

HENDRICKS COUNTY, INDIANA
TITLE VI NONDISCRIMINATION
IMPLEMENTATION PLAN & POLICY

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TABLE OF CONTENTS

1.	Policy Statement	3
2.	Title VI Coordinator	3
3.	Contractors, Subcontractors, Consultants and Vendors	3
4.	Concerns/Complaints Process	3
5.	Public Dissemination	4
6.	Community Involvement and Outreach.....	4
7.	Data Collection	5
8.	Section 504/Americans with Disabilities (ADA)	5
9.	Limited English Proficiency	5
10.	Title VI Assurances	6

APPENDICES

Appendix A.....	10
Appendix B.....	12
Appendix C.....	13

FORMS

Title VI Nondiscrimination Statement.....	14
Title VI Assurances.....	15
Title VI Employee Acknowledgement.....	18
Title IV Complaint Form.....	19
Voluntary Title VI Involvement Survey.....	21

**HENDRICKS COUNTY, INDIANA
TITLE VI NONDISCRIMINATION PLAN & POLICY**

1. POLICY STATEMENT

Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination based on race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that “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 subjected to discrimination under any program or activity receiving Federal Financial Assistance” (42 U.S.C. Section 2000d).

Pursuant to Title VI of the Civil Rights Act of 1964, as amended, and the Civil Rights Restoration Act of 1987, Hendricks County, Indiana, hereinafter referred to as “Hendricks County,” will not exclude from participation in, deny the benefits of, or subject to discrimination any individual on the grounds of race, color, or national origin, sex, age, individuals with a disability, limited English proficiency and income status.

The signed Hendricks County Title VI Nondiscrimination Policy Statement can be found on the Hendricks County website, www.co.hendricks.in.us, under the Engineering Department tab or by contacting the Hendricks County Title VI Coordinator.

2. TITLE VI COORDINATOR

Assistant Engineer
Title VI Coordinator
355 S. Washington Street #G20
Danville, IN 46122
Phone: 317-745-9236

3. CONTRACTORS, SUBCONTRACTORS, CONSULTANTS AND VENDORS

All contractors, subcontractors and vendors who receive payments from Hendricks 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. Hendricks County will include Title VI language, as per the Standard U.S. DOT Title VI Assurances Appendices A, B and C, as relevant and appropriate, in written agreements and bid notices. Appendices A, B and C can also be found on the Hendricks County website, www.co.hendricks.in.us, under the Engineering Department tab or by contacting the Hendricks County Title VI Coordinator. Written agreements relevant to Title VI shall not contain any form of discrimination, either written or implied.

4. CONCERNS/COMPLAINT PROCESS

Hendricks 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 Hendricks County Title VI Coordinator. The Hendricks County Title VI Complaint Form and the Grievance Procedure Under Title VI of the 1964 Civil Rights Act can be found on the Hendricks County website, www.co.hendricks.in.us, under the Engineering Department tab or by contacting the Hendricks County Title VI Coordinator. For the complaint to be considered, the complainant must file the appropriate documentation within 180 days of the alleged act of discrimination.

For Federal Transit Authority funded programs, a complaint may be filed with:

FTA

Federal Transit Administration
Office of Civil Rights
Attention: Complaint Team
East Building, 5th Floor – TCR
1200 New Jersey Avenue, SE
Washington, DC 20590

IndyGo

Indianapolis Public Transportation Corporation
c/o Director of Compliance and Civil Rights
1501 W. Washington Street
Indianapolis IN 46222

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

- Name of the complainant
- Contact information (telephone number, address, email address)
- 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 Hendricks County Title VI Coordinator. Under these circumstances, the complainant will be interviewed, and the Hendricks County Title VI Coordinator will assist the complainant in completing a written statement.

Within fifteen 15 calendar days after receipt of the complaint, 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 Hendricks 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 Hendricks County Board of Commissioners or assigned designee.

Within 15 calendar days after receipt of the appeal, the Hendricks County Board of Commissioners or assigned designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Hendricks County Board of Commissioners or assigned

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 assigned designee, appeals to the Hendricks County Board of Commissioners, or assigned designee, and responses from these two offices will be retained by Hendricks County for at least three (3) years.

5. PUBLIC DISSEMINATION

Title VI information shall be displayed in Hendricks County buildings and all places in which public meetings are held. The Hendricks 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 Hendricks County website, www.co.hendricks.in.us, under the Engineering Department tab or by contacting the Hendricks County Title VI Coordinator. Copies of any of these plans will be provided upon request; LEP individuals may obtain translated copies of these plans upon request as well. Any questions or comments regarding this plan should be directed to the Title VI Coordinator.

Any Subrecipients of funds from the Federal Transit Administration shall comply with Hendricks County's Title VI policies. Subrecipients shall post Title VI notices in any vehicles used to transport the public in addition to office/reception/pick-up location areas open to the public.

6. COMMUNITY INVOLVEMENT AND OUTREACH

Hendricks 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 Hendricks County Council meets monthly on the first Tuesday of the month, and the Hendricks County Board of Commissioners meets bi-monthly on the second and fourth Tuesdays of the month. All meetings are open to the public and are held at 355 S. Washington Street, Room 140, Danville, IN 46122. Public meetings are published on Hendricks County website's main page, www.co.hendricks.in.us, and distributed to local media outlets. All Hendricks 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 agendas, meeting minutes, Hendricks County notices, events and news can be found on the County's website, www.co.hendricks.in.us. Some departments within Hendricks County utilize signage, media, and social media websites as another avenue to communicate with the community.

Human Resources posts available positions and opportunities on a variety of web-based sites: (Zip Recruiter, Indeed, Colleges/Universities, Indiana Career Connect and other business groups) accessible to anyone with access to the internet.

7. DATA COLLECTION

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

Subrecipients of Federal Transit Administration funding will provide data to the Hendricks County Commissioners at least quarterly, or as needed.

Hendricks 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, income and if they are an individual with a disability. The Voluntary Title VI Public Involvement Survey can also be found on the Hendricks County website, www.co.hendricks.in.us, under the Engineering Department tab or by contacting the Hendricks 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.

8. SECTION 504 /AMERICANS WITH DISABILITIES (ADA)

Pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) as amended, and the Americans with Disabilities Act of 1990, as well as any other local, federal and state laws and regulations, Hendricks County will make every reasonable effort to ensure that no individual with a disability will be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any of Hendricks County's programs or activities.

For more information regarding Hendricks County's ADA policy, please visit Hendricks County's website, www.co.hendricks.in.us, under the Engineering Department tab or contact the Hendricks County ADA Coordinator:

Assistant Engineer
ADA Coordinator
355 S. Washington Street #G20
Danville, IN 46122
Phone: 317-745-9236

9. LIMITED ENGLISH PROFICIENCY (LEP)

Hendricks County will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access and an equal opportunity to participate in our services, activities, programs, and other benefits.

For any program or project receiving federal funds, Hendricks County will conduct a four-part analysis to determine what, if any, Limited English Proficiency (LEP) services will be provided. The four factors to be considered in determining the need and type of language assistance services are:

1. The number or proportion of LEP individuals.
2. The frequency of LEP individuals contact with the program or project.
3. The nature and importance of the program or project.
4. The resources available to Hendricks County to provide LEP assistance.

If a review of the first two factors, show that less than nine percent (9%) of the intended beneficiaries 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 through United States Census Bureau data as well as utilization of the Voluntary Title VI Public Involvement Survey. The Voluntary Title VI Public Involvement Survey can be found on Hendricks County's website, www.co.hendricks.in.us, under the Engineering Department tab or by contacting the Hendricks County Title VI Coordinator.

To ensure that persons with Limited English Proficiency (LEP) have meaningful access and equal opportunity, Hendricks County will take reasonable steps to ensure requests for oral or written translation services are fulfilled.

Hendricks County Human Resources provides each Department with language cards and instructions on how to use them. Information is also provided on the use of the Google Translate application.

If more than nine percent (9%) of the intended beneficiaries of the program or project are limited English proficient, Hendricks County will review the nature and importance of the program or project to determine what language assistance measures should be developed for the program or project. The resources available to Hendricks County should be considered in determining the appropriate language services, including the use of a telephone interpreter line, and written translation services.

10. HENDRICKS COUNTY, INDIANA TITLE VI ASSURANCES

HENDRICKS COUNTY (hereinafter referred to as the “Recipient”) HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the Department of Transportation 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. 200d-4 (hereinafter referred to as the “Act”), and all requirements imposed by or pursuant to Title 40, 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 (hereinafter referred to as the “Regulations”) and other pertinent directives, to the end that is in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, or national origin, 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 “appropriate Grantor(s)” and, HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(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 the “appropriate Grantor(s):”

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 (regarding a “program”) conducted, or will be (regarding 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 the “appropriate Grantor(s)” and, in adapted form in all proposals for negotiated agreements:

“Recipient, 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 of 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 contract 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.

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 acquisitions 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 “appropriate Grantor(s)” and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under the “appropriate Grantor(s).”
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 they delegate 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 regarding any matter arising under the Act, the Regulations, and this Assurance.

This Assurance is given in consideration of and for the purpose of obtaining 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 “appropriate Grantor(s)” and is binding on it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest and other

participants in the "appropriate Grantor(s)". The person or persons whose signatures appear below are authorized to sign this Assurance on behalf of the Recipient.

HENDRICKS COUNTY BOARD OF COMMISSIONERS:

Phyllis A. Palmer

Phyllis A. Palmer, President

Bob Gentry

Bob Gentry, Vice President

Dennis W. Dawes

Dennis W. Dawes, Member

ATTEST:

Nancy L. Marsh

Nancy Marsh, Hendricks County Auditor

The signed Hendricks County Title VI Assurances, along with Appendices A, B, and C, can be found on Hendricks County's website, www.co.hendricks.in.us, under the Engineering Department tab or by contacting the Hendricks County Title VI Coordinator.

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, 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, regarding 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 Hendricks County and _____ 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 Hendricks County and _____ 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, Hendricks County shall impose such contract sanctions as it and the _____ 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 directive issued pursuant thereto.

The contractor shall take such action with respect to any subcontractor procurement as Hendricks County and _____ 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 directions, the contractor may request Hendricks County to enter into such litigations to protect the interests of Hendricks County and, in addition, the contractor may request the United States to enter into such litigations to protect the interests of the United States.

APPENDIX B

The following clauses shall be included in 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 Hendricks County will accept Title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code, the Regulations for the Administration of _____ and the policies and procedures prescribed by the _____ 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, Sub Title 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 Hendricks County all the right, Title and interest of the Department of Transportation in and said lands described in Exhibit A attached hereto and made a part thereof.

HABENDUM CLAUSE

TO HAVE AND TO HOLD said lands and interests therein unto Hendricks 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 the Federal financial assistance is extended or for another purpose involving the provisions of similar services or benefits and shall be binding on Hendricks County, its successors and assigns.

Hendricks 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 race, color, or national origin be excluded from participation in, be denied the benefits of or be otherwise subject to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,](and)* (2) that Hendricks County shall use the 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 of 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 non-discrimination conditions, the department shall have a right to re-enter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.¹

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

APPENDIX C

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by Hendricks County pursuant to the provisions of Title VI Assurances, item 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 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 of 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, 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 1963, and as said Regulations may be amended.

The following shall be included in all licenses, leases, permits, etc.:

That in the event of breach of any of the above nondiscrimination covenants, Hendricks 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.

The following shall be included in all deeds:

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

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by Hendricks County pursuant to the provisions of Title VI 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 race, color or national origin 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 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, 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, 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.

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.

**HENDRICKS COUNTY, INDIANA
TITLE VI NONDISCRIMINATION POLICY STATEMENT**

Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination based on race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "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 subjected to discrimination under any program or activity receiving Federal Financial Assistance" (42 U.S.C. Section 2000d).

Pursuant to Title VI of the Civil Rights Act of 1964, as amended, and the Civil Rights Restoration Act of 1987, Hendricks County, Indiana, hereinafter referred to as "Hendricks County," will not exclude from participation in, deny the benefits of, or subject to discrimination any individual on the grounds of race, color, or national origin, sex, age, individual with a disability, limited English proficiency and income status.

HENDRICKS COUNTY BOARD OF COMMISSIONERS:

Phyllis A. Palmer
Phyllis A. Palmer, President

Bob Gentry
Bob Gentry, Vice President

Dennis W. Dawes
Dennis W. Dawes, Member

ATTEST: Nancy A. Marsh
Nancy Marsh, Hendricks County Auditor

HENDRICKS COUNTY, INDIANA TITLE VI ASSURANCES

HENDRICKS COUNTY (hereinafter referred to as the “Recipient”) HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the Department of Transportation 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. 200d-4 (hereinafter referred to as the “Act”), and all requirements imposed by or pursuant to Title 40, 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 (hereinafter referred to as the “Regulations”) and other pertinent directives, to the end that is in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, or national origin, 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 “appropriate Grantor(s)” and, HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(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 the “appropriate Grantor(s):”

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 (regarding a “program”) conducted, or will be (regarding 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 the “appropriate Grantor(s)” and, in adapted form in all proposals for negotiated agreements:

***“Recipient, 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 of the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract 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.*”**

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 acquisitions 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 “appropriate Grantor(s)” and (b) for the construction or use of or access to space on, over or under real property acquired, or improved under the “appropriate Grantor(s).”
8. That is 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 they delegate 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 regarding any matter arising under the Act, the Regulations, and this Assurance.

This Assurance is given in consideration of and for the purpose of obtaining 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 “appropriate Grantor(s)” and is binding on it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest and other participants in the “appropriate Grantor(s)”. The person or persons whose signatures appear below are authorized to sign this Assurance on behalf of the Recipient.

HENDRICKS COUNTY BOARD OF COMMISSIONERS:

Phyllis A. Palmer
Phyllis A. Palmer, President

Bob Gentry
Bob Gentry, Vice President

Dennis W. Dawes
Dennis W. Dawes, Member

ATTEST: Nancy A. Marsh
Nancy Marsh, Hendricks County Auditor

**HENDRICKS COUNTY, INDIANA
TITLE VI EMPLOYEE ACKNOWLEDGMENT**

Title VI of the Civil Rights Act of 1964, as amended, prohibits discrimination based on race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that “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 subjected to discrimination under any program or activity receiving Federal Financial Assistance” (42 U.S.C. Section 2000d).

Pursuant to Title VI of the Civil Rights Act of 1964, as amended, and the Civil Rights Restoration Act of 1987, Hendricks County, Indiana, hereinafter referred to as “Hendricks County,” will not exclude from participation in, deny the benefits of, or subject to discrimination any individual on the grounds of race, color, or national origin, sex, age, disability, limited English proficiency and income status.

All Hendricks County employees are expected to consider, respect, and observe this policy in their daily work responsibilities and interactions with other employees and the public. Hendricks County employees should work to prevent and alleviate any barriers to service or public use that would restrict public access or usage and take prompt and reasonable action to avoid or minimize discrimination incidences. If another employee or citizen approaches with a question, concern, or complaint regarding discrimination, please refer them to Hendricks County’s Title VI Coordinator:

**Assistant Engineer
Title VI Coordinator
355 S. Washington Street #G20
Danville, IN 46122
Phone: 317-745-9236**

Employee Name: _____ Date: _____

Employee Signature: _____ Dept: _____

****Employee signature confirms receipt and understanding of Title VI plan and policy****

**HENDRICKS COUNTY, INDIANA
TITLE VI COMPLAINT FORM**

Complainant's Name: _____ Date: _____

Address: _____

City, State & Zip Code: _____

Phone Number: _____ Email address: _____

Person discriminated against: (if someone other than the complainant)

Name: _____ Phone Number: _____

Address: _____

City, State & Zip Code: _____

Please indicate why you believe the discrimination occurred:

- Race
- Color
- National Origin
- Other Please explain:

What was the date of the alleged discrimination? _____

Where did the alleged discrimination take place? _____

Please describe the alleged discrimination. Be as specific as possible in explaining what happened and whom you believe was responsible. (Attach additional pages if needed)

Please list any and all witnesses' names, phone numbers and email address:

What type of remedy would you suggest?

Have you ever filed a complaint with any other federal, state or local agency, or with any federal or state court? ___ Yes ___ No

If yes, which court or agency? _____

Please attach any documents or other information that you believe is relevant to your complaint. Please sign, date and send your complaint to:

Assistant Engineer
Title VI Coordinator
355 S. Washington Street #G20
Danville, IN 46122
317-745-9236

Printed name: _____

Signature: _____

Date: _____

VOLUNTARY TITLE VI PUBLIC INVOLVEMENT SURVEY
Hendricks County, Indiana

Assistant Engineer
Title VI Coordinator
Phone: 317-745-9236
355 S. Washington Street #G20
Danville, IN 46122
www.co.hendricks.in.us

As a recipient of federal funds, Hendricks County is required to develop a procedure for gathering statistical data regarding participants and beneficiaries of its federal-aid programs and activities (23 CFR §200.9(b)(4)). Hendricks County is distributing this voluntary survey to fulfill that requirement to gather information about the populations affected by Hendricks County activities.

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

If you have any questions regarding Hendricks County’s responsibilities under Title VI of the Civil Rights Act of 1964 or the Americans with Disabilities Act, please contact the Assistant Engineer.

You may return the survey by folding it and placing it on the registration table (if you received it at a public hearing or meeting) or by mailing it to the address above.

DATE (month, day, year):	
MEETING:	
<input type="checkbox"/> Drainage Board	<input type="checkbox"/> County Commissioners
<input type="checkbox"/> Plan Commission	<input type="checkbox"/> Highway Department
<input type="checkbox"/> Recycling District	<input type="checkbox"/> County Council
<input type="checkbox"/> Other _____	
PROPOSED PROJECT LOCATION (if applicable):	
GENDER:	ETHNICITY:
	<input type="checkbox"/> Hispanic or Latino <input type="checkbox"/> Not Hispanic or Latino
<input type="checkbox"/> Female	NATIONAL ORIGIN:
<input type="checkbox"/> Male	<input type="checkbox"/> USA <input type="checkbox"/> Other _____
RACE:	
<input type="checkbox"/> American Indiana or Alaska Native	<input type="checkbox"/> Native Hawaiian or Other Pacific Islander
<input type="checkbox"/> White	<input type="checkbox"/> Asian
<input type="checkbox"/> Black or African American	<input type="checkbox"/> Multiracial
AGE: <input type="checkbox"/> 1-21 <input type="checkbox"/> 22-40 <input type="checkbox"/> 41-65 <input type="checkbox"/> 65+	DISABILITY: <input type="checkbox"/> Yes <input type="checkbox"/> No
HOUSEHOLD INCOME:	
<input type="checkbox"/> 0-\$12,000	<input type="checkbox"/> \$12,001-\$24,000
<input type="checkbox"/> \$36,001-\$48,000	<input type="checkbox"/> \$24,001-\$36,000
	<input type="checkbox"/> \$48,001-\$60,000
	<input type="checkbox"/> \$60,001 +