



Title VI Implementation Plan

July 2019

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I. Introduction

This plan is part of the City of Elkhart's continual and ongoing effort to comply with civil rights regulations. This document communicates the City's intent to proactively meet and exceed minimum compliance requirements established under Title VI of the Civil Rights Act of 1964 (Title VI), 49 CFR § 26, and the related anti-discrimination statutes and regulations. The City of Elkhart strives to provide continued transparency, clarity, and technical guidance for internal and external constituents regarding its Title VI program.

II. Policy Statement

The City of Elkhart, Indiana, is committed to a policy of inclusiveness, fairness, and accessibility of its programs, activities and services to all persons in Elkhart. As provided by Title VI of the Civil Rights Act of 1964 and all related statutes, Elkhart assures that no person shall, on the grounds religion, race, color, national origin, sex, age, disability/handicap, sexual orientation, gender identity, limited English proficiency, or low income status, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any City of Elkhart program, activity or service. The City of Elkhart further assures every effort will be made to ensure non-discrimination in all of its programs, activities, and services, whether those program, activities and services are federally funded or not. In the event the City of Elkhart distributes Federal aid funds to another entity, the City of Elkhart will include Title VI language in all written agreements. **(Supplement A)**

III. Appointment of Title VI Coordinator

The Title VI Coordinator shall be appointed by the Mayor. As of the date of this plan, the currently appointed Title VI Coordinator is:

Michelle Goodman

ADA Coordinator & Title VI Coordinator
City of Elkhart, Public Works and Utilities
1201 South Nappanee Street
Elkhart, Indiana 46516

Voice: (574) 293-2572
Fax: (574) 293-7658
TDD: (574) 389.0198
Email: michelle.goodman@coei.org

IV. Duties of the Title VI Coordinator

- Develop and implement Title VI Plan.
- Maintain a log of all complaints. **(Supplement B)**
- Monitor programs and/or activities receiving federal financial assistance including ensuring non-discrimination.
- Assist program personnel in correcting Title VI problems or discriminatory practices or policies found through self-monitoring and review of activities.

- Ensure that Title VI requirements are included in policy directives and that the procedures used have built in safeguards to prevent discrimination.
- Implement procedures for the prompt processing of Title VI external discrimination complaints.
- Attend training(s) on Title VI and other nondiscrimination authorities.
- Coordinate the development and implementation of a Title VI and related statutes training program(s).
- Develop Title VI information for public dissemination, and where appropriate, in languages other than English.
- Address all Title VI discrimination complaints.
- Review and update Title VI plan and policy as needed or required

V. Employer/Employee Dissemination and Training

Title VI plan, policy, education, and literature will be provided to all City of Elkhart employees at the annual training program. City of Elkhart employees will be required to sign an acknowledgement (**Supplement C**) of receipt indicating they have received and reviewed Title VI policy guidelines. New employees will be provided with education and literature at new employee orientation. Employees will be provided with updated education and literature as the City of Elkhart deems necessary.

Employees will be expected to follow the Title VI policy and guidelines set forth. In addition, City of Elkhart employees should make every effort to alleviate any barriers to service or public use that would restrict public access or usage, take prompt and reasonable action to avoid or minimize discrimination incidences, and **immediately** notify the Title VI Coordinator, in writing, of any questions, complaints or allegations of discrimination.

VI. Contractors, Subcontractors, Vendors & Consultants

All contractors, subcontractors, and vendors who receive payments from the City of Elkhart 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. The City of Elkhart will include Title VI language, as per the Standard U.S. DOT Title VI Assurances Appendices A, B & C (**Supplement D**), as relevant and appropriate, in written agreements and bid notices. Written agreements relevant to Title VI shall not contain any form of discrimination, either written or implied.

VII. Title VI Compliance Review Process

Once formally adopted, the City of Elkhart will provide an internal assessment of its Title VI compliance efforts.

VIII. External Complaint Process

The City Elkhart will promptly investigate all properly submitted complaints of alleged discrimination. The City of Elkhart will also attempt to resolve such complaints and take corrective action upon a finding of a substantiated complaint.

A. Complaint Investigation Procedures

The City of Elkhart 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 City of Elkhart Title VI Coordinator. Complaint procedures and forms (**Supplement E**) can be found on the City of Elkhart's website: www.elkhartindiana.org or by contacting the City of Elkhart Title VI Coordinator.

B. Who May File a Complaint

Any person who believes that he or she has been excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any City of Elkhart service, program, or activity whether federally funded or not, based on the grounds religion, race, color, national origin, sex, age, disability/handicap, sexual orientation, gender identity, limited English proficiency, or low income status, may file a complaint. A complainant's representative may also file a complaint on the behalf of such a person.

C. Timeliness of Complaints

A complaint must be filed within one hundred eighty (180) days from the date of the last occurrence of the alleged discriminatory practice.

If the alleged discriminatory practice is of a continuing nature, the date of the occurrence of said practice shall be deemed to be any date subsequent to the commencement of the unlawful discriminatory practice up to and including the date upon which it shall have ceased.

D. Complaint Forms

The City of Elkhart will make complaint forms available online via the City website: www.elkhartindiana.org. Additionally, persons may contact the Title VI Coordinator to request a copy of the complaint form via email, facsimile, or United States mail. Complaint forms in alternative formats are available upon request.

E. How to File a Complaint

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 City of Elkhart Title VI Coordinator. Under these circumstances, the complainant will be interviewed and the Title VI Coordinator will assist the complainant in completing a written statement.

A complainant may file his or her complaint by mail, facsimile, or email. Any person with a disability may request to file his or her complaint using an alternative format. The City of Elkhart will acknowledge complaints received by fax or email and will process them once the City establishes the identity of the complainant. Complainants must mail a signed, original copy of the fax or email transmittal to the City to begin the complaint process. The City of Elkhart does not require a complainant to use the City's complaint form for submitting his or her complaint.

Complaints should be submitted to:

Michelle Goodman

ADA Coordinator & Title VI Coordinator
 City of Elkhart, Public Works and Utilities
 1201 South Nappanee Street
 Elkhart, Indiana 46516

Voice: (574) 293-2572
 Fax: (574) 293-7658
 TDD: (574) 389.0198
 Email: michelle.goodman@coei.org

F. Elements of a Complete Complaint

A complete complaint is written and signed. Verbal complaints must be reduced to writing and provided to the complainant for confirmation, review, and signature before processing. The complaint form is available in the Supplement of this report and on the City website.

Additionally, a complete complaint must be filed within 180 calendar days of the alleged discriminatory act(s) and includes at minimum the following information:

- The full name and address of the complainant
- The full name and address of the respondent, the individual, agency, department, or program that allegedly discriminated against complainant;
- A description of the alleged discriminatory act(s) that violated the Title VI (i.e., an act of intentional discrimination or one that has the effect of discriminating on the on the grounds

religion, race, color, national origin, sex, age, disability/handicap, sexual orientation, gender identity, limited English proficiency, or low income status) and;

- The date of occurrence

The following items are not acceptable as a complete complaint:

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

G. Processing Complaints

The Title VI Coordinator shall process and investigate all Title VI complaints.

The Title VI Coordinator shall notify the complainant in writing, or other acceptable format, within fifteen (15) calendar days of receipt of the complaint. The Title VI Coordinator will arrange to speak with or to meet with the complainant to discuss the complaint and the possible resolutions if applicable. If a complaint is deemed incomplete, additional information will be requested. The complainant will have ten (10) business days to respond to the request for the additional information. A complainant's failure to respond to the request within ten (10) business days may result in the administrative closure of the complaint.

If the City of Elkhart does not have jurisdiction to investigate the complaint, the Title VI Coordinator will refer the complaint to the appropriate state or federal agency holding such jurisdiction. The Title VI Coordinator will notify the complainant or their representative, in writing, that the complaint is outside of the City of Elkhart's jurisdiction and where the complaint has been referred for further handling.

The Title VI Coordinator will conduct a complete and thorough investigation of complaints inside the City of Elkhart's jurisdiction and based upon the information obtained will render a final written response letter to the complainant or their representative by registered mail or hand delivery within sixty (60) business days. The final written response will include a description of the complaint, a summary of the investigation and the findings of such, summaries of all individuals interviewed, and if appropriate, recommendations and resolutions.

If the complainant is dissatisfied with the final resolution of the complaint, the complainant has the right to request a Reconsideration of the Finding to the Human Relations Commission pursuant to the Rules and Regulations of the Elkhart Human Relations Commission, Section 9.6 D, (**Supplement F**) and/or file a complaint with:

Department of Justice
Federal Coordination and Compliance Section – NWB
Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

H. Confidentiality

A complainant's identity shall be kept confidential except to the extent necessary to complete the investigation. If it is necessary to disclose the complainant's identity to the alleged person who may have discriminated or a third-party, the City of Elkhart must first obtain the complainant's written consent. The City of Elkhart must also obtain the complainant's written consent before providing a copy of the complaint to any other individual(s) involved with the investigation. **(Supplement G)**.

I. Records

All written complaints, investigations and responses will be retained by the City of Elkhart for least three (3) years from the date of the complaint.

J. Summary of Complaints Received

To date, no complaints have been filed.

IX. Public Involvement, Outreach, and Dissemination of Information

The City of Elkhart 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 City of Elkhart Common Council, Board of Public Works, Board of Public Safety, and numerous other meetings are open to the public. Notices of any meeting that is open to the public are published on the City website's main page and distributed to local media outlets. All public meetings are held in locations accessible to individuals with disabilities. Upon request, translators can be provided free of charge to those individuals with disabilities or with Limited English Proficiency. Auxiliary aids are also available upon request. Requests must be made within forty-eight (48) hours in advance.

Also published on the City of Elkhart's website are various meeting agendas, meeting minutes, notices, events and news. Some departments within The City of Elkhart utilize signage, media and social media websites as another avenue to communicate with the community.

X. Data Collection

The City of Elkhart plans to utilize 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 survey shall be available at all public hearings and meetings. 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. **(Supplement H)**

XI. Manuals, Directive and Guidance

The City of Elkhart plans to incorporate its Title VI policy statement into its employee handbook for the next revision.

City of Elkhart Title VI Policy Statement

The City of Elkhart, Indiana (Elkhart) is committed to a policy of inclusiveness, fairness, and accessibility of its programs, activities and services to all persons in Elkhart. As provided by Title VI of the Civil Rights Act of 1964 and all related statutes, Elkhart assures that no person shall, on the on the grounds religion, race, color, national origin, sex, age, disability/handicap, sexual orientation, gender identity, limited English proficiency, or low income status, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any City of Elkhart program, activity or service. The City of Elkhart further assures every effort will be made to ensure non-discrimination in all of its programs, activities, and services, whether those program, activities and services are federally funded or not. In the event the City of Elkhart distributes Federal aid funds to another entity, the City of Elkhart will include Title VI language in all written agreements.

The City of Elkhart will continue to develop additional manuals and directives as needed to provide guidance regarding Title VI compliance and will be made available where appropriate.

XII. Limited English Proficiency (LEP) Plan

The City of Elkhart has prepared this plan in accordance with Title VI of the Civil Rights Act of 1964, as amended, which states that no person shall be subjected to discrimination on the grounds religion, race, color, national origin, sex, age, disability/handicap, sexual orientation, gender identity, limited English proficiency, or low income status. The purpose of this plan is to help identify reasonable steps for providing language assistance to individuals with Limited English Proficiency who wish to access services provided by the City of Elkhart

Presidential Executive Order No. 13166, titled "Improving Access to Services for Persons with Limited English Proficiency," indicates that individuals treated differently based upon their inability

to speak, read, write or understand English is a type of national origin discrimination. Presidential Executive Order 13166 defines Limited English Proficiency persons as those individuals who do not speak English as their primary language and have limited ability to read, speak, write or understand English.

The City of Elkhart strives to serve its population to the best of its ability. To accommodate individuals with limited English proficiency, the City of Elkhart will provide, upon request, services to assist the LEP population including translation of vital documents, interpretation services, and alternative public outreach media. Progress is still being made to fully serve the entire City of Elkhart community.

The City of Elkhart is aware that the community profile is ever-changing; therefore, this LEP plan shall be re-evaluated on an annual basis to ensure that the plan remains reflective of the community's needs. Individuals requiring special language services or accommodations should contact The City of Elkhart's Title VI Coordinator.

XIII. Accomplishment

This section shall be updated annually to provide the status of the previous year's work plan and proposed updates for the next year.

XIV. Annual Work Plan

2018/2019 GOALS	Target Completion Date	Status
Title VI Policy & Assurances signed	April 2016	Completed
Attend Title VI training(s)	May 5, 2016/Yearly	Completed
Update and revise documents to enact in 2019	October 31, 2018/ June 21, 2019	
Consideration of updated and revised documents by Mayor's Office and Human Relations Commission	November 8, 2018	Completed
Consideration of updated and revised documents by City Council	July 2019	
Policy, Complaint Procedure & Form on Website and on public bulletin areas & boards	August 2019	
Make Voluntary Public Survey available to all public meetings	August 2019	
Distribute Employee Acknowledgement Form to new and existing employees	October 2019	
Ensure that assurances are being used in contracts and federal projects	October 2019	
Collect public involvement data	Ongoing	
Title VI employee Training	January 2020 ¹	
Update City Handbook and other pertinent documents	January 2020 ²	

¹ Date dependent upon training schedule set by Human Resources and Human Relations

² Date subject to change depending upon actual review and revisions by Human Resources and/or Corporation Counsel

Human Relations Commission Approval

Title VI Policy and Implementation Plan

November 8, 2018



Abby Wiles

Abby Wiles
Department Head

COMMISSIONERS' SIGNATURES

Crystal Welsh

Crystal Welsh

11/8/18

Date

Rick Bowen

Rick Bowen

8 November 2018

Date

Ruth Bloch

Date

M. Elaine Kersey

Date

Delia Vazquez

Delia Vazquez

Date

Common Council Resolution

Insert Resolution, Page 1

Insert Resolution, Page 2

Supplements

Supplement ATitle VI and General Non-Discrimination Policy and Title VI Notice

Supplement BSample Title VI Complaint Log

Supplement CEmployee Acknowledgement Form

Supplement DStandard U.S. DOT Title VI Assurances (Appendices A, B, and C)

Supplement EComplaint Procedure and Grievance/Complaint Forms

Supplement FHuman Relations Commission, Rules and Regulations, Section 9.6D

Supplement GComplaint Consent/Release Form

Supplement HSample Data Collection Form

Supplement A

Title VI and General Non-Discrimination Policy and Title VI Notice



Title VI Notice

Title VI Policy

The City of Elkhart, Indiana (Elkhart) is committed to a policy of inclusiveness, fairness, and accessibility of its programs, activities and services to all persons in Elkhart. As provided by Title VI of the Civil Rights Act of 1964 and all related statutes, Elkhart assures that no person shall, on the on the grounds religion, race, color, national origin, sex, age, disability/handicap, sexual orientation, gender identity, limited English proficiency, or low income status, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any City of Elkhart program, activity or service. The City of Elkhart further assures every effort will be made to ensure non-discrimination in all of its programs, activities, and services, whether those program, activities and services are federally funded or not. In the event the City of Elkhart distributes Federal aid funds to another entity, the City of Elkhart will include Title VI language in all written agreements.

The Title VI Coordinator is:

Michelle Goodman

ADA Coordinator & Title VI Coordinator
City of Elkhart, Public Works and Utilities
1201 South Nappanee Street
Elkhart, Indiana 46516

Voice: (574) 293-2572

Fax: (574) 293-7658

TDD: (574) 389-0198

Email: michelle.goodman@coei.org

To be included in City of Elkhart Contract Documents:

Acceptance by Contractor

I hereby certify that I have received the City of Elkhart's "Title VI Notice" and agree to comply with the requirements and provisions of the City of Elkhart's Title VI Policy during the duration of this Agreement with the City of Elkhart.

Signed

Printed Name

Dated

Supplement B

Sample Title VI Complaint Log

City of Elkhart Title VI Complaint Log

Case Number:		Complainant:	
Date Received:		Received By:	
Summary of Complaint:			
Category:		Investigator:	
Summary of Disposition:			
Date Finalized:		Notes:	

Case Number:		Complainant:	
Date Received:		Received By:	
Summary of Complaint:			
Category:		Investigator:	
Summary of Disposition:			
Date Finalized:		Notes:	

Case Number:		Complainant:	
Date Received:		Received By:	
Summary of Complaint:			
Category:		Investigator:	
Summary of Disposition:			
Date Finalized:		Notes:	

Case Number:		Complainant:	
Date Received:		Received By:	
Summary of Complaint:			
Category:		Investigator:	
Summary of Disposition:			
Date Finalized:		Notes:	

Case Number:		Complainant:	
Date Received:		Received By:	
Summary of Complaint:			
Category:		Investigator:	
Summary of Disposition:			
Date Finalized:		Notes:	

Case Number:		Complainant:	
Date Received:		Received By:	
Summary of Complaint:			
Category:		Investigator:	
Summary of Disposition:			
Date Finalized:		Notes:	

Supplement C

Employee Acknowledgement Form



City of Elkhart, Indiana
Title VI Employee Acknowledgement
An Equal Opportunity Employer

Policy

The City of Elkhart, Indiana, is committed to a policy of inclusiveness, fairness, and accessibility of its programs, activities and services to all persons in Elkhart. As provided by Title VI of the Civil Rights Act of 1964 and all related statutes, Elkhart assures that no person shall, on the on the grounds religion, race, color, national origin, sex, age, disability/handicap, sexual orientation, gender identity, limited English proficiency, or low income status, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any City of Elkhart program, activity or service. The City of Elkhart further assures every effort will be made to ensure non-discrimination in all of its programs, activities, and services, whether those program, activities and services are federally funded or not. In the event the City of Elkhart distributes Federal aid funds to another entity, the City of Elkhart will include Title VI language in all written agreements.

Acknowledgement

All City of Elkhart employees are expected to consider, respect, and observe this policy in their daily work responsibilities with other employees and the public. City of Elkhart employees should work to prevent and alleviate any barriers to service or public use that would restrict public access or usage. Employees should take prompt and reasonable action to avoid or minimize incidences of discrimination.

If another employee or member of the public approaches an employee with a question, concern, or complaint regarding discrimination, that person should be referred to the City of Elkhart’s Title VI Coordinator:

Michelle Goodman
 ADA Coordinator & Title VI Coordinator
 City of Elkhart, Public Works and Utilities
 1201 South Nappanee Street
 Elkhart, Indiana 46516

Voice: (574) 293-2572
 Fax: (574) 293-7658
 TDD: (574) 389-0198
 Email: michelle.goodman@coei.org

Employee Name: _____

Department: _____

Employee Signature: _____

Date: _____

Supplement D

Standard U.S. DOT Title VI Assurances (Appendices A, B, and C)

ASSURANCES OF NONDISCRIMINATION

City of Elkhart

Title VI Assurances

The CITY OF ELKHART (hereinafter referred to as the "Recipient") HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the Department of Transportation and the Federal Highway Administration, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations (CFR), Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes – Implementation and Review Procedures (hereinafter referred to as the Regulations) and other pertinent nondiscrimination authorities and directives, to the end that in accordance with the Act, Regulations, and other pertinent nondiscrimination authorities and directives, no person in the United States shall, on the grounds of religion, race, color, national origin, sex (23 USC 324), age (42 USC 6101), disability/handicap (29 USC 790), sexual orientation, gender identity, limited English proficiency, or low income status (Executive Order 12898) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from the Department of Transportation, including the Federal Highway Administration, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by Title 49 Code of Federal Regulations, subsection 21.7(a)(1) and Title 23 Code of Federal Regulations, section 200.9(a) (1) of the Regulations, copies of which are attached.

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

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

The 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, Subtitle A, Office the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation and Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes, issued pursuant to such Acts, hereby notifies all bidders that it will affirmatively insure that in any contact entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of religion, race, color, national origin, sex, age, disability/handicap, sexual orientation, gender identity, limited English proficiency, or low income status in consideration for an award.

3. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to the Acts and the Regulations.

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

Dated this _____ day of July, 2019.

Timothy Neese, Mayor

APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees and successors in interest hereinafter referred to as the I/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 "11DOT") Title 49, Code of Federal Regulations, Part 21, and the Federal Highway Administration (hereinafter "11FHWA") Title 23, Code of Federal Regulations, Part 200 as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
- (2) **Nondiscrimination:** The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of religion, race, color, national origin, sex, age, disability/handicap, sexual orientation, gender identity, limited English proficiency, or low income status in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by 49 CFR, Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- (3) **Solicitations for Subcontractors, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of religion, race, color, national origin, sex, age, disability/handicap, sexual orientation, gender identity, limited English proficiency, or low income status.
- (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 City of Elkhart, Indiana or the Indiana Department of Transportation (INDOT) or the FHWA to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to City of Elkhart, Indiana, or INDOT or the FHWA as appropriate, and shall set forth what efforts it has made to obtain the information.
- (5) **Sanctions for Noncompliance:** In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, City of Elkhart, Indiana shall impose such contract sanctions as it or INDOT or the FHWA may determine to be appropriate, including, but not limited to:
 - a. Withholding of payments to the contractor under the contract until the contractor complies, and/or
 - b. Cancellation, termination or suspension of the contract, in whole or in part.
- (6) **Incorporation of Provisions:** The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto.

The contractor shall take such actions with respect to any subcontract or procurement as City of Elkhart, Indiana or INDOT or the FHWA 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 contract may request Steuben County, Indiana to enter into such litigation to proceed the interests of City of Elkhart, Indiana and, in addition, the contractor may request

the United States to enter into such litigation to protect the interest 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 for the United States.

(Granting Clause)

NOW, THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that **City of Elkhart, Indiana** will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code of Federal Regulations, the Regulations for the Administration of Federal Aid Highway Programs and the policies and procedures prescribed by FHWA, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation and Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 USC 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto **City of Elkhart, 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 the **City of Elkhart, 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 provisions of similar services or benefits and shall be binding on **City of Elkhart, Indiana** its successors and assigns.

City of Elkhart, Indiana, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person shall on the grounds of religion, race, color, national origin, sex, age, disability/handicap, sexual orientation, gender identity, limited English proficiency, or low income status be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on over or under such lands hereby conveyed [,][and)* (2) that **City of Elkhart, Indiana** shall use the lands and interests in lands and interests in lands conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes - Implementation and Review Procedures, and as said Regulations may be amended [,][and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to re-enter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.*

*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 Elkhart, Indiana** pursuant to the provisions of Assurance 7(a).

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

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

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

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

The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself his personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds, and leases add "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, sex, age, disability/handicap, and low income 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, sex age, disability/handicap and low income shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes - Implementation and Review Procedures, and as said Regulations may be amended.

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

That in the event of breach of any of the above nondiscrimination covenants, the **City of Elkhart, 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 [license, lease, permit, etc.] had never been made or issued.

[Include in deeds]*

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

Supplement E

Complaint Procedure and Grievance/Complaint Forms



City of Elkhart, Indiana
Title VI Complaint Procedure
July 2019

Any person who believes that he or she as a member of a protected class, has been discriminated against on the grounds religion, race, color, national origin, sex, age, disability/handicap, sexual orientation, gender identity, limited English proficiency, or low income status, 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 of Elkhart 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. The complaint may be communicated to any City of Elkhart supervisor or to the City of Elkhart Title VI Coordinator. The complaint should be submitted within 180 days of the alleged discrimination. Complaint forms may be found on-line or may be requested from the Title VI Coordinator. Individuals are not required to use the City of Elkhart's complaint form. If necessary, the City of Elkhart will help an individual reduce his or her complaint to writing for his or her signature.

Generally, a complaint should include the name, address and telephone number of the individual complaining (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:

Michelle Goodman

ADA Coordinator & Title VI Coordinator
City of Elkhart, Public Works and Utilities
1201 South Nappanee Street
Elkhart, Indiana 46516

Voice: (574) 293-2572

Fax: (574) 293-7658

TDD: (574) 389-0198

Email: michelle.goodman@coei.org

Within 60 days of the receipt of the complaint, the City of Elkhart 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 of Elkhart 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
Economic Opportunity Division
100 N. Senate, Room 750
Indianapolis, IN 6204
Phone: (317) 233-6511
Fax: (317) 233-0891

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

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



City of Elkhart

Title VI

Grievance/Complaint Form

Name of Complainant:	Date:
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COMPLAINANT INFORMATION		
Name (first, middle, last):		
Address (number and street, city, state, and ZIP):		
Home telephone number:	Work telephone number:	Mobile Telephone Number:

PERSON/DEPARTMENT YOU BELIEVE DISCRIMINATED AGAINST YOU	
Name:	Title:
Department:	
When was the last alleged act of discrimination? (month, day, year):	
Complaints of discrimination must be filed within 180 days of the alleged act of discrimination. If the alleged act of discrimination occurred more than 180 days ago, please explain you delay in filing this claim:	

Name of Complainant:	Date:
----------------------	-------

DESCRIPTION OF THE ALLEGED ACT OF DISCRIMINATION:

The alleged act of discrimination was based on (check applicable boxes):

<input type="checkbox"/>	Religion	<input type="checkbox"/>	Race	<input type="checkbox"/>	Color
<input type="checkbox"/>	National Origin	<input type="checkbox"/>	Sex	<input type="checkbox"/>	Age
<input type="checkbox"/>	Disability/Handicap	<input type="checkbox"/>	Sexual Orientation	<input type="checkbox"/>	Gender Identity
<input type="checkbox"/>	Limited English Proficiency	<input type="checkbox"/>	Low Income Status	<input type="checkbox"/>	

Describe the alleged act of discrimination (use additional pages, if needed):

Name of Complainant:	Date:
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PERSONS WITH ADDITIONAL INFORMATION REGARDING YOUR COMPLAINT		
Name of Witness #1 (first, middle, last):		Title:
Company or Organization (if applicable):		
Address (number and street, city, state, and ZIP):		
Home telephone number:	Work telephone number:	Mobile Telephone Number:
Brief description of the relevant information the witness may provide to support your complaint:		
Name of Witness #2 (first, middle, last):		Title:
Company or Organization (if applicable):		
Address (number and street, city, state, and ZIP):		
Home telephone number:	Work telephone number:	Mobile Telephone Number:
Brief description of the relevant information the witness may provide to support your complaint:		

Complaint Number:	Name of Complainant:	Date:
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Name of Witness #3 (first, middle, last):	Title:
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Company or Organization (if applicable):
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Address (number and street, city, state, and ZIP):
--

Home telephone number:	Work telephone number:	Mobile Telephone Number:
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Brief description of the relevant information the witness may provide to support your complaint:
--

Complaints should be directed to:

Michelle Goodman
 ADA Coordinator & Title VI Coordinator
 City of Elkhart, Public Works and Utilities
 1201 South Nappanee Street
 Elkhart, Indiana 46516
 Voice: (574) 293-2572
 Fax: (574) 293-7658
 TDD: (574) 389-0198
 Email: michelle.goodman@coei.org

For Use by Title VI Coordinator:	
Complaint Number: _____	Date Received: _____

Supplement F

Human Relations Commission, Rules and Regulations, Section 9.6D

RULE IX
INVESTIGATION

Section 9.1 – Processing Procedure Prior to Investigation

- A. Docketing of Complaint
Each complaint shall be given a case number in order of the date of filing with the Commission.

- B. Mailing of Notice
The Respondent shall be sent by registered or certified mail, return receipt requested, a copy of the verified complaint, and interrogatories, if applicable, and a statement of the Respondent's options under Section 3.7.

- C. Selection of Investigator
The Director may conduct the investigation of the complaint or assign all or any part thereof to a Staff member.

Section 9.2 – Pre-Investigation Recommendation

The Director, in conjunction with the Department of Law, may after an answer from the Respondent, conduct a Merit Assessment Review to determine whether the complaint presents a legitimate issue for enforcement by the Human Relations Commission. In assessing the viability of the complaint, the Director and the Department of Law will look at the complaint, the affidavit of Complainant, if any, the Respondent's answer and response to requests for documents, if any, and the Complainant's comments to the Respondent's answer.

A recommendation shall be made to dismiss the complaint if the complaint:

- a. Fails to state a claim upon which relief could be granted;
- b. Is frivolous on its face being factually absurd, trivial or vexatious; or
- c. Fails to demonstrate a reasonable possibility that further investigation would result in a determination of a finding of "Reasonable Cause."

Section 9.3 – Review of Pre-Investigation Recommendation

A recommendation for dismissal of the complaint shall be presented to the Commission at a regularly scheduled public meeting. Upon the vote of a majority of the Commission membership, excluding members abstaining, the Commission shall make its finding as

prescribed by Section 9.2. A dismissal of the complaint pursuant to Section 9.2 constitutes a final determination subject to Judicial Review pursuant to Rule XV.

Section 9.4 - Investigation Prior to a Finding of Reasonable Cause

If the Respondent chooses to defend against the complaint of discrimination, pursuant to Section 3.7(B), the Director shall initiate a full investigation of the complaint. Based on the results of the investigation, the Director shall determine whether or not "Reasonable Cause" exists to believe that an illegal act of discrimination occurred in violation of the Ordinance.

Section 9.5 - Review of the Director's Determination

The Director shall present his/her recommendation of "Reasonable Cause or No Reasonable Cause" finding to the full Commission at a regularly scheduled public meeting. Upon the vote of a majority of the Commission membership, excluding members abstaining, the Commission shall make its finding as prescribed by Section 9.6.

Section 9.6 - Findings

A. Finding of Reasonable Cause

If, after hearing the presentation of the Director or Staff, a majority of the Commissioners who are reviewing the case, excluding abstaining members, agree on a finding of "Reasonable Cause," the case shall be referred back to the Director. The Director shall thereupon begin conciliation efforts pursuant to Rule X. The Complainant and the Respondent shall be notified of the finding of "Reasonable Cause."

B. Finding of No Reasonable Cause

If, after hearing the presentation of the Director or Staff, a majority of the Commissioners reviewing the case, excluding abstaining members, decide in favor of a finding of "No Reasonable Cause," the Complainant and Respondent shall be informed by proper notice of that decision. The right of the Complainant to file a request for reconsideration of the finding pursuant to Section 9.6(C) shall be indicated in the notice. If the Complainant fails to file a request for reconsideration within ten (10) days of receiving the notice, a final order of "No Reasonable Cause" shall be entered upon adoption of the findings of "No Reasonable Cause" by the Commission and the complaint shall be dismissed.

C. Remanding the Case for Further Investigation

If, after hearing the presentation of the Director or Staff, a majority of the Commissioners reviewing the case, excluding abstaining members, decide that the information or evidence presented requires clarification, additional information or additional investigation before a determination can be made, the Commissioners may

remand the case to the Director or Staff and direct him/her to secure such additional information or evidence. After such information has been secured the Director or Staff shall then present the requested information to the Commission at a regularly scheduled public meeting for their consideration in making a probable cause or no probable cause determination on the complaint.

D. Reconsideration of No Reasonable Cause Finding

1. If the Complainant believes himself/herself to be aggrieved by a finding of "No Reasonable Cause," he/she may file a written request for reconsideration with the Commission. Such a request must be filed within ten (10) days of his/her receipt by proper notice of the "No Reasonable Cause" finding. Such request shall be filed in accordance with the procedure for filing a complaint set out in Section 3.2(A).
2. Upon receiving a written request for reconsideration, the Chairperson shall appoint two (2) Commissioners to review and rule on the request; the Commissioners so appointed will be called the Reviewing Commissioners.
3. The Reviewing Commissioners shall schedule a meeting to be attended by the Complainant, a representative of the Department of Law, and the Reviewing Commissioners. A Staff member of the Commission may also attend.
4. The Reviewing Commissioners shall base their decision on the investigation results submitted by the Director supplemented by any other documentary evidence submitted by the Complainant, and upon the Complainant's arguments presented at the meeting. The Reviewing Commissioners shall not request that the Director or Staff conduct further investigation and prepare another recommendation concerning "Reasonable Cause" unless new information is presented at the meeting which when taken together with the results of the preliminary investigation, persuades the Reviewing Commissioners that the Commission's original decision should be reconsidered.
 - a. If the Reviewing Commissioners determine that the finding of "No Reasonable Cause" should be reconsidered based upon new information, the case shall be resubmitted to the Director or Staff with the new information and with the Reviewing Commissioner's written reasons for resubmission. The Director or Staff shall then conduct an investigation based on the new evidence and shall prepare another recommendation concerning "Reasonable Cause" to the Commission. The Respondent shall receive proper notice that the case has been resubmitted to the Director.
 - b. If the Reviewing Commissioners determine that the finding of "No Reasonable Cause" should be upheld the complaint shall be dismissed upon adoption of such recommendation by a majority of the

Commission, excluding the Reviewing Commissioners who shall not participate. The Complainant and the Respondent shall be informed by proper notice of the Commission's ruling.

5. The Reviewing Commissioner's decision to resubmit the complaint to the Director or Staff or further investigation and recommendation shall be final.
6. The Complainant shall not be entitled to request reconsideration of a subsequent finding of "No Reasonable Cause" after resubmission of a complaint to the Director or Staff under this Section.

Supplement G

Complaint Consent/Release Form



City of Elkhart

Title VI

Complaint Consent/Release Form

For Use by Title VI Coordinator:

Complaint Number: _____

Date Received: _____

COMPLAINANT INFORMATION

Name (first, middle, last):

Address (number and street, city, state, and ZIP):

Home telephone number:

Work telephone number:

Mobile Telephone Number:

CONSENT/RELEASE

As a complainant, I understand that during an investigation it may become necessary for the City of Elkhart to reveal my identity to individuals outside of Elkhart City 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 Elkhart 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 Elkhart.

PLEASE READ BOTH PARAGRAPHS BELOW AND CHECK YOUR CHOICE OF CONSENT OR CONSENT DENIED AND SIGN BELOW.

I have read and understand the above information and authorize the City of Elkhart 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 Elkhart 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.

CONSENT

I have read and understand the above information and do not want the City of Elkhart 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 administrative closure of the investigation of my complaint without the City of Elkhart making a determination in my case.

CONSENT DENIED

Signature:

Date:

Supplement H

Sample Data Collection Form



Completing this form is voluntary but encouraged.

You are not required to provide the information requested in order to participate in this meeting.

Title VI of the Civil Rights Act of 1964 requires the City of Elkhart to provide opportunity for everyone to comment on activities that may affect their community. The City of Elkhart’s Title VI Policy Statement states the following:

The City of Elkhart, Indiana (Elkhart) is committed to a policy of inclusiveness, fairness, and accessibility of its programs, activities and services to all persons in Elkhart. As provided by Title VI of the Civil Rights Act of 1964 and all related statutes, Elkhart assures that no person shall, on the on the grounds religion, race, color, national origin, sex, age, disability/handicap, sexual orientation, gender identity, limited English proficiency, or low income status, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any City of Elkhart program, activity or service. The City of Elkhart further assures every effort will be made to ensure non-discrimination in all of its programs, activities, and services, whether those program, activities and services are federally funded or not. In the event the City of Elkhart distributes Federal aid funds to another entity, the City of Elkhart will include Title VI language in all written agreements.

By completing this form, you are helping the City of Elkhart to comply with Title VI and related statutes, which require the collection of statistical data to aid in assessing the City’s outreach efforts among those who are affected or interested in this project.

The City of Elkhart Title VI Coordinator will handle all information confidentially.

Purpose of Meeting: _____ Date: _____

Please answer the following questions about you:

Home ZIP Code: _____ Gender: _____ Age: _____

Race (White, African American, Native American, Asian, or Other): _____

Do you consider yourself Hispanic or Latino (Yes or No): _____

List any disabilities: _____

Approximate household income: _____

Thank you for your participation. 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.