will tailor its subrecipient monitoring practices to the type of subrecipient and level of review required. Types of subrecipients over whom the City has oversight responsibility include:

- Contractors
- Consultants

Levels of subrecipient monitoring may include:

- Certifications of compliance
- Compliance Surveys
- Desk Reviews
- Telephone I Web Interviews

The following sections detail the City's compliance review levels and procedures for each subrecipient type.

POLICIES AND PROCEDURES FOR CONSULTANT OR CONTRACTOR COMPLIANCE REVIEWS

When deemed appropriate Title VI review notices will be sent. The Title VI/ADA Coordinator will request that the subrecipient under review provide documentation before a scheduled

telephone conference or onsite visit. Then, the Title VI/ ADA Coordinator will review the sub-recipient's responses and during the conference or onsite and provides feedback to the sub-recipient. By using this method, the Title VI/ADA Coordinator will be able to provide a same day verbal preliminary determination of compliance to the sub-recipient.

CONTRACTOR OR CONSULTANT COMPLIANCE REVIEW PROCESS

- I. When deemed appropriate and necessary the Title VI/ADA Coordinator will provide written notice to the consultant or contractor of the scheduled compliance review. This notice will be mailed at least thirty (30) days before the submission of information is due and will include the due date, address, and required information and/or certifications; and notification to the consultant or contractor of its obligation to cooperate by providing records, allowing access to data and making staff and witnesses available.
- II. Any person who fails to respond to a notice of compliance review, including the request for information, within the prescribed deadline will receive written notification of his or her deficiency status. The City will send the Compliance Review Notice of Deficiency via certified mail. The subrecipient then has five (5) calendar days from the date of receipt to respond in writing.
- III. Information received from the consultant or contractor is desk reviewed by the City and a telephone call is scheduled to discuss preliminary deficiencies observed and to request additional information as necessary. An on-site visit may or may not be scheduled, and conducting on site evaluations is at the City's discretion.
- IV. When conducted, the onsite reviews will consist of three phases and will be conducted by the Title VI/ADA Coordinator or other trained staff.
 - a. The first phase will consists of a meeting with leadership and pertinent personnel. The reviewer will interview pertinent personnel and gather sufficient information to determine the sub-recipient's compliance. The reviewer will use the onsite review form to solicit and record information gathered during the onsite interviews. The consultant's or contractor's contract with the City requires the consultant or contractor to monitor its subrecipients and to include the assurances in its subcontracts.
 - b. During the second phase of the onsite compliance review, the reviewer may tour the project site and interview personnel and subrecipients when deemed necessary due to the nature of the project or the deficiency.
 - c. In the third and final phase of the onsite review, the reviewer will conduct an exit interview with the pertinent personnel to report preliminary findings, conclusions and recommendations.
- V. Preliminary Findings --- Following the conclusion of the desk review and/or onsite review, the reviewer will provide the contractor with a report of preliminary findings which shall:
 - a. Document any deficiencies observed and direct the consultant or contractor to come into compliance within 30 days.

- i. Compliance Plan -- Any deficiency which cannot possibly be resolved within 30 days shall be reflected in a compliance plan submitted to the City for approval within 30 days and shall include dates by which compliance will be achieved.
- ii. Notice of Achievement -- In addition, it is the consultant's or contractor's responsibility to notify the City that it has achieved its approved compliance plan goals. Failure to provide such notice may place the consultant or contractor in deficiency status.
- iii. Examples of Title VI Deficiencies:
 - 1. Title VI Coordinator needs to participate in Title VI training;
 - 2. Contracts do not contain nondiscrimination assurance language;
 - 3. No method to solicit Disadvantaged Business Enterprises and/or businesses with meaningful minority representation; and beyond that, to solicit participation from the broader scope of Title VI protected individuals regardless of race, color, national origin, sex, sexual orientation, gender identity, age, disability, religion, income status, and limited English proficiency.
 - 4. No method to provide services to LEP persons;
 - 5. No Title VI complaint log;
 - 6. No Title VI complaint and hearing procedure; and
 - 7. No method to monitor race, ethnicity and gender of contractors.
- b. Failure to Comply: If the consultant or contractor does not voluntarily comply within 30 days of the original notification or by the agreed upon extension of time, the City will issue a notice of noncompliance. If the consultant or contractor fails to submit appropriate and complete documentation to support its commitment to comply with Title VI, the City will issue a noncompliance letter and forward a copy to INDOT and/or FHWA or other appropriate State or Federal agency.

VI. Following the expiration of 30 days, the City will either:

- a. Certify the consultant's or contractor's compliance, or
- b. Issue a notice of noncompliance.
- c. Copies of all notices will be provided to INDOT and/or FHWA or other appropriate State or Federal agency.

RECORDKEEPING & REPORTING

The City will maintain a log of any compliance reviews for three (3) years following the completion date of each review determined by the date the final compliance determination letter was sent to the subrecipient or the last action on the file, whichever is later. The Title VI/ADA Coordinator will update the log periodically when the City schedules reviews, sends notifications to a subrecipient and sends a final report to INDOT and/or the FHWA or other appropriate State or Federal agency.

Each complete compliance review file should contain the following documentation and evidence before the City notifies the sub-recipient of Title VI compliance¹:

- Title VI Compliance Review Checklist,
- Reviewer Name/Title,
- Proof of Notification of the Review,
- A copy of the completed request for information with supporting documentation,
- A copy of the subrecipient's Title VI Implementation plan, if applicable,
- A copy of the subrecipient's nondiscrimination policy,
- A copy of the subrecipient's complaint log & policy,
- A copy or description of the sub-recipient's method used to monitor subrecipients, if any;
- A copy of the Title VI contract assurance language used in the subrecipient's contracts,
- A copy or description of the method of providing and soliciting contracting opportunities,
- Any notes or meeting minutes made by the reviewer and any exceptions, notes or objections provided by the sub recipients to be maintained in the file.

EXAMPLES OF TITLE VI DEFICIENCIES:

- Title VI coordinator has not been identified
- A Title VI Implementation Plan does not exist or meet requirements
- The subrecipient does not collect, analyze and report data sufficient to identify program areas where discrimination may occur.
 - The subrecipient does not address discrimination that occurs.
 - The subrecipient does not provide Title VI training to its staff.
 - The subrecipient does not have sufficient nondiscrimination policies.
- Title VI Coordinator needs to participate in Title VI training;
- subcontracts do not contain nondiscrimination assurance language;
- No method exists to solicit participation from the broader scope of Title VI protected individuals regardless of race, color, national origin, sex, sexual orientation, gender identity, age, disability, religion, income status, and limited English proficiency.
- No method exists to provide services to LEP persons;
- No Title VI complaint log;
- No Title VI complaint and hearing procedure; and
- No method to monitor race, ethnicity and gender of subrecipients.

¹ This list may be revised periodically as the review process is further developed and implemented.

NONDISCRIMINATION & ACCESSIBILITY TRAINING

This section of the City's Title VI Implementation Plan describes how and when members of the City's staff as well as subrecipients and others receive Title VI Training.

CITY DEPARTMENT & EMPLOYEE **TITLE VI** TRAINING

The City generally relies upon training provided by INDOT for the Title VI/ADA Coordinator. In addition, internal training will be organized by the Title VI/ADA Coordinator for department heads, City employees and elected and appointed City officials. The degree of training may be tiered to provide the sufficient training appropriate for each level of training participant to ensure compliance with Title VI and ADA requirements.

The Title VI/ADA Coordinator has attended and will continue to attend, when available, training from INDOT Title VI Program Staff during the following training opportunities:

- INDOT-hosted workshops provided in INDOT District Offices
- Workshops as part of larger conference (IACT, Purdue Road School)
- Webinars hosted by a third party

Further, the City has and will continue to use the INDOT'S TITLE VI & ADA TECHNICAL ASSISTANCE GUIDE FOR CITIES & TOWNS available at http://www.in.gov/indot/files/Subrecipient_Technical_Assistance_2016_Version_2.pdf in efforts to achieve compliance with those requirements. The Title VI/ADA Coordinator will also participate in other available training opportunities as they become available.

The Title VI/ADA Coordinator will organize training opportunities for City Departments and employees. Such training sessions will be held periodically, but not less often than once each biennium. Employees that have direct contact with the public, participate in employment decisions, participate in contracting activities, or participate in consultant selection processes will be included in such training. Elected and appointed city officials will also be included in training opportunities.

ENVIRONMENTAL JUSTICE (EJ)

The City's Environmental Justice (EJ) compliance efforts are a part of its Title VI compliance program. This section of the City's Title VI Plan describes how EJ considerations are integrated into the City's program areas. Minority and low income information will be included on Public Involvement Surveys (Appendix B) and as a part of the demographic data collected where demographic data collection is an appropriate and necessary part of a program area's Title VI compliance efforts (e.g. Relocation). All demographic data collection endeavors referenced include low income and minority information for the purposes of determining EJ impacts.

Data collected will be analyzed by the Title VI/ADA Coordinator to conduct an appropriate benefits and burdens analysis. EJ populations are also included on the City's Nondiscrimination

and Accessibility Complaint forms and are reflected throughout pertinent City policies. When an issue arises, via complaint or otherwise, the City staff will work together to evaluate whether or not changes in policy or practice are appropriate as part of the resolution of the issue.

Training & Awareness of EJ Requirements:

Like many other areas of Title VI Compliance, awareness is vital to the success of the program. As such, EJ requirements are included in the City's internal and external training programs. These training opportunities will discuss how EJ issues can arise at any time from inception of a program through its completion and into maintenance of operations. Training encourages employees to identify and report potential EJ issues to Program Management to ensure proper consideration of any and all EJ issues that may arise as part of the City's operations or those of any subrecipient or stakeholder.

The City will collect and map demographic information collected from census data in an attempt to identify low income and/or minority neighborhoods in the City. That information can then be used to evaluate programs and service policies as well as to identify for training purposes which neighborhoods have potential for EJ issues.

INDOT's Environmental Services Division:

When federal funding assistance is used by the City, much of the City's EJ compliance is handled by and through INDOT's Environmental Services Division and consultants employed by the City. The goal of the Environmental Services Division is to ensure that addresses environmental needs are identified during the development process of projects. Within Environmental Services there are three sections: Cultural Resources, Ecology and Waterway Permitting and Environmental policy. The NEPA process considers environmental justice which is a component of Title VI. Consultants working for the city on federally funded projects report their findings with regards to EJ to the Environmental Services division for their review and concurrence.

The Environmental Services division has three publications available to consultants and service providers to ensure they are aware of Title VI and ADA requirements. These include the INDOT CE Manual, the INDOT Procedural Manual, and the INDOT Equal Justice Policy. That division monitors compliance through the NEPA process. Requirements are discussed as early as planning stages while purpose and need are being assessed and during kick-off meetings. Demographic data is collected from the census website for all EA and EIS projects. An environmental justice analysis is required for all projects as part of the NEPA document.

This division works hard to ensure that there are not disproportionate and adverse impacts by such projects. That division reviews EJ analyses prepared by consultants as part of the NEPA (National Environmental Policy Act) requirements.

LIMITED ENGLISH PROFICIENCY (LEP)

One of the City's program goals in implementing and adhering to its Title VI obligations is to improve the accessibility of its programs and activities to eligible Limited English Proficiency (LEP) persons, e.g. those persons who have a limited ability to read, write, speak or understand English. This section of the City's Title VI Implementation Plan discusses how the City reaches populations with Limited English Proficiency. Strategies the City might use to meet LEP requirements include:

- An ongoing self-assessment of LEP needs through the use of an LEP Report Form (Appendix B) coupled with employee training sufficient to create an effective monitoring program,
- An LEP Analysis (see Appendix E), and
- An LEP Plan (also in Appendix E.)

The City continues to strive to improve its data collection efforts to better track the actual number of LEP individuals encountered in the delivery of services so that the City may continue to evaluate the effectiveness of its LEP Implementation Plan. Training provided to City elected and appointed officials and employees contains information about LEP requirements and tools the City can use to gather information on an ongoing basis about LEP needs. These tools consist of the use of the following: (Included in Appendix E as appropriate)

- Internal LEP Report Form
- "I Speak" Cards
- Ability of the public to request language services and translation services as appropriate
- Use of demographic information, not limited to but including census information to determine whether LEP resources and/or alternative advertising measures should be considered as part of public involvement activities.

LEP information will be included in the City's internal training and the Title VI/ADA Coordinator will track, record, and monitor the number of LEP requests and individuals encountered. For more information on LEP, see Appendix E, LEP Analysis & City LEP Plan.

ACCESSIBILITY (ADA)

Accessibility is an integral part of the City's Title VI Program as Title VI prohibits discrimination on the basis of disability. The City describes its accessibility programs in its ADA Transition Plan available online <http://www.cityofgreensburg.com/Forms/GreensburgADATransitionPlan.pdf>. The City aims to comply with the American's with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act by:

- Identifying an ADA Coordinator
- Maintaining a complaint policy and forms
- Ensuring public meetings and information made available online are accessible
- Adopted and utilizing its ADA Transition Plan

- Consideration of Technical Infeasibility Requests to ensure that compliance to the maximum extent possible with accessibility requirements is achieved when constructing pedestrian facilities and accessible features of roadways.

Accessibility is also part of the City's internal Title VI Training.

PUBLIC INVOLVEMENT

All City Boards, Commissions and meeting organizers will attempt to achieve adequate public participation and input on City policies, projects and planning. During meetings, voluntary public involvement surveys will be disseminated.

The City will use a voluntary public involvement survey (Appendix B) to collect information regarding persons affected by proposed projects, services and programs. The survey permits respondents to remain anonymous, while voluntarily answering questions regarding their, race, color, national origin, sex, sexual orientation, gender identity, age, disability status, religion, household income or limited English proficiency.

The City will make voluntary public involvement survey available at all public hearings and meetings. Additionally, the facilitator of the meeting or hearing will make an announcement at the beginning and end of the meeting or hearing informing the attendees of the purpose of the survey. The facilitator will then make a request for the attendees to complete the survey.

The City will retain completed surveys for three years from the date of the meeting and/or completion of the related project when applicable. These surveys are retained by the Title VI/ADA Coordinator.

TITLE VI TECHNICAL ASSISTANCE TOOL UPDATE

The City completed the Title VI Technical Assistance Tool using its own best judgment without consultation with INDOT or the FHWA or other State or Federal agencies based on the results of its internal reviews of its core programs. The results of the internal assessment of its Title VI compliance efforts appear in the table below.

Local Public Agency (LPA) Responsibilities			
A. General:	Yes	No	In Progress
1. Has the LPA submitted Title VI nondiscrimination assurances to INDOT? (Considerations: within last 5 yrs., 2 yrs., or longer)			X
2. Does the assurance certify that discrimination based on sex is prohibited?	X		
3. Does your assurance include Civil Rights provisions of other Federal statutes that prohibit discrimination?	X		

4. Does the LPA have a Civil Rights unit, e.g., an office or department? (Considerations: Are the functions of your Civil Rights implementation delegated?)	X		
5. Is the CR unit adequately staffed to effectively implement the City's CR requirements? (23 CFR 200.9(b)(2)) (Considerations: (a) The meaning of "adequate" is relative to each office with regard to overall staff responsibilities. There is no "magic figure" concerning the number of staff assigned implementation responsibilities. (b) Can your staff, in fact, implement the City's Civil Rights requirements vs. simply knowing what is expected of them as staff?)	X		
6. Has your LPA included in its directives, specific discriminatory practices that are prohibited? (49 CFR 21.5(b)) (Considerations: Do your LPA's directives prohibit practices such as, but not limited to: segregation or separate treatment in any part of the program; different standards or requirements for participation; discrimination in any employment resulting from a program?)	X		
B. Implementation:	Yes	No	In Progress
1. Has your LPA designated a Title VI Coordinator or title VI Specialist? (23 CFR 200.9(b)(1))	X		
2. Does the Coordinator/Specialist have easy access to the Head of the LPA? (23 CFR 200.9 (b)(1)) (Consideration: With regard to "access": Must the coordinator or specialist obtain permission from his/her supervisor or someone else before talking with the Head of the LPA?)	X		
3. Does the Title VI Coordinator/Specialist have the responsibility to monitor Title VI activities and prepare required reports? (23 CFR 200.9(b)(l))	X		
4. Has the LPA provided or coordinated Title VI training? (Consideration: within 1-3 years, attendees(# and disciplines()CFR 200.9(b) (9))			X
5. Has the Title VI Coordinator/Specialist submitted a Title VI Implementation Plan to INDOT? (23 CFR 200.9(b)(11)) (Consideration: Federal regulations require an updated State Title VI Implementation Plan every year.)			X

6. Has the LPA developed Title VI information for dissemination to the general public and, where appropriate, in languages other than English? (23 CFR 200.9a(b)(12)) (Considerations: a –The LPA should have a demographic profile of the affected areas to determine this. b- Examples of dissemination vehicles: TV, radio, newspapers, town meetings, flyers, brochures, placement in public areas, etc.)			X
7. Has the Title VI Coordinator/Specialist prepared an annual accomplishment report for the past year, and goals for the next year? (23 CFR 200.9(b)(10)) (Note: There is no need for a separate update if the accomplishment report contains one.)			X
8. If your LPA has received Federal Assistance through continuing State programs, has it established a Title VI compliance program for itself and its sub-recipients? (23 CFR 200.9(b) (5) (6), & (7))	X		
C. Procedures:	Yes	No	In Progress
1. Has the LPA developed procedures for processing and resolving Title VI complaints received directly by the LPA? (23 CFR 200.9(b)(3))	X		
2. Are the complaints and a copy of the report of investigation forwarded to INDOT or other appropriate State or Federal agency within 60 of the date the complaint was received by the LPA? 23 CFR 200.9(b)(3))	X		
3. Does the LPA have civil rights personnel trained in compliance investigations? (23 CFR 200.9(b)(3)) (Examples: Programs offered by the Graduate School in the U.S. Department of Agriculture; consultants in the areas of complaints and investigations; FHWA training sessions; or other certified trainers.)		X	
4. Does the LPA have a Title VI log that identifies each Complainant by race, color, sex, or national origin, (23 CFR 200.9(b) (3)), age or disability (23 CFR 200.5) (p) (6)); by recipient; nature of complaint; dates the complaint was filed and the investigation completed; disposition; and other pertinent information? (23 CFR 200.9(b)(3))	X		
5. Does the LPA have procedures to collect and analyze statistical data (e.g., race, color, sex, national origin) of participants and beneficiaries of the STA programs (i.e., relocatees, impacted citizens, and affected communities)? (23 CFR 200.9(b)(4))	X		

6. Has the STA established procedures to identify and eliminate discrimination when found? (23 CFR 200.9(b)(14))	X		
7. Has the LPA used onsite compliance reviews to discover discriminatory practices? (23 CFR 200.9(b)(14))			X
8. Has the LPA established procedures for promptly resolving deficiencies and reducing to writing, the remedial action agreed to be necessary, within 90 days? (23 CFR 200.9(b)(15))	X		
9. In accordance with the City's signed assurances and regulation guidelines, does the LPA take affirmative action to correct deficiencies when found by INDOT or the FHWA or other applicable State or Federal agencies?	X		
10. Has the LPA established procedures for pre-grant and post-grant approval reviews of City programs and applicants for compliance with Title VI requirements (i.e., highway location, design and relocation, persons seeking contracts with the State)? (23 CFR 200.9(b)(13))		X	
11. Does your LPA take [prompt] action to achieve voluntary compliance as its first objective? (23 CFR 200.11(d))	X		
12. Does your LPA place an emphasis on community outreach and public education to inform funding recipients of the obligations imposed on them by Title VI? (23 CFR 200.9(b)(12))	X		
13. Are title VI and related requirements included in the applicable City program directives? (23 CFR 200.9(b)(8))	X		
D. Program Reviews:	Yes	No	In Progress
1. Has the LPA developed a program to conduct Title VI reviews of program areas? 200.9(b)(5))	X		
2. Has the LPA conducted annual Title VI Reviews of its [major] program areas to determine the effectiveness of program area activities at all levels? (23 CFR 200.9(a)(4)(b)(6))			X
3. Has the LPA conducted Title VI reviews of sub-recipients (i.e., consultants, contractors, and other recipients of Federal-aid highway funds)? (23 CFR 200.9(b)(7))			X

APPENDICES

CONTENTS

Appendix A:	City's Title VI Team Representing its Key Program Areas & departments
Appendix B:	Forms the City Uses to Collect Data
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APPENDIX A: CITY'S TITLE VI TEAM REPRESENTING ITS KEY PROGRAM AREAS & DEPARTMENTS

The following list of individuals are the City of Greensburg Elected Officials, Department Heads, Staff and Appointed Officials that form lead Key Program Areas and Departments as of January 1, 2016. The individuals change from time to time, and when changes occur, the following list will be updated:

ELECTED OFFICIALS:	
Dan Manus	Mayor and President of Board of Works
Ashlee Green	City Clerk/Treasurer
Jamie Cain	President of Common Council
DEPARTMENT HEADS:	
Ronald L. May	City Engineer and Title VI/ADA Coordinator
Mark Klosterkemper	Street Commissioner
Jeff Smith	Wastewater Superintendent
Rick Denny	Water Superintendent
Brendon Bridges	Chief of Police
Steve Garrett	Fire chief
Donna Lecher	Water Utilities Manager
APPOINTED OFFICIALS:	
Kevin Fleetwood	Plan Commission President
Roy Middendorf	Board of Zoning Appeals President
Chuck Storie	Water Board President
David Weigel	Greensburg Redevelopment Commission President
Jon Dooley	Greensburg Board of Aviation Commissioners President
Melanie Maxwell	Historic Preservation Commission Chairperson

APPENDIX B: FORMS THE CITY USES TO COLLECT DATA



As we receive and use public (federal) funds, the City of Greensburg, Indiana (City) has developed this survey to ensure our programs do not result in discrimination. This survey gathers data about the beneficiaries of federal aid highway programs and activities (23 CFR 200.9 (b)(4)) and other federal funding programs. The City is distributing this voluntary survey to make sure our projects benefit everyone equally. Your response is important as it helps us better serve you.

You are not required to complete this survey. Submittal of this information is voluntary. This form is a public document that the City will use to monitor its programs and activities for compliance With the Title VI of the Civil Rights Act of 1964, as amended and its related statutes and regulations.

If you have questions regarding the City's responsibilities under Title VI of the Civil Rights Act of 1964 or the Americans with Disabilities Act (ADA), please contact The City's Title VI/ADA Coordinator office at 314 West Washington Street Greensburg, Indiana 47240, (812) 663-3344, FAX (812) 662-6925.

You may return the survey to any City Official at the meeting. You may also leave the completed form on the table where the survey was provided.

CITY OF GREENSBURG TITLE VI PUBLIC INVOLVEMENT SURVEY

Date, (month, day, year): _____ Meeting Attended: _____

Gender: Female Male **Ethnicity:** Hispanic or Latino Not Hispanic or Latino

Race: (Check one or more): American Indian or Alaska Native Asian Black or African-American
Native Hawaiian or Other Pacific Islander White Multiracial

Age: 1-21 22-40 41-65 65+ **Disability:** Yes No

Household Income:

\$0 - \$12,000 \$12,001 - \$24,000 \$24,001 - \$36,000
\$36,001 - \$48,000 \$48,001 - \$60,000 \$60,001+

How will this information be used?

- The City will monitor, track and document data received as a result of this survey in an effort to comply with Title VI of the Civil Rights Act of 1964.
- Documentation may be submitted to the Indiana Department of Transportation and/or the Federal Highway Administration for evaluation and review.
- The City makes changes and modifications to its programs and project development activities based upon this information.

How should I submit this information?

- Hand the completed form to any City Official at the meeting.
- Leave the Completed form at the location of the blank forms in the rear of the room.
- Mail to: Attention Title VI Coordinator, City Hall, 314 West Washington Street, Greensburg, IN 47240



LIMITED ENGLISH PROFICIENCY (LEP) REPORT

USE OF FORM: This form should be used to record and report communications with or requests for services from individuals and/or entities in need of language services. If there is a language barrier between a City employee in an individual or group interaction, please provide as much information regarding the interaction as possible on this form.

TRANSMITTAL: Please complete this form and deliver it by mail, facsimile, or e-mail to:

Ronald L. May, P.E.
 Title VI/ADA Coordinator
 City Hall
 314 West Washington Street
 Greensburg, IN 47240

Phone: (812) 663-3344
 Fax: (812) 662-6925
 E-mail: rmay@greensburg.in.gov

Date of Form Completion:	City Employee Completing Form:	City Employee Job Title/Role:	City Employee Work Phone:
Date of LEP Issue:	Was there a request for language services? [] YES [] NO	If requested, by Whom:	City Employee E-mail:
Contact Type: <input type="checkbox"/> Individual face-to-face <input type="checkbox"/> Individual by phone <input type="checkbox"/> Agency-sponsored Public Meeting <input type="checkbox"/> Event (describe below) <input type="checkbox"/> Contact by outside organization <input type="checkbox"/> Other (please describe below) <hr/> Number of people requiring language services:		Level of Language Barrier: <input type="checkbox"/> Communication was not possible <input type="checkbox"/> Communication was significantly impaired <input type="checkbox"/> Communication was partially possible <input type="checkbox"/> Communication was possible due to interpretation provided by a non-City sponsored interpreter <i>Was this interpreter a minor</i> [] YES [] NO <input type="checkbox"/> Communication was possible due to language services provided by interpreter or translator retained by the City or the forum in which the services were required	
Language for which LEP services were required:	How was this determined: [] I Speak Cards [] Self-identified [] Other (describe)	Type of services needed: (check all that apply) [] In person interpretation [] Telephone interpretation [] Written material translation [] Other (describe)	

Please use the back of this form if additional information is required Contact Ronald May with any questions.

- | | |
|--|------------------------|
| <input type="checkbox"/> <p>ضع علامة في هذا المربع إذا كنت تقرأ أو تتحدث العربية.</p> | 1. Arabic |
| <input type="checkbox"/> <p>Խոսողո՞ւմ ե՞նք հնչողո՞ւմ կատարե՞ք այս քառակուսում,
եթե խոսողո՞ւմ կամ կարողո՞ւմ եք հայերեն:</p> | 2. Armenian |
| <input type="checkbox"/> <p>যদি আপনি বাংলা পড়েন বা বলেন তা হলে এই বাক্সে দাগ দিন।</p> | 3. Bengali |
| <input type="checkbox"/> <p>ឈ្មួញកំពុងប្រអប់៖ បើអ្នកអាន ឬនិយាយភាសា ខ្មែរ ។</p> | 4. Cambodian |
| <input type="checkbox"/> <p>Motka i kakhon ya yangin ûntûngnu' manaitai pat ûntûngnu' kumentos Chamorro.</p> | 5. Chamorro |
| <input type="checkbox"/> <p>如果你能读中文或讲中文，请选择此框。</p> | 6. Simplified Chinese |
| <input type="checkbox"/> <p>如果你能讀中文或講中文，請選擇此框。</p> | 7. Traditional Chinese |
| <input type="checkbox"/> <p>Označite ovaj kvadratić ako čitate ili govorite hrvatski jezik.</p> | 8. Croatian |
| <input type="checkbox"/> <p>Zaškrtněte tuto kolonku, pokud čtete a hovoříte česky.</p> | 9. Czech |
| <input type="checkbox"/> <p>Kruis dit vakje aan als u Nederlands kunt lezen of spreken.</p> | 10. Dutch |
| <input type="checkbox"/> <p>Mark this box if you read or speak English.</p> | 11. English |
| <input type="checkbox"/> <p>اگر خواندن و نوشتن فارسی بلد هستید، این مربع را علامت بزنید.</p> | 12. Farsi |

<input type="checkbox"/>	Cocher ici si vous lisez ou parlez le français.	13. French
<input type="checkbox"/>	Kreuzen Sie dieses Kästchen an, wenn Sie Deutsch lesen oder sprechen.	14. German
<input type="checkbox"/>	Σημειώστε αυτό το πλαίσιο αν διαβάζετε ή μιλάτε Ελληνικά.	15. Greek
<input type="checkbox"/>	Make kazye sa a si ou li oswa ou pale kreyòl ayisyen.	16. Haitian Creole
<input type="checkbox"/>	अगर आप हिन्दी बोलते या पढ़ सकते हैं तो इस बक्स पर चिह्न लगाएँ।	17. Hindi
<input type="checkbox"/>	Kos lub voj no yog koj paub twm thiab hais lus Hmoob.	18. Hmong
<input type="checkbox"/>	Jelölje meg ezt a kockát, ha megérta vagy beszéli a magyar nyelvet.	19. Hungarian
<input type="checkbox"/>	Markaam daytoy nga kahon no makabasa wenno makasaoka iti Ilocano.	20. Ilocano
<input type="checkbox"/>	Marchi questa casella se legge o parla italiano.	21. Italian
<input type="checkbox"/>	日本語を読んだり、話せる場合はここに印を付けてください。	22. Japanese
<input type="checkbox"/>	한국어를 읽거나 말할 수 있으면 이 칸에 표시하십시오.	23. Korean
<input type="checkbox"/>	ໃຫ້ໝາຍໃສ່ຊ່ອງນີ້ ຖ້າທ່ານອ່ານຫຼືປາກພາສາລາວ.	24. Laotian
<input type="checkbox"/>	Prosimy o zaznaczenie tego kwadratu, jeżeli posługuje się Pan/Pani językiem polskim.	25. Polish

<input type="checkbox"/>	Assinale este quadrado se você lê ou fala português.	26. Portuguese
<input type="checkbox"/>	Însemnați această căsuță dacă citiți sau vorbiți românește.	27. Romanian
<input type="checkbox"/>	Пометьте этот квадратик, если вы читаете или говорите по-русски.	28. Russian
<input type="checkbox"/>	Обележите овај квадратик уколико читате или говорите српски језик.	29. Serbian
<input type="checkbox"/>	Označte tento štvorček, ak viete čítať alebo hovoriť po slovensky.	30. Slovak
<input type="checkbox"/>	Marque esta casilla si lee o habla español.	31. Spanish
<input type="checkbox"/>	Markahan itong kuwadrado kung kayo ay marunong magbasa o magsalita ng Tagalog.	32. Tagalog
<input type="checkbox"/>	ให้กาเครื่องหมายลงในช่องดำผ่านถ่านหรือทุกภาษาไทย.	33. Thai
<input type="checkbox"/>	Maaka 'i he puha ni kapau 'oku ke lau pe lea fakatonga.	34. Tongan
<input type="checkbox"/>	Відмітьте цю клітинку, якщо ви читаете або говорите українською мовою.	35. Ukrainian
<input type="checkbox"/>	اگر آپ اردو پڑھتے یا بولتے ہیں تو اس خانے میں نشان لگائیں۔	36. Urdu
<input type="checkbox"/>	Xin đánh dấu vào ô này nếu quý vị biết đọc và nói được Việt Ngữ.	37. Vietnamese
<input type="checkbox"/>	באצייכנט דעם קעסטל אויב איר לייענט אדער רעדט אידיש.	38. Yiddish



EXTERNAL COMPLAINT OF DISCRIMINATION

City of Greensburg

Ronald L. May, Title VI/ ADA Coordinator
 City of Greensburg
 314 West Washington Street
 Greensburg, IN 47240
 Telephone: (812) 663-3344
 Fax: (812) 662-6925
 E-mail: rmay@greensburg.in.gov
www.cityofgreensburg.com

INSTRUCTIONS:

The purpose of this form is to help any person interested in filing a discrimination complaint with the City of Greensburg (City). If the complaint is against the City, the City's Title VI/ADA Coordinator will forward it to the Indiana Department of Transportation and/or the appropriate state or federal agency for investigation.

You are not required to use this form. You may write a letter with the same information, sign it and return it to the address printed above.

All items in bold must be completed for your complaint to be investigated. Failure to provide complete information may impair the investigation of your complaint.

Title VI of the Civil Rights Act of 1964, as amended and its related statutes and regulations (Title VI) prohibit discrimination on the basis of race, color and national origin in connection with programs or activities receiving federal financial assistance from the United States Department of Transportation, Federal Highway Administration and/or other federal agencies. These prohibitions extend to the City as a sub-recipient of federal financial assistance and to its sub-recipients, consultants, and contractors, whether federally funded or not. The City's non-discrimination policy also prohibits discrimination based on age, gender and income status.

The City is also required to implement measures to ensure that persons with limited English proficiency and persons with disabilities have meaningful access to the services, benefits, and information of all its programs and activities under Executive Order 13166 and the Americans with Disabilities Act of 1990, as amended.

Upon request, assistance will be provided if you are an individual with a disability or have limited English proficiency. Complaints may also be filed using alternative formats, such as computer disk, audiotape or Braille. For TTY customers, dial 711 to reach the Indiana Relay Service.

You also have the right to file a complaint with other state or federal agencies that provide federal financial assistance to the City. Additionally, you have a right to seek private counsel.

The City and its sub-recipients, consultants, and contractors are prohibited from retaliating against any individual because he or she opposed an unlawful policy or practice, filed charges, testified, or participated in any complaint action under Title VI or other nondiscrimination authorities.

Please make a copy of your complaint form for your personal records. Do not send your original documents as they will not be returned. Mail the original complaint form along with any copies of documents or records relevant to your complaint to the address above.

Complaints of discrimination must be filed within 180 days of the date of the alleged discriminatory act. If the alleged act of discrimination occurred more than 180 days ago, please explain your delay in filing this complaint.

****Your complaint cannot be processed without your signature.**

COMPLAINANT

COMPLAINT INFORMATION		
Name (first, middle, and last)		
Address (number and street, city, state and ZIP code)		
Home telephone number () -	Work telephone number () -	Cellular telephone number () -



Name of complainant	Date (month, day, year)
---------------------	-------------------------

PERSON/AGENCY YOU BELIEVE DISCRIMINATED AGAINST YOU
--

Name <i>(first, middle and last)</i>	Title
--------------------------------------	-------

Name of Company

Address <i>(number and street, city, state and ZIP Code)</i>
--

Home telephone number () -	Work telephone number () -	Cellular telephone number () -
--------------------------------------	--------------------------------------	--

When was the last alleged discriminatory act? <i>(month, day, year)</i> _____

Complaints of discrimination must be filed within 180 days of the date of the alleged discriminatory act. If the alleged act of discrimination occurred more than 180 days ago, please explain your delay in filing this complaint.

The alleged discrimination was based on: <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> Gender <input type="checkbox"/> National Origin <input type="checkbox"/> Disability <input type="checkbox"/> Age <input type="checkbox"/> Retaliation

Describe the alleged act(s) of Discrimination. *(Use additional pages, if necessary)*



Name of complainant	Date (month, day, year)
---------------------	-------------------------

Provide; the names of any individuals with additional information regarding your complaint:

Name of Witness 1: <i>(first, middle and last)</i>	Title
--	-------

Name of Company:

Address *(number and street, city, state and ZIP code)*

Home telephone number () -	Work telephone number () -	Cellular telephone number () -
--------------------------------------	--------------------------------------	--

Include a brief description of the relevant information the witness may provide to support your complaint of discrimination.

Name of Witness 2: <i>(first, middle and last)</i>	Title
--	-------

Name of Company:

Address *(number and street, city, state and ZIP code)*

Home telephone number () -	Work telephone number () -	Cellular telephone number () -
--------------------------------------	--------------------------------------	--

Include a brief description of the relevant information the witness may provide to support your complaint of discrimination.

Name of Witness 3: <i>(first, middle and last)</i>	Title
--	-------

Name of Company:

Address *(number and street, city, state and ZIP code)*

Home telephone number () -	Work telephone number () -	Cellular telephone number () -
--------------------------------------	--------------------------------------	--

Include a brief description of the relevant information the witness may provide to support your complaint of discrimination.

How would you like your complaint to be resolved?



Name of complainant	Date (month, day, year)
---------------------	-------------------------

Have you filed a complaint alleging the same discrimination with another state or federal agency? <input type="checkbox"/> Yes <input type="checkbox"/> No
--

If yes, please provide the following information for each agency.

Name of the agency	Date complaint filed (month, day, year)
--------------------	---

Case number assigned to your complaint	Current status of your complaint
--	----------------------------------

How did you learn about your right to file a discrimination complaint with the City?

.....

.....

Signature	Date signed (month, day, year)
-----------	--------------------------------

APPENDIX D: SAMPLE POTENTIAL SUBRECIPIENT COMMITMENT LETTER &
CORRECTIVE ACTION PLAN

[Letterhead]

[date]

Ronald L. May, P.E.
Title VI & ADA Coordinator
City of Greensburg
City Hall
314 West Washington Street
Greensburg, IN 47240

RE: [name of potential subrecipient]'s Nondiscrimination & Accessibility Letter of Commitment to the City of Greensburg

Dear Mr. May:

[Potential subrecipient] is submitting this correspondence to the City of Greensburg as a good faith representation that it intends to improve its compliance with those nondiscrimination & accessibility requirements which are conditions of receiving federal funds. The City has reviewed [Potential subrecipient]'s compliance efforts and identified the following potential deficiencies:

[List deficiencies identified or attach list and reference attachment here]

[Potential subrecipient] has enclosed documents in evidence that [Potential subrecipient] is in compliance with the following:

[List potential deficiency identified by City]	[List item enclosed that demonstrates compliance]
e.g. Potential subrecipient does not have an ADA Transition Plan	e.g. Copy of Potential subrecipient's transition plan is enclosed

[Potential subrecipient] commits to address the remaining deficiencies (if any) as follows:

- I. [identify first deficiency] (E.g. Potential subrecipient does not have a Title VI Implementation Plan.)
 - a. [Potential subrecipient] plans to address this deficiency by [date].
 - b. In 2016 [Potential subrecipient] plans to take the following steps toward resolving this deficiency:

- i. By [Month/Date] [Potential Subrecipient] will (e.g. identify program areas with Title VI Implications)
- ii. By [Month/Date] [Potential Subrecipient] will (e.g. review existing policies for incorporation or reference into the Title VI Implementation Plan)
- iii. [identify next action step]

II. [identify next deficiency]

III.

[Potential Subrecipient] represents that the above representations are made in good faith and represent its commitment toward achieving compliance with all nondiscrimination and accessibility requirements. [Potential Subrecipient] represents that the undersigned individual is authorized to make these commitments on behalf of [Potential subrecipient] and understands that the City may monitor [Potential Subrecipient]'s progress toward achieving its goals as represented herein.

This letter of Commitment is being submitted by:

[name] [Title/ role]

[address]

[email]

[phone]

[fax]

Sincerely,

[Name]

APPENDIX E: CITY OF GREENSBURG, INDIANA LEP ANALYSIS & LEP PLAN

According to the U.S. Census Bureau 2010-2014 American Community Survey (ACS) data, over the five-year period from 2010-2014, it was estimated that 1.54% of the population in Indiana reported that they speak English less than well. However, Decatur County, has a population where less than an estimated 0.20% of its total population reported that they speak English less than well, and the City of Greensburg has a population where less than an estimated 0.16% of its total population reported that they speak English less than well.

In addition, for the period 2010-2014, the American Community Survey 5-Year Estimates report that 8.23% of Indiana's population age five years and older speak a language other than English at home. Of the total population of Indiana, 1.54% indicated that they speak English "less than well." Moreover, 55.63% of those in Indiana who speak a language other than English at home, speak Spanish.

For the period 2010-2014, the American Community Survey 5-Year Estimates report that 2.65% of Decatur County's population age five years and older speak a language other than English at home. Of the total population of Decatur County, 0.20% indicated that they speak English "less than well." Moreover, 50.46% of those in Decatur County who speak a language other than English at home, speak Spanish.

For the period 2010-2014, the American Community Survey 5-Year Estimates report that 4.20% of the City of Greensburg's population age five years and older speak a language other than English at home. Of the total population of Greensburg, 0.16% indicated that they speak English "less than well." Moreover, 59.29% of those in Indiana who speak a language other than English at home, speak Spanish.

SCOPE:

The scope of this analysis is limited to a census block group level evaluation of the groups, either fully or partially in the City of Greensburg, Indiana and a review of the proportion of persons who have a limited ability to speak English using the American Community Survey measure of individuals who self-reported that they "speak English less than well."

METHODOLOGY:

The City of Greensburg based its four-factor analysis on the U.S. Census Bureau 2010-2014 American Community Survey (ACS) data.

ANALYSIS:

Factor 1: The number or proportion of LEP persons served or encountered in the eligible service population

Using the American Fact Finder website to locate census data, the City downloaded information from the table "B16004- AGE BY LANGUAGE SPOKEN AT HOME BY ABILITY TO SPEAK ENGLISH FOR THE POPULATION 5 YEARS AND OVER, 2010-2014 American Community Survey 5-Year Estimates" and calculated the total percentage of individuals for each Tract Group fully or partially within the boundaries of the City who reported that they spoke English "less than well". The City elected to use the information contained in that table for its LEP analysis because it gives the most detailed information available. The ACS uses continuous data collection methods to provide free updates regarding population demographics.

According to the data over the five-year period from 2010-2014, approximately 1.54% of the population in Indiana reported that they speak English "less than well". Also, according to the data over the five-year period from 2010-2014, approximately 0.20% of the population in Decatur County reported that they speak English "less than well". Finally, according to the data over the five-year period from 2010-2014, approximately 0.16% of the population in the City of Greensburg, Indiana reported that they speak English "less than well".

Proportion of LEP Persons in City of Greensburg, Indiana Census Tract Block Groups per 2010-2014 ACS			
Location	Estimated Population	Estimated Population that Speaks English "Less than Well"	Percentage Who Speak English "Less than Well"
Indiana (Statewide)	6,118,355	94,388	1.54%
Decatur County	24,523	49	0.20%
City of Greensburg	11,412	18	0.16%
Decatur County Census Tract 9690, Block Group 2	1,326	0	0.00%
Decatur County Census Tract 9690, Block Group 4	1,677	0	0.00%
Decatur County Census Tract 9691, Block Group 2	1,037	0	0.00%
Decatur County Census Tract 9692, Block Group 1	2,024	0	0.00%
Decatur County Census Tract 9692, Block Group 2	967	0	0.00%
Decatur County Census Tract 9692, Block Group 3	817	0	0.00%
Decatur County Census Tract 9692, Block Group 4	697	0	0.00%

Proportion of LEP Persons in City of Greensburg, Indiana Census Tract Block Groups per 2010-2014 ACS			
Location	Estimated Population	Estimated Population that Speaks English "Less than Well"	Percentage Who Speak English "Less than Well"
Decatur County Census Tract 9693, Block Group 1	632	0	0.00%
Decatur County Census Tract 9693, Block Group 2	853	0	0.00%
Decatur County Census Tract 9693, Block Group 3	1,646	0	0.00%
Decatur County Census Tract 9694, Block Group 2	835	0	0.00%
Decatur County Census Tract 9694, Block Group 3	1,300	0	0.00%

It is seen from the above data that only one Block Group has any estimated population that speaks English "Less than Well". Also, it should be noted that the Census Tract Block Groups do not coincide well with the corporate boundaries of the City of Greensburg. Therefore, where any portion of a block group was within the City boundary it was included in this analysis. With the exception of Census Tract 9692, Block Group 1; Census Tract 9693, Block Groups 1, 2 and 3; and Census Tract 9694, Block Group 2 the Block Groups included in this analysis have areas, some quite large areas that are not within the City of Greensburg. It was determined that using the above data was appropriate because that data is the least aggregated data available.

Factor 2: The frequency with which LEP individuals encounter the City’s programs, activities or services

The City will begin conducting periodic reviews of its core programs, which include an LEP component. The City will also include LEP training as part of its employee training materials and has a Liaison in every department, as well as every City Office, who will be trained in procedures for tracking and monitoring LEP requests and encounters with LEP individuals. "I Speak Cards" are being made available to these front-line staff in 2016-2017 together with an LEP Report Form used to collect and track LEP requests and needs.

The City's goal is to improve its data collection efforts to better track the actual number of LEP individuals encountered in the delivery of services so that the City may continue to evaluate the effectiveness of its LEP Implementation Plan and provide effective communication and meaningful access to its programs and opportunities for LEP populations so they may fully engage in the receipt of City services.

Factor 3: Nature and importance of the programs, activities or services provided by The City

The services provided by the City are important service that can have great impact on LEP persons. Indiana citizens play a substantial role in shaping the decisions that will affect their communities. Residents rely on the City virtually all of their daily activities. Visitors rely on the

services to reach their destinations and return safely home. Businesses rely on the services to operate them on a daily basis and to move products and materials. A solid system of City services is one of the top drivers for economic development. In addition to their reliance on the system of City services to meet their daily needs needs, all of these users have a stake in City services decisions because they are taxpayers.

Factor 4: Agency Available Resources

The City has the following resources available or is seeking to establish the following resources to provide language services as the need arises in the delivery of its services and programs.

- An LEP plan, which is included in the City's Title VI Implementation Plan that outlines how the City is planning to provide language assistance to the LEP population
- The City is attempting to establish Quantity Purchase Agreements (QPAs) in cooperation with other Local Public Agencies for interpretation services Face-to-Face. QPAs are contracts between The City of Greensburg and vendors in which commodities are supplied to the City on an on-going, as-needed basis. QPAs benefit the City by enabling the City along with other local Public Agencies to aggregate its purchases to achieve bulk pricing. The City does not yet have a QPA for interpretation or documentation translations. Currently, the City will obtain interpretation and/or document translations on an as needed basis via its traditional procurement process.

THE CITY OF GREENSBURG'S FIVE-POINT LEP PLAN

1. Provide Notice to LEP Persons using all means reasonably calculated to provide meaningful access

Some notification ideas include:

- Posting signs in areas where the public is likely to read them.
- Stating in outreach documents (brochures, booklets, pamphlets, flyers) that language services are available.
- Working with community-based organizations to inform LEP persons of the language assistance available.
- Providing presentations and notices at schools and religious organizations for important events or where community involvement is critical.

2. Translate Vital Documents

The translation of vital documents is not yet initiated by the City due to the very low percentage of the population that speaks English "less than well". The percentage of the population that speaks English "less than well" will be monitored. When a trend is identified of growing population within the City that speaks English "less than well", pertinent vital documents will be translated. A document is considered vital if it contains critical information for obtaining services or benefit or is required by law.

City program areas requiring interaction with the public as a daily part of their delivery of services should assess the LEP population and the frequency and importance of contact with LEP persons to ascertain the necessity for translating vital documents. Examples of vital documents that may require consideration for translation in the future into Spanish (Greensburg's largest language population other than English) or other appropriate languages may include the following:

- Emergency information, such as road closures, water outages, snow emergencies, etc.;
- Notices of proposed public hearings regarding proposed City plans, projects or changes;
- Notices of reduction, denial or termination of services or benefits;
- Signs in reception areas and other points of initial entry;
- Statements about the services available and the right to free language assistance services in brochures, booklets, outreach and recruitment information, and other materials routinely disseminated to the public;
- Applications or instructions regarding participating in a program or activity or to receive benefits or services; and
- Consent forms.

Whether or not a document (or the information it solicits) is "vital" will depend on the importance of the program, information, encounter or service involved, and the consequence to the LEP person if the information in question is not accurate or received in a timely manner. Where appropriate, Department Heads will be encouraged to create a plan for consistently determining what documents are "vital" to the meaningful access of the LEP populations they serve.

Where City Department Heads are engaged in community outreach efforts as part of their programs and activities, they should regularly assess the needs of the populations frequently encountered or affected by the program to determine whether certain critical outreach materials should be translated.

3. Interpretation Services

The City recognizes the need for greater oral and written communication with limited and non-English speaking persons located within the City. City Departments should attempt to identify the language needs within its jurisdiction to meet those needs.

Best practices suggest that:

- The City should develop a listing of local Community-Based Organizations (CBO's) and other stakeholders that includes the specific language skills available among each CBO's staff and volunteers.
- City staff should assist LEP persons in securing volunteer interpretive services from advocacy groups.

- Translations of commonly requested documents, telephone interpreter services should be made available at locations that are readily accessible to the public, such as information desks, security checkpoints, and on public information telephone lines when the need for such services are clearly identified.
- Programs should not rely on family members or friends to translate or interpret for LEP persons. If the LEP customer insists upon using a friend or family member, it should be allowed only after language services have been offered and refused. Minor children should not be used to interpret, except in emergencies.
- Each City department, program or activity identified as warranting language assistance measures should budget for language services to ensure that adequate resources exist for interpreters, translation and review of documents, and outreach. Notwithstanding any limitations of the current budget, programs should include language assistance resources as items in their future budget requests when the need for such services are clearly identified. Programs should be prepared to justify any failure to request funding for language assistance where the data indicates a need for such assistance.

4. Staff Training

City staff should be properly trained so they know and understand their obligations to provide meaningful access to information and services for LEP persons. The City's current training materials for employees will include LEP requirements and policies. Training will be updated as these policies change.

5. Staffing

When needs dictate, contractors should be considered for providing language assistance.

Best practices suggest that:

- The City create a listing of potential contractors to deliver language assistance.
- Contractors should be assessed for bilingual proficiency, interpretation skills and sensitivity to the special confidentiality issues raised by interpreting for others. Individuals providing interpretative services should possess a level of fluency and comprehension appropriate to the specific nature, type and purpose of information at issue.

APPENDIX F: DEFINITIONS

GENERAL DEFINITIONS

American Indian or Alaska Native	A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment. 62 FR 58782-01
Asian	A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent includes, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam. 62 FR 58782-01
Assurance	A statement of guarantee given in consideration of and for receiving federal-aid.
Black or African American	A person having origins in any of the black racial groups of Africa. 62 FR 58782-01
Beneficiary	Any person or group of persons (other than States) entitled to receive benefits, directly or indirectly, from any federally assisted program, i.e., relocatees, impacted citizens, communities, etc. 23 CFR § 200.5(b)
Complete complaint	A signed written statement that contains the complainant's name and address and describes the alleged discriminatory act in sufficient detail to inform the City of the nature and date of the alleged violation of Title VI of the Civil Rights Act of 1964, Section 504 or the ADA. The complainant or an authorized representative of the complainant must sign the complaint.
Complainant	The person filing a complaint.
Compliance	That satisfactory condition existing when a recipient has effectively implemented all of the Title VI requirements or can demonstrate that every good faith effort toward achieving this end has been made. 23 CFR §200.S(d)
Deficiency status	The interim period during which the recipient State has been notified of deficiencies, has not voluntarily

complied with Title VI Program guidelines, but has not been declared in noncompliance by the Secretary of Transportation. 23 CFR §200.5(e)

Discrimination

That act (or action) whether intentional or unintentional, through which a person in the United States, solely because of race, color, religion, sex, or national origin, has been otherwise subjected to unequal treatment under any program or activity receiving financial assistance from the Federal Highway Administration under Title 23 U.S.C. 23 CFR §200.5(f) or other financial assistance from the federal government.

Facility

Includes all, or any part of, structures, equipment or other real or personal property, or interests therein, and the provision of facilities includes the construction, expansion, renovation, remodeling, alternation or acquisition of facilities. 23 CFR 200S(g)

Federal assistance

Includes:

- (1) Grants and loans of Federal funds,
- (2) The grant or donation of Federal property and interests in property,
- (3) The detail of Federal personnel,
- (4) The sale and lease of, and the permission to use (on other than a casual or transient basis), Federal property or any interest in such property without consideration or at a nominal consideration, or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient, and
- (5) Any Federal agreement, arrangement or other contract, which has, as one of its purposes, the provision of assistance. 23 CFR 200.5(h)

Hispanic or Latino

A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race. 62 FR 58782-01

Multiracial	Having a biological parent who is of a different race from the other biological parent ¹ . IC 5-15-5.1-6.5
Native Hawaiian or Other Pacific Islander	A person having origins in any of the original peoples of Hawaii, Guam, Samoa or other Pacific Islands. 62 FR 58782-01
Noncompliance	A recipient has failed to meet prescribed requirements and has shown an apparent lack of good faith effort in implementing all of the Title VI requirements. 23 CFR 200.5(i)
Persons	Where designation of persons by race, color or national origin is required, the following designations ordinarily may be used: "White not of Hispanic origin," "Black not of Hispanic origin," "Hispanic," "Asian or Pacific Islander," or "American Indian or Alaskan Native." Additional subcategories based on national origin or primary language spoken may be used, where appropriate, on either a national or a regional basis. 23 CFR §200.5(j)
Program	Includes any highway, project or activity for the provision of services, financial aid or other benefits to individuals. This includes education or training, work opportunities, health, welfare, rehabilitation, housing, or other services, whether provided directly by the recipient of Federal financial assistance or provided by others through contracts or other arrangements with the recipient. 23 CFR §200.5(k)
Recipient	Any State, territory, possession, the District of Columbia, Puerto Rico, or any political subdivision, or instrumentality thereof, or any public or private agency, institution, or organization, or other entity, or any individual, in any State, territory, possession, the District of Columbia, or Puerto Rico, to whom Federal assistance is extended, either directly or through another recipient, for any program. Recipient includes any successor, assignee or transferee thereof. The term recipient does not include any ultimate beneficiary under any such program. 23 CFR § 200.5(n)

¹ Pursuant to IC 5-15-5.1-6.5, all forms used by a public agency (as defined by IC 5-14-3-2) to request information on the racial or ethnic identification of a respondent; and that contain an enumeration of racial and ethnic classifications from which the respondent must select a classification must include among the choices the classification multiracial.

Respondent	A sub-recipient alleged to be in noncompliance or probably in noncompliance with the City's Title VI Program.
Title VI	Title VI of the Civil Rights Act of 1964, as amended.
Title VI Program	<p>The system of requirements developed to implement Title VI of the Civil Rights Act of 1964. References in this Part to Title VI requirements and regulations shall not be limited to only Title VI of the Civil Rights Act of 1964. Where appropriate, this term also refers to the civil rights provisions of other Federal statutes to the extent that they prohibit discrimination on the grounds of race, color, sex or national origin in programs receiving Federal financial assistance of the type subject to Title VI itself. These Federal statutes are:</p> <p>(1) Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d-d4 (49 CFR Part 21; the standard DOT Title VI assurances signed by each State pursuant to DOT Order 1050.2; Executive Order 11764; 28 CFR 50.3);</p> <p>(2) Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601-4655) (49 CFR Part 25; Pub.L. 91-646);</p> <p>(3) Title VIII of the Civil Rights Act of 1968, amended 1974 (42 U.S.C. 3601- 3619);</p> <p>(4) 23 U.S.C. 109(h);</p> <p>(5) 23 U.S.C. 324;</p> <p>(6) Subsequent Federal-Aid Highway Acts and related statutes. 23 CFR §200.5(p)</p>
White	A person having origins in any of the original peoples of Europe, the Middle East or North Africa. 62 FR 58782-01

INDOT PROGRAM DEFINITIONS

The following definitions are practical definitions of terms of art, acronyms, and key terms used in this Voluntary Corrective Action Plan (VCAP). These are not intended to be legal definitions but are included to assist the reader in understanding the obligations and processes discussed herein.

ADA	The Americans with Disabilities Act of 1990,(Title II of the Americans with Disabilities Act of 1990} also used to refer to accessibility requirements for programs and facilities developed by recipients of federal funds.
Assurances	The Title VI assurances of nondiscrimination signed by every recipient and subrecipient of federal funds. The Assurances transfer the obligation to demonstrate effective nondiscrimination practices and policies along with the federal funds to ensure tax dollars benefit all people without discrimination.
EJ	Environmental Justice. Environmental justice refers to the requirement that projects and programs are evaluated to determine whether or not they disparately impact low income and minority populations and to ensure that public participation is sought when EJ impact exist and mitigation measures employed whenever possible. See also Executive Order 12898.
FHWA	Refers to the Federal Highway Administration
INDOT	Refers to the Indiana Department of Transportation
Liaison	The primary point of contact for INDOT's Title VI Manager in each program area, district, or division who is responsible for ensuring his or her program area is in compliance with all nondiscrimination requirements jointly with the Title VI Program Manager and other designated Program Area Representatives (PARs)
LEP	Refers to persons and populations with limited English proficiency.
LPA	Local Public Agency, often a city or town.

MPO	Metropolitan Planning Organization, typically associated with the County.
PAR	INDOT employees who are Program Area Representatives who work with the Title VI Liaison for their program area to collect, analyze and report data and to ensure the program area complies with nondiscrimination requirements. PARs must, at a minimum, be Title VI trained and participate in program area nondiscrimination meetings and/or conference calls as deemed necessary by the Title VI liaison.
Recipient	Any person, agency or company who had received any amount of federal funds. All recipients are required to comply with Title VI and all other nondiscrimination requirements arising from federal law and/or the signed assurances of nondiscrimination.
STA	State transportation agency/agencies, of which INDOT is one example.
Subrecipien	A recipient of federal funds who received those funds by and through an intermediary recipient making them a subrecipient. Subrecipients have the same obligations as a recipient but their compliance with nondiscrimination requirements is monitored primarily by the recipient of federal funds. E.g. - INDOT awards federal funds to a city. INDOT is primary recipient and the city is a subrecipient. The city now has an obligation to comply with nondiscrimination laws incorporated into the local public agreement and INDOT has an obligation to monitor the city's compliance.
VCAP	Voluntary Corrective Action Plan. This document is used to demonstrate good faith efforts of a recipient or subrecipient to comply with nondiscrimination requirements once that recipient or subrecipient has been found deficient in their compliance efforts.