CITY OF CROWN POINT, INDIANA
TITLE VI PLAN/NONDISCRIMINATION AGREEMENT

March 16, 2016

City of Crown Point
101 N. East Street
Crown Point, Indiana 46307
219-661-5039
aschlueter@crownpoint.in.gov

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TITLE VI PLAN/NONDISCRIMINATION AGREEMENT

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A. POLICY STATEMENT

The City of Crown Point (hereafter referred to as "City") is required to conform to Title VI of the Civil Rights Act of 1964 (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 from the U.S. Department of Transportation (DOT) on the grounds of race, color, age, national origin, gender, disability or income status.

The City assures that no person in the United States shall, on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance (23 CFR 200.9 Title 49 CFR 21).

The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs and activities of Federal Aid recipients, sub-recipients, and contractors, whether such programs and activities are federally assisted or not (Public Law 100-259 [S.557] March 22, 1988).

Pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973 (29 USC §794), the City hereby gives assurance that no qualified disabled person shall, solely by reason of his 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.

In the event the City distributes federal aid funds to a sub-recipient, the City will include Title VI language in all written agreements and will monitor for compliance. The City's Title VI Coordinator is responsible for initiating and monitoring Title VI activities, preparing reports and other responsibilities as required by 23 CFR 200.9 Title 49 CFR 21.

BOARD OF PUBLIC WORKS

David D.F. Uran, Mayor

Robert Clemons, Member

Mike Conquest, Member

Randy Palmateer, Member

Tim Grzych, Member

04-13-2016
Date

B. AUTHORITIES

Title VI of 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance(23 CFR 200.9 Title 49 CFR 21).

The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs and activities of Federal Aid recipients, sub-recipients, and contractors, whether such programs and activities are federally assisted or not (Public Law 100-259 [S.557] March 22, 1988).

C. ORGANIZATION AND STAFFING

City Council 101 N. East Street (219) 662-3250	Clerk – Treasurer 101 N. East Street (219) 662-3235	Mayor 101 N. East Street (219) 662-3240	Board of Commissions 101 N. East Street (219) 662-3250
Building Department 102 E. Clark Street (219) 662-3239	Special Events 11065 Broadway Suite F (219) 662-3290	Engineering 11035 Broadway Suite F (219) 662-3242	Fire Rescue 126 N. East Street Station #1500 (219) 662-3248
Historic Maplewood Cemetery 347 Maple Lane (219) 663-5581	Human Resources 11035 Broadway Suite E (219) 661-2284	Legal Department 11035 Broadway Suite E (219) 662-3258	Media and IT 11035 Broadway Suite E (219) 663-3303
Parks and Recreation 11065 Broadway Suite F (219) 661-2271	Planning and Zoning 11035 Broadway Suite E (219) 661-5039	Police Department 124 N. East Street (219) 663-2131	Public Works 705 Industrial Blvd. (219) 662-3252

D. FILING A COMPLAINT

Complaint Procedure - Any person who believes that he or she as a member of a protected class, has been discriminated against based on race, color, national origin, gender, age, disability, religion, low income status, or Limited English Proficiency (LEP) in violation of Title VI of the Civil Rights Act of 1964, as amended and its related statutes, regulations and directives, Section 504 of the Vocational Rehabilitation Act of 1973, Americans with Disabilities Act of 1990, as amended, the Civil Rights Restoration Act of 1987, as amended, and any other Federal nondiscrimination statute may submit a complaint. A complaint may also be submitted by a representative on behalf of such a person.

It is the policy of the City to conduct a prompt and impartial investigation of all allegations of discrimination and to take prompt effective corrective action when a claim of discrimination is substantiated.

No one may intimidate, threaten, coerce or engage in other discriminatory conduct against anyone because they have taken action or participated in an action to secure rights protected by the civil rights laws. Any individual alleging such harassment or intimidation may submit a complaint by following the procedure printed below.

Any individual who feels that he or she has been discriminated against may submit a written or verbal complaint to the designated Title VI Coordinator. A complaint must include the name, address and telephone number of the individual making the complaint (complainant) and a brief description of the alleged discriminatory conduct including the date of harm. An individual submitting a complaint alleging discrimination may include any relevant evidence, including the names of witnesses and supporting documentation.

Complaints should be directed to the Title VI Coordinator:
Anthony Schlueter
101 N. East Street
Crown Point, Indiana, 46307
(219) 661-5039
aschlueter@crownpoint.in.gov

Within 60 days of the receipt of the complaint the City will conduct an investigation of the allegation based on the information provided and issue a written report of its findings to the complainant. The City will try to obtain an informal voluntary resolution to all complaints at the lowest level possible.

A complainant's identity shall be kept confidential except to the extent necessary to conduct an investigation. All complaints shall be kept confidential.

These procedures do not deny the right of any individual to file a formal complaint with any government agency or affect an individual's right to seek private counsel for any complaint alleging discrimination.

Complaints may also be filed with the following government agencies:

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

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

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

E. COMPLAINT PROCESSING

1. The Title VI Coordinator will review the complaint upon receipt to ensure that all required information is provided, the complaint meets the filing deadline date which is 180 days from the date the alleged discriminatory act occurred, and falls within the jurisdiction of the City.

2. The Title VI Coordinator will then investigate the complaint. If the complaint is against the City then the Mayor's office or their designee will investigate the complaint. Additionally, a copy of the complaint will be forwarded to the City Attorney.

3. If the complaint warrants a full investigation, the Complainant will be notified in writing by certified mail. This notice will name the investigator and/or investigating agency.

4. The party alleged to have acted in a discriminatory manner will also be notified by certified mail as of the complaint. This letter will also include the investigator's name and will request that this party be available for an interview.

5. Any comments or recommendations from legal counsel will be reviewed by the Title VI Coordinator, Board of Public Works and Mayor's office.

6. Once the City has investigated the report findings, the City will adopt a final resolution.

7. All parties will be properly notified of the outcome of the City's investigative report.

8. If the complainant is not satisfied with the results of the investigation of the alleged discriminatory practice(s), she/he shall be advised of their right to appeal the City's decision. Appeals must be filed within 180 days after the City's final resolution. Unless new facts not previously considered come to light, reconsideration of the City's determination will not be available.

9. The foregoing complaint resolution procedure will be implemented in accordance with the Department of Justice guidance manual entitled "Investigation Procedures Manual for the Investigation and Resolution of Complaints Alleging Violations of Title VI and Other Nondiscrimination Statues," available online at: http://www.justice.gov/crt/about/cor/Pubs/manuals/complain.pdf

10. **Title VI Complaint Filing** - Complaints filed with the City of Crown Point, Indiana, based on violations of Title VI of the Civil Rights Act of 1964, must include the following information:

    - Name of Complainant
    - Address of Complainant
    - Name of Agency / Department Accused of Discriminatory Practices
    - Address of Agency
    - Description of Alleged Discrimination (see below)
    - Date of Complaint
    - Telephone Number of Complainant
    - Name of Individual Accused of Discriminatory Practices
    - Date of Alleged Discrimination

    Appendix E provides a sample complaint form that may be used for this process.

11. **Alleged Discrimination** - If your complaint is in regard to discrimination in the delivery of services or discrimination that involved the treatment of you by others by the agency or department indicated above, please indicate below the basis on which you believe these discriminatory actions were taken.

- Race / Ethnicity / Color / Religion
- National Origin
- Age
- Sex
- Disability
- Income Status
- Explanation of Alleged Discrimination - Please explain as clearly as possible what happened. Provide the name(s) of witness(s) and others involved in the alleged discrimination. (Attach additional sheets if necessary and provide a copy of written material pertaining to your case.)

- Signature of Complainant
- Date of Complaint

Note: The City of Crown Point prohibits retaliation or intimidation against anyone because that individual has either taken action or participated in action to secure rights protected by policies of the City. Please inform the Title VI Coordinator if you feel you were intimidated or experience perceived retaliation in relation to filing a complaint.

12. **Letter Acknowledging Receipt of Complaint** – Following receipt of the complaint alleging discriminatory actions / behavior, the Title VI Coordinator will send the complainant a letter acknowledging receipt by the City of the complaint.

13. **Letter Notifying Complainant that the Complaint is Substantiated** - If, after investigation, the City determines that the filed complaint alleging a Title VI violation has been substantiated, the City shall notify the complainant of such determination and that the City has implemented measures to correct the issue. Such notice shall also indicate that the complainant may be notified again by the City or state or federal authorities if an administrative hearing process is initiated.

14. **Letter Notifying Complainant that the Complaint is Not Substantiated** - If, after investigation, the City determines that the filed complaint alleging a Title VI violation has not been substantiated, the City shall notify the complainant of such determination and that the City is closing the file for this issue. Such notice shall also indicate that the complainant has the right to:

i. appeal within seven (7) calendar days of receipt of this final written decision from the City, and/or

ii. file a complaint externally with the U.S. Department of Transportation and/or the Federal Transit Administration at Federal Transit Administration Office of Civil Rights Attention: Title VI Program Coordinator East Building, 5th Floor – TCR 1200 New Jersey Ave SE Washington DC, 20590

F. ENVIRONMENTAL JUSTICE

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.

The City of Crown Point is committed to these three environmental justice principles in all work that the City performs.

G. ADMINISTRATION – WORK PLAN

Pursuant to 23 CFR 200, the City of Crown Point has designated a Title VI Coordinator who is responsible for initiating, monitoring, and ensuring the City's compliance with Title VI requirements for the following work plan.

- Administer, coordinate and Implement the Title VI Program plan and distribute internally and externally via website and provide an annually as required.
- Ensure that Assurances are used in contracts for federal projects.
- Attend Title VI training.
- Collect public involvement data.
- Review written Title VI complaints and ensure every effort is made to resolve complaints informally at the local or regional level and review and update the City's Title VI plan and procedures as required.
- Implement a plan that provides training to City Staff on the basic requirements of the Title VI implementation plan.

Title VI Coordinator:
Anthony Schlueter
101 N. East Street
Crown Point, Indiana, 46307
(219) 661-5039
aschlueter@crownpoint.in.gov

H. LIMITED ENGLISH PROFICIENCY (LEP) POLICY

On August 11, 2000, the President signed an executive order, *Executive Order 13166: Improving Access to Service for Persons with Limited English Proficiency (LEP)*, to clarify Title VI of the Civil Rights Act of 1964. It has as its purpose, to ensure meaningful access to programs and services to otherwise eligible persons who are not proficient in the English language. In addition, The US Department of Transportation published *Policy Guidance Concerning Recipients' responsibilities to Limited English Proficient Person* in the December 14, 2005 Federal Register. This guidance outlines the following four factors that the City uses to access the LEP populations in Crown Point.

1. The number and proportion of LEP persons eligible to be served or likely to be encountered by the City.

2. The frequency with which LEP individuals come into contact with the program, activity or service.

3. The nature and importance of the program, activity, or service provided by the program.

4. The resources available to the City and costs.

Summary of the four factor analysis

Factor 1- The number and proportion of LEP persons eligible to be served or likely to be encountered by the City:

The U.S. Census Bureau provides statistics from 2014 for the City of Crown Point. The 2014 estimate shows the population in the City to be 28,623 with the census showing race and ethnicity distribution in 2010 as:

White – 88.2%

Black or African American – 6.3%

American Indian or Alaska Native – 0.2%

Asian – 1.8%

Hispanic or Latino- 8.1%

The most common language spoken besides English is Spanish with no other remaining possible LEP language groups identified by the census.

Based on the above figures, the estimated populations for possible language groups are:

White – 25,245

Black or African American – 1,803

American Indian or Alaska Native - 57

Asian - 515

Hispanic or Latino- 2,318

Factor 1-(continued)

The U.S. Census Bureau has a range of four classifications of how well people speak English. The classifications are: 'very well,' 'well,' 'not well,' and 'not at all.' For planning purposes, the City considers people that speak English less than 'very well' as Limited English Proficient (LEP) persons. It is estimated that the majority of minorities in the community speak English well or very well or have translation availability within their own families or friends. Using the four classification range the number of LEP persons estimated to be living in Crown Point is estimated to be at most 5% of the minority population or approximately 235 individuals who *may* be considered as LEP. Based on actual contact between City Staff and the community there has not been a request from anyone in the service area recorded within the last few years to the City asking the City to provide language translation services. Therefore, the LEP population is probably even fewer than the estimate shown above.

Factor 2- The frequency with which LEP individuals come into contact with the program, activity or service:

There have not been any recorded language translation requests nor has there been any complaints concerning discrimination regarding the LEP population known to the City at this time.

Factor 3- The nature and importance of the program, activity, or service provided by the program:

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 City will provide, upon request, services to assist the LEP population including translation of vital City documents and interpretation services.

Factor 4- The resources available to the City and costs:

The City of Crown Point is a relatively small community with limited resources so an intricate plan to accommodate LEP persons is not practical at this time. Considering the minor numbers as estimated in Factor 1above for the LEP population, the City plans to provide basic services upon request as discussed in factor 3 above.

Summary of LEP Accommodation Plan

- The City of Crown Point strives to serve its population to the best of its ability and will provide upon request, services to assist the LEP population including translation of vital documents and interpretation services deemed necessary to provide meaningful access to City services.
- A U.S. Census Bureau ISpeak card is available as part of this document and on the City's webpage and is also available at City Hall located at 101 N. East Street. This card allows LEP individuals to communicate their preferred language to City Staff whereas City Staff may then access a language translation service to accommodate the needs of the person with LEP. A translation service called INDY Translations, phone number 1-800-695-8772 is available to City Staff or other translation services may be used as determined by the City.
- For language translation requests from the Hispanic or Latino community the City has at least two staff member (police officers) who are bilingual and are available to provide translation services on a day to day basis.
- Collect public involvement data to monitor possible LEP individuals in the community. The City of Crown Point utilizes a voluntary public involvement survey to collect information regarding persons affected by proposed projects. The survey permits respondents to remain anonymous, while voluntarily answering questions regarding their gender, ethnicity, race, age, disability status, and household income. This voluntary public involvement survey is available at all public hearings and meetings. Once the survey data has been collected, it will be reviewed and then the survey will be placed in a file for future reference. In the case enough surveys are collected over time to show a significant increase in LEP populations, the City may consider changes to their LEP policy. Completed surveys shall be retained for a period of three years from the date of the meeting and/or completion of the related project, if applicable. See Appendix G for a sample of this Survey.
- Review written Title VI complaints and ensure every effort is made to resolve complaints informally at the local or regional level and review and update the City's Title VI plan and procedures as required.
- Staff Training- Staff for the City of Crown Point will be provided training on the requirements for providing meaningful access to services for LEP persons. Considering the relatively small size of the City of Crown Point and the estimated small number of LEP individuals in the service area and limited financial resources, current training may be limited to web access to this document and it's attachments by all City Staff, a log showing the names of all Staff that have been made aware of this document (sign off that they have read the document) and require that all new employees receive the same training.

Standard U.S. DOT Title VI Assurances

The **City of Crown Point, 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, Sub-Title A, Office the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidden that it will affirmatively insure that in any contact entered into pursuant to this advertisement, minority 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 race, color, or national origin in consideration for an award.

The **City of Crown Point, 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 race color, or national origin, sex (23 USC 324), 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.

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

1. That the Recipient agrees that each "program" and each "facility as defined in subsections 21.23(e) and 21.23(b) 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 Transportation Program and, in adapted form in all proposals for negotiated agreements:

3. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to the Act 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 Federal Aid Transportation Program; and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under Federal Aid Transportation 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, sub-grantees, 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 Transportation Program and is binding on it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest and other participants in the Federal Aid Transportation Program. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient

Dated 04-13-16

City of Crown Point, Indiana

by _____
David D.F. Uran, Mayor

APPENDIX A

(to be inserted in all Federal Aid Contracts)

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, 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 race, color, or national origin 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 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 race, color, or national origin.

(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 (Recipient) or the (Name of Appropriate Administration) 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 (Recipient), or the (Name of Appropriate Administration) 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 (Recipient) shall impose such contract sanctions as it or the (Name of Appropriate Administration) 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 subcontractor procurement as the (Recipient) or the (Name of Appropriate Administration) may direct as a means of enforcing such provisions including sanctions for noncompliance: 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 (Recipient) to enter into such litigation to protect the interests of the (Recipient), 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

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 the **City of Crown Point, Indiana** will accept Title to the lands and maintain the project constructed thereon, in accordance with (Name of Appropriate Legislative Authority), the Regulations for the Administration of the Federal Aid Transportation Program and the policies and procedures prescribed by INDOT or FHWA of the Department of Transportation and, 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 (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 Crown Point, Indiana** 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 **City of Crown Point, Indiana** 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 Crown Point, Indiana,** its successors and assigns.

The **City of Crown Point, Indiana**, in consideration or 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 race, color, or national origin, he excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on over or under such lands hereby conveyed [,] [and)* (2) that the **City of Crown Point, Indiana** 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, Sub-Title 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, 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 reenter 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.*

* 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 **City of Crown Point, Indiana** pursuant to the provisions of Assurance 6(a).

The (grantee, licensee, lessee, permitee, 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, permitee, 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, 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, **City of Crown Point, Indiana** 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 Crown Point, Indiana** shall have the right to reenter 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 of Crown Point, Indiana** and its assigns.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by the **City of Crown Point, Indiana** pursuant to the provisions of Assurance 7.

The (grantee, licensee, lessee, permitee, 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 race, color. or national origin shall be excluded from participation in, denied the benefits of, or he otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land and the furnishing of services thereon, no person on the ground of, race, color, or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permitee, 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, Sub-Title 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), and as said Regulations may be amended.

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

* 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.

That in the event of breach of any of the above nondiscrimination covenants, **City of Crown Point, Indiana** shall have the right to terminate the [license, lease, permit, etc.] and to reenter 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, **City of Crown Point, Indiana** shall have the right to reenter said land and facilities there-on, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of **City of Crown Point, Indiana** 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.

Appendix D- Title VI Complaint Log

City of Crown Point Title VI Complaint Log

Case Number	Complainant/ Address	Filing Date	Basis	Status	Disposition

Appendix E- External Complaint of Discrimination

INSTRUCTIONS: EXTERNAL COMPLAINT OF DISCRIMINATION

The purpose of this form is to help any person interested in filing a discrimination complaint with the City of Crown Point .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 below. All bold items 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, national origin, sex, age, disability/handicap, or income status in connection with programs or activities receiving federal financial assistance for the United States Department of Transportation, Federal Highway Administration, and/or Federal Transit Administration. These prohibitions extend to the City of Crown Point as a sub-recipient of federal financial assistance.

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.

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

The City of Crown Point is 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 below.

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 <u>cannot</u> be processed without your signature.**

Title VI Coordinator:
Anthony Schlueter
101 N. East Street
Crown Point, Indiana, 46307
(219) 661-5039
aschlueter@crownpoint.in.gov

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

PERSON / DEPARTMENT YOU BELIEVE DISCRIMINATED AGAINST YOU		
Name *(first, middle, last)*		Title
Name of department		
Address *(number and street, city, state, ZIP code)*		
Home telephone number ( ) -	Work telephone number ( ) -	Cellular telephone number ( ) -
When was the last alleged discriminatory act? ***(month, day, year)***		
Complaints of discrimination must be filed within 180 days 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: Race Color Age Gender National Origin Disability Ancestry Retaliation Religious Affiliation		

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

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

Provide the names of any individuals with additional information regarding your complaint:		
Name of witness 1 *(first, middle, last)*		Title
Name of company		
Address *(number and street, city, state, 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 complain of discrimination:		

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

Name of witness 2 *(first, middle, last)*		Title
Name of company		
Address *(number and street, city, state, 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 complain of discrimination:		

Name of witness 3 *(first, middle, last)*		Title
Name of company		
Address *(number and street, city, state, 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 complain of discrimination:		

Appendix F- Complainant Consent/ Release Form

COMPLAINANT CONSENT / RELEASE

Name *(first, middle, last)*	Telephone number ( ) -
Address *(number and street, city, state, ZIP code)*	
Case number(s) *(if known)*	

As a complainant, I understand that during an investigation it may become necessary for The City of Crown Point to reveal my identity to individuals outside of the City of Crown Point Government in the course of verifying information or gathering facts and evidence to develop a basis for making a civil rights compliance determination. I understand that it may be necessary for the City of Crown Point to share information, including personal details collected as part of its complaint investigation. In addition, I understand that as a complainant, I am protected by Title VI of the Civil Rights Act of 1964, as amended, and its related statutes and regulations prohibiting intimidation or retaliation for taking action or participating in an action to secure rights protected by the nondiscrimination statutes enforced by the City of Crown Point.

Please read both paragraphs below, check your choice of CONSENT or CONSENT DENIED and sign below. (Please mark one)

CONSENT

I have read and understand the above information and authorize the City of Crown Point to disclose my identity to individuals as needed during the course of the investigation for the purpose of verifying information or gathering facts and evidence relevant to the investigation of my complaint. I authorize the City of Crown Point to receive, review, and discuss material and information about me relevant to the investigation of my complaint.
I understand that the material and information will be used for authorized civil rights compliance and enforcement activities. I further understand that I am not required to authorize this release and volunteer to do so.

CONSENT DENIED

I have read and understand the above information and do not want the City of Crown Point to disclose my identity to any individual during the course of the investigation. I understand this choice could delay the investigation of my complaint and may, in some circumstances, result in an administrative closure of the investigation of my complaint without the City of Crown Point making a determination in my case.

Signature	Date *(month, day, year)*

Appendix G- Voluntary Title VI Public Involvement Survey

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)). The City of Crown Point 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 the City of Crown Point 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 the City of Crown Point's responsibilities under Title VI of the Civil Rights Act of 1964 or the Americans with Disabilities Act, please contact the Title VI Coordinator.

You may return the survey by folding it and placing it on the registration table or by mailing or e-mailing it to the address below.

Date: *(month, day, year)*					
Project Name:					
Proposed Project Location:					
Gender:	☐ Female	☐ Male	**Ethnicity:**	☐ Hispanic or Latino	☐ Not Hispanic or Latino
Race: *(Check one or more)*	☐ American Indian or Alaska Native			☐ Asian	
	☐ Native Hawaiian or Other Pacific Islander			☐ White	
	☐ Black or African-American			☐ Multiracial	
Age:	☐ 1-21	☐ 22-40	**Disability:**	☐ Yes	
	☐ 41-65	☐ 65+		☐ No	
Household Income:					
	☐ 0-$12,000	☐ $12,001-$24,000		☐ $24,001-$36,000	
	☐ $36,001-$48,000	☐ $48,001-$60,000		☐ $60,001+	

Title VI Coordinator:
Anthony Schlueter
101 N. East Street
Crown Point, Indiana, 46307
(219) 661-5039
aschlueter@crownpoint.in.gov

Appendix H- U.S. Census Bureau ISpeak Card

2004 Census Test — Dated Dates Census 2010

LANGUAGE IDENTIFICATION FLASHCARD

☐ ضع علامة في هذا المربع إذا كنت تقرأ أو تتحدث العربية.	1. Arabic
☐ [illegible]	2. Armenian
☐ যদি আপনি বাংলা পড়েন বা বলেন তা হলে এই বাক্সে দাগ দিন।	3. Bengali
☐ ណូមបញ្ជាក់ក្នុងប្រអប់នេះ បើអ្នកអាន ឬនិយាយភាសា ខ្មែរ ។	4. Cambodian
☐ Motka i kahhon ya yangin ûntûngnu' manaitai pat ûntûngnu' kumentos Chamorro.	5. Chamorro
☐ 如果你能读中文或讲中文，请选择此框。	6. Simplified Chinese
☐ 如果你能讀中文或講中文，請選擇此框。	7. Traditional Chinese
☐ Označite ovaj kvadratić ako čitate ili govorite hrvatski jezik.	8.Croatian
☐ Zaškrtněte tuto kolonku, pokud čtete a hovoříte česky.	9. Czech
☐ Kruis dit vakje aan als u Nederlands kunt lezen of spreken.	10. Dutch
☐ Mark this box if you read or speak English.	11. English
☐ اگر خواندن و نوشتن فارسی بلد هستید این مربع را علامت بزنید.	12. Farsi

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☐ Cocher ici si vous lisez ou parlez le français.	13. French
☐ Kreuzen Sie dieses Kästchen an, wenn Sie Deutsch lesen oder sprechen.	14. German
☐ Σημειώστε αυτό το πλαίσιο αν διαβάζετε ή μιλάτε Ελληνικά.	15. Greek
☐ Make kazye sa a si ou li oswa ou pale kreyòl ayisyen.	16. Haitian Creole
☐ अगर आप हिन्दी बोलते या पढ़ सकते हों तो इस बक्स पर चिह्न लगाएँ।	17. Hindi
☐ Kos lub voj no yog koj paub twm thiab hais lus Hmoob.	18. Hmong
☐ Jelölje meg ezt a kockát, ha megérti vagy beszéli a magyar nyelvet.	19. Hungarian
☐ Markaam daytoy nga kahon no makabasa wenno makasaoka iti Ilocano.	20. Ilocano
☐ Marchi questa casella se legge o parla italiano.	21. Italian
☐ 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
☐ 한국어를 읽거나 말할 수 있으면 이 칸에 표시하십시오.	23. Korean
☐ ให้ขบวนใส่ผู้ถูกปี้ ถ้าท่านอ่านผู้ปากพาดาดาด.	24. Laotian
☐ Prosimy o zaznaczenie tego kwadratu, jeżeli posługuje się Pan/Pani językiem polskim.	25. Polish

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

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