

HENRY COUNTY, INDIANA

TITLE VI

NONDISCRIMINATION IMPLEMENTATION

PLAN & POLICY

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HENRY COUNTY, INDIANA

TITLE VI NONDISCRIMINATION PLAN & POLICY

INTRODUCTION

This Title VI Implementation Plan is a part of the Henry County 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 anti-discrimination statutes and regulations. With this Implementation Plan, Henry County seeks to provide continued transparency, clarity and technical guidance for internal and external constituents regarding its Title VI program.

1. POLICY STATEMENT

Henry County (LPA) assures that no person shall on the grounds of race, color, national origin, age, disability/handicap or sex, as provided by Title VI of the Civil Rights Act of 1964, and the Civil Rights Restoration Act of 1987 be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. Henry County further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, regardless of the funding source.

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 of federal-aid recipients, subrecipients and contractors/consultants, regardless of whether such programs and activities are federally assisted.

Henry County will include Title VI language in all written agreements and bid documents and will monitor compliance.

Pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. No. 93-112, 87 Stat. 355, Henry County 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 this federal financial assistance.

Henry County 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 addition, Henry County will take reasonable steps to provide meaningful access to services for persons with limited English proficiency (LEP). Henry County will, where necessary and appropriate, revise, update and incorporate nondiscrimination requirements into appropriate manuals, directives and regulations.

The Title VI Coordinator of Henry County is responsible for initiating and monitoring Title VI activities, and all other responsibilities as required.

2. TITLE VI COORDINATOR

Joseph Copeland
Henry County Highway Engineer/Title VI and ADA Coordinator
202 West 50N
New Castle, IN 47362
Phone: 765-529-4100
Email: jcopeland@henryco.net

Henry County affirms its commitment to nondiscrimination annually by publishing its Annual Title VI Implementation Plan and reaffirming its Assurances of Nondiscrimination, incorporated herein.

3. EMPLOYER/EMPLOYEE TRAINING & RESPONSIBILITIES

Title VI plan and policy education and literature will be provided to all Henry County employees. Henry County employees will be required to sign an acknowledgement of receipt indicating they have received and reviewed the Title VI policy guidelines. New employees will be provided with education and literature at new employee orientation. Employees will be provided with updated education and literature as Henry County deems necessary.

Employees will be required to follow the Title VI policy and the guidelines set forth. Employees shall immediately notify the Title VI Coordinator, in writing, of any questions, complaints or allegations of discrimination.

4. CONTRACTORS, SUBCONTRACTORS, CONSULTANTS & VENDORS

All contractors, subcontractors and vendors who receive payments from Henry County where funding originates from any Federal assistance programs are subject to the provisions of Title VI of the Civil Rights Act of 1964, as amended. Henry County will include Title VI language in written agreements and bid specifications. Written agreements relevant to Title VI shall not contain any form of discrimination, either written or implied.

5. CONCERNS/COMPLAINT PROCESS

Henry County will take prompt and reasonable actions to thoroughly investigate concerns and complaints. Any individual, who believes they have been subjected to discrimination, may file a complaint with the Henry County Title VI Coordinator. The Henry County Title VI Complaint Form and Grievance Procedure is located on the Henry County website, www.henryco.net, at the ADA and Title VI tab. The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation.

Complaints shall be made in writing and signed by the complainant and/or the complainant's representative. The complaint must contain the following and describe as completely as possible the facts and circumstances surrounding the alleged discrimination:

- Name of the complainant.

- Contact information (address, phone number, email).
- Basis for the allegation(s) (i.e., race, color, national origin, gender, age, etc.)
- A detailed description of the alleged discrimination (how, when, where & why they believe they were discriminated against including the location(s), name(s) and contact information of all witnesses, if applicable).
- Any other information that is deemed significant.

If the complainant is unable or incapable of providing a written statement, a verbal complaint may be made to the Henry County Title VI Coordinator. Under these circumstances, the complainant will be interviewed and the Henry County Title VI Coordinator will assist the complainant in completing a written statement.

Within 15 calendar days after receipt of the complaint, the Title VI Coordinator will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the Title VI Coordinator will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of Henry County and offer options for substantive resolution of the complaint.

If the response by the Title VI Coordinator does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the President of the Henry County Board of Commissioners, or their designee.

Within 15 calendar days after receipt of the appeal, the President of the Henry County Board of Commissioners or their designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the President of the Henry County Board of Commissioners or their designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by the Title VI Coordinator or his designee, appeals to the President of the Henry County Board of Commissioners, or their designee, and responses from these two offices will be retained by the County for at least three (3) years.

6. PUBLIC DISSEMINATION

Title VI information shall be displayed in Henry County buildings and all places in which public meetings are held. The Henry County Title VI Plan and Policy, which includes the ADA/Section 504 Plan information, Limited English Proficiency (LEP) and complaint procedures, can be found on the Henry County website, www.henryco.net, at the ADA and Title VI tab or by contacting the Henry County Title VI Coordinator. Copies of these plans will be provided upon request. LEP individuals may obtain translated copies of these plans upon request. Any questions or comments regarding this plan should be directed to the Title VI Coordinator.

7. COMMUNITY INVOLVEMENT & OUTREACH

Henry County is committed to ensuring that community involvement and outreach is done in a respectful and appropriate manner that will allow for diverse involvement. Public meetings, programs and activities will provide equitable opportunities for participation.

The Henry County Council meets monthly and the Henry County Board of Commissioners meets bi-monthly, and those meetings are open to the public, as well as other various Henry County meetings. Any meetings that are open to the public are published on Henry County's website and distributed to local media outlets as well as posted throughout the Courthouse. All Henry County public meetings are held in locations accessible to individuals with disabilities. Upon request, translators can be provided free of charge to those individuals with Limited English Proficiency (LEP). Auxiliary aids are also available upon request. All requests must be made a minimum of forty-eight (48) hours in advance.

Various meeting agenda's, meeting minutes, Henry County notices, events and news can be found on the County's website, www.henryco.net.

8. DATA COLLECTION

Henry County shall collect and analyze statistical information regarding demographics to assist in monitoring and ensuring nondiscrimination in all of its programs and activities.

Henry County shall utilize a Voluntary Title VI Public Involvement Survey that will be available at all public hearings and meetings. The survey will allow respondents to remain anonymous. The survey will ask questions regarding the respondent's gender, ethnicity, race, age, sex, income and if they are disabled. The Voluntary Title VI Public Involvement Survey can also be found on the Henry County website, www.henryco.net, at the ADA and Title VI tab or by contacting the Henry County Title VI Coordinator. Completed surveys will be retained by the Title VI Coordinator for three (3) years.

The Title VI Coordinator will also collect and report statistical data for the past three (3) years as it relates to the number of federally funded projects, complaints filed and the results of those complaints, any requests for language services, demographic statistics and department compliance reviews.

9. SECTION 504/AMERICANS WITH DISABILITIES (ADA)

Pursuant to Title II of the Americans with Disabilities Act as amended (ADA) of 1990 (42 U.S.C. §§12101 et seq.) and Section 504 of the Rehabilitation Act of 1973, as amended (Section 504) (29 U.S.C. and implementing regulations found in 28 CFR 35 and 49 CFR 27, Henry County IN does not discriminate against qualified individuals with disabilities in its policies, or in the admission of, access to, treatment of or employment in its programs, services or activities.

For more information regarding Henry County's ADA policy, please visit Henry County's website, www.henryco.net, at the ADA and Title VI tab or by contacting the Henry County ADA Coordinator:

Joseph D. Copeland
Highway Engineer/Title VI and ADA Coordinator
202 West 50N
New Castle, IN 47362
Phone: 765-529-4100

10. LIMITED ENGLISH PROFICIENCY (LEP) PLAN

Henry County will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have access and equal opportunity to participate in services provided by Henry County.

For programs or projects receiving federal funds, Henry County will utilize a four factor LEP analysis, which considers the following factors:

1. The number or proportion of LEP individuals eligible to be served or likely to be encountered by the County.
2. The frequency with which LEP individuals come in contact with Henry County programs or projects.
3. The nature or importance of programs or projects provided by Henry County.
4. The resources available to Henry County and the overall costs to provide LEP assistance.

If a review of the first two factors show that less than nine (9%) percent of Henry County's intended recipients of the program or project are limited English proficient, no language assistance measures will be developed for that program or project. This will be determined using the United States Census Bureau data as well as the Voluntary Title VI Public Involvement Survey. The 2010 census data shows that an estimated 98% of Henry County's population speak only English.

Henry County will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have access and equal opportunity.

If more than 9% of the intended recipients of the program or project are limited English proficient, then Henry County will review the program and develop and incorporate the needed programs to ensure that language assistance is available.

If at any time a LEP individual requests translation services that are considered important such that denial or delay of access or services or information could have serious or even life-threatening implications, the County will provide, upon request, services to assist the LEP population including translation of vital County documents and interpretation services.

A U.S. Census Bureau I_Speak card is available as part of this document. This card allows LEP individuals to communicate their preferred language to County Staff whereas County Staff may then access a translation service as determined by the County.

11. SOCIAL EQUITY AND ENVIRONMENTAL JUSTICES

In accordance with Title VI of the Civil Rights Act of 1964, each Federal agency shall ensure that all programs or activities receiving Federal financial assistance that affect human health or the environment do not directly, or through other arrangements, use criteria, methods, or practices that discriminate on the basis of race, color, or national origin. Part of Title VI reads, "No person in the United States shall, on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance."

The three fundamental environmental justice (EJ) principles are:

- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations;
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process; and
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority populations and low-income populations.

Henry County is committed to these three environmental justice principles in all work that the County performs.

12. TITLE VI PROGRAM GOALS

This section outlines annual goals set forth by Henry County to comply with Title VI requirements and statutes. This list will be monitored for updates and additions.

Annual Work Plan for 2017:

1. Adopt the Title VI Assurance and the Title VI Non-Discrimination Plan.
2. Provide a copy of the Title VI Non-Discrimination Plan to Elected Officials and Department Heads, who will review with department employees.
3. Publish the Title VI Plan and all forms on the Henry County website.
4. Ensure that the Federal Aid contract language is included in all contracts as stipulated in the Title VI Plan.
5. Include the language in paragraph 2 of the Title VI Assurance in all solicitations for work or material.
6. Training for staff concerning individuals with Limited English Proficiency.
7. Provide Language Identification Cards to all departments.
8. Training for Elected Officials, Department Heads and staff concerning Title VI.
9. Provide copies of the Voluntary Title VI Public Involvement Survey at all public meetings.
10. Identify language translators that can be contracted to assist LEP individuals.
11. Create a list of required data for collection and future review.
12. Begin preparation of the 2018 Annual Work Plan and noted accomplishments for 2017.

APPENDIX

ASSURANCES

Title VI Assurances

The County of Henry, Indiana (hereinafter referred to as the "Recipient") HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the Department of Transportation and the Federal Highway Administration, 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 from the Department of Transportation, 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, copies of which are attached.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to its Federal Aid Highway Program.

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 all 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-Aid Highway Programs and, in adapted form in all proposals for negotiated agreements:

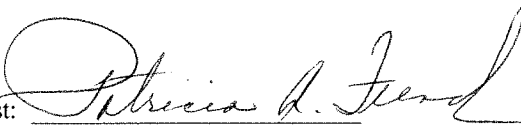
Henry County, Indiana, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department 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.

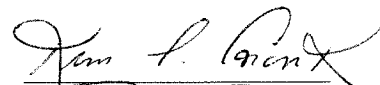
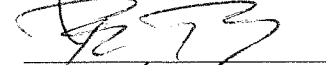
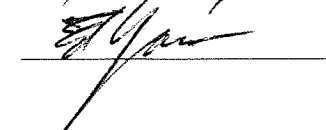
4. That the Recipient shall insert the clauses of Appendix B of this assurance, 'as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where the Recipient receives Federal financial 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 all 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

Commissioners,

Attest: 
Auditor

Henry County Board of

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 Indiana Department of Transportation (INDOT) or the FHWA 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 INDOT or the FHWA 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, INDOT shall impose such contract sanctions as it or the FHWA 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 INDOT or the FHWA 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 Indiana Department of Transportation to

enter into such litigation to protect the interests of 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 Department of Transportation, as authorized by law, and upon the condition that Henry County 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 Henry County 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 Henry County 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 Henry County its successors and assigns.

Henry County, 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]* (2) that Henry County 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

* 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.

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.*

APPENDIX C

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by Henry County 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.]*

That in the event of breach of any of the above nondiscrimination covenants, Henry County 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, Henry County 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 Henry County and its assigns.

* 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.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by Henry County 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 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.]*

That in the event of breach of any of the above nondiscrimination covenants, Henry County 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, Henry County 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 Henry County and its assigns.

* 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.

Complaint Policy

Henry County Indiana

Complaint/Grievance Procedure under; Title II of the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, or Title VI of the Civil Rights Act of 1964

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990. It will also be used if citizens wish to raise issues related to Section 504 of the Rehabilitation Act, or Title VI of the Civil Rights Act. It will be used to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the County. The County's Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Joseph D. Copeland is the Henry County ADA Coordinator

Within 15 calendar days after receipt of the complaint, Joseph D. Copeland or his designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, Joseph D. Copeland or his designee will respond in writing, and where appropriate, in format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the County and offer options for substantive resolution of the complaint.

If the response by Joseph D. Copeland or his designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the President of the Henry County Commissioners, or their designee.

Within 15 calendar days after receipt of the appeal, the President of the Henry County Commissioners or their designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the President of the Henry County Commissioners or their designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by Joseph D. Copeland or his designee, appeals to the President of the Henry County Commissioners, or their designee, and responses from these two offices will be retained by the County for at least three years.

Complaints may also be filed with the following government agencies:

Indiana Department of Transportation
Economic Opportunity Division
100 N. Senate, Room N750
Indianapolis, IN 46204
Phone: (317) 233-6511
Fax: (317) 233-0891

Indianapolis District EEOC Office
101 West Ohio Street, Ste 1900
Indianapolis, IN 46204
Phone: (800) 669-4000
Fax: (317) 226-7953
TTY: 1 (800) 669-6820

Indiana Civil Rights Commission
100 N. Senate Ave., Room N103
Indianapolis, IN 46204
Toll Free: 1 (800) 628-2909
Phone: (317) 232-2600
Fax: (317) 232-6560
Hearing Impaired: 1 (800) 743-3336

ADA/Section 504/Title VI Complaint/Grievance Form Grievant

Information:

Name			
Address		City	Zip
Phone		Email	
Alternate Phone			

Person Preparing Complaint or Grievance if not Grievant:

Name			
Address		City	Zip
Phone		Email	
Alternate Phone			

Specify location of complaint or grievance (If Applicable.)

Description of Complaint or Grievance

Signed: _____

Date: _____

Return to:

Joseph D. Copeland

Henry County ADA/Title VI Coordinator

202 W. 50N

New Castle, IN 47362

Henry County Title VI Complaint Log

Henry County, Indiana Title VI Complaint Log							
							Year:
Case No.	Investigator(s)	Complainant	Sub-recipient	Basis of Complaint (race, color, or national origin)	Date filed	Date of Final Report	Action Taken

VOLUNTARY TITLE VI PUBLIC INVOLVEMENT SURVEY

As a recipient of federal funds, the Indiana Department of Transportation (INDOT) is requiring local agencies to develop a procedure for gathering statistical data regarding participants and beneficiaries of its federal-aid highway programs and activities (23 CRF §200.9(b)(4)). Henry County is distributing this voluntary survey to fulfill that requirement to gather information about the populations affected by proposed projects.

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

If you have any questions regarding Henry County's responsibilities under Title VI of the Civil Rights Act of 1964 or the Americans with Disabilities Act, please contact Joe Copeland, Title VI Coordinator, at jcopeland@henryco.net or 765-529-4100, 202 West 50N, New Castle, IN 47362.

You may return the survey by folding it and placing it in the box at the main entrance or by mailing or e-mailing it to the address above.

Date:			
Meeting:			
<input type="checkbox"/> Board of Commissioners	<input type="checkbox"/> County Council		
<input type="checkbox"/> Planning Commission	<input type="checkbox"/> Board of Zoning Appeals	<input type="checkbox"/> Other _____	
Proposed Project Location:			
Gender: <input type="checkbox"/> Female <input type="checkbox"/> Male		Do You Have a Disability: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Ethnicity: <input type="checkbox"/> Hispanic or Latino <input type="checkbox"/> Not Hispanic or Latino		National Origin: <input type="checkbox"/> USA <input type="checkbox"/> Other _____	
Race: (Check one or more)			
<input type="checkbox"/> American Indian or Alaska Native	<input type="checkbox"/> Asian	<input type="checkbox"/> White	<input type="checkbox"/> Multiracial
<input type="checkbox"/> Native Hawaiian or Other Pacific Islander	<input type="checkbox"/> Black or African-American		
English Proficiency: (Check all that apply to members of your household)			
<input type="checkbox"/> Speak English "very well or well" <input type="checkbox"/> Speak English "not well" <input type="checkbox"/> Speak English "not at all"			
Primary Non-English Language Spoken _____			
Age:			
<input type="checkbox"/> Under 18 years	<input type="checkbox"/> 18-39	<input type="checkbox"/> 40-64	<input type="checkbox"/> 65+
Household Income:			
<input type="checkbox"/> Less than \$15,000	<input type="checkbox"/> \$15,000-\$24,999	<input type="checkbox"/> \$25,000-\$34,999	
<input type="checkbox"/> \$35,000-\$49,999	<input type="checkbox"/> \$50,000-\$74,999	<input type="checkbox"/> \$75,000+	

APPENDIX F

2004 Census Test	United States Census 2010 LANGUAGE IDENTIFICATION FLASHCARD
<input type="checkbox"/> وضع علامة في هذا المربع إذا كنت تقرأ أو تتحدث العربية.	1. Arabic
<input type="checkbox"/> Խոսողում ե՞նք նշում կատարե՞ք այս քանակություն, եթե խոսում կամ կարդում եք հայերեն:	2. Armenian
<input type="checkbox"/> যদি আপনি বাংলা পড়েন বা বলেন তা হলে এই বাক্সে দাগ দিন।	3. Bengali
<input type="checkbox"/> ល្អប្រសើរណាស់ប្រសិនបើ៖ បើអ្នកអាន ឬនិយាយភាសា ខ្មែរ ។	4. Cambodian
<input type="checkbox"/> Motka i kahhon ya yangin ûntûngnu' manaitai pat ûntûngnu' kumentos Chamorro.	5. Chamorro
<input type="checkbox"/> 如果你能读中文或讲中文，请选择此框。	6. Simplified Chinese
<input type="checkbox"/> 如果你能讀中文或講中文，請選擇此框。	7. Traditional Chinese
<input type="checkbox"/> Označite ovaj kvadratić ako čitate ili govorite hrvatski jezik.	8. Croatian
<input type="checkbox"/> Zaškrtněte tuto kolonku, pokud čtete a hovoříte česky.	9. Czech
<input type="checkbox"/> Kruis dit vakje aan als u Nederlands kunt lezen of spreken.	10. Dutch
<input type="checkbox"/> Mark this box if you read or speak English.	11. English
<input type="checkbox"/> اگر خواندن و نوشتن فارسی بلد هستید، این مربع را علامت بزنید.	12. Farsi

DB-3309

U.S. DEPARTMENT OF COMMERCE
Economics and Statistics Administration
U.S. CENSUS BUREAU

<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 διαβάσετε ή μιλάτε Ελληνικά.	15. Greek
<input type="checkbox"/>	Make kazyé 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 megérti vagy beszél 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 ຖ້າທ່ານອ່ານຫຼືຢາກພາສາລາວ.	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"/>	ให้กาเครื่องหมายลงในช่องสี่เหลี่ยมหรือชุดภาษาไทย.	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. Ukranian
<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