

# Title VI Implementation Plan



Wabash County, Indiana

November 22, 2021



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## INTRODUCTION

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

## WABASH COUNTY TITLE VI NON-DISCRIMINATION NOTICE & POLICY

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

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

The Civil Rights Restoration Act of 1987, Pub. L. No. 100-259, 102 Stat. 28, broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs or activities of federal-aid recipients, subrecipients and contractors/consultants, regardless of whether such programs and activities are federally assisted.

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

**Wabash County** also assures that every effort will be made to prevent discrimination through the impacts of its programs, policies and activities on minority and low-income populations. In addition, **Wabash County** will

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

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

The following individual has been identified as **Wabash County's** Title VI and ADA Coordinator and is responsible for initiating and monitoring Title VI activities, preparing reports and performing other responsibilities, as required by 23 C.F.R. § 200 and 49 C.F.R. § 21.

**Jim Dils**

Title VI Coordinator

1 W. Hill St., Ste. 202

Wabash, Indiana 46992

Phone: 260-563-0661 ext.1290

FAX: 260-563-5898

[jdils@wabashcounty.in.gov](mailto:jdils@wabashcounty.in.gov)

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

## TITLE VI ASSURANCES & IMPLEMENTATION

Fully executed Assurances are included in Appendix A and integrated into this document. This Title VI Implementation Plan has been adopted, implemented and is being adhered to by **Wabash County**. **Wabash County** has implemented this plan by resolution, and it is effective for November 22, 2021. This plan will be renewed on or before November 22, 2024.

Signed by: Jeff D. Dawes Date: November 22, 2021  
\_\_\_\_\_/ *Wabash County Commissioner*

The individual above is a duly authorized representative of **Wabash County**.

## WABASH COUNTY ORGANIZATION AND STAFFING

NAME/ADDRESS	POSITION	E-MAIL ADDRESS
Brian K. Hauptert 305 E. 7 <sup>th</sup> St. North Manchester, IN 46962 Phone: (260) 982-8302	District 1 Commissioner	<a href="mailto:commishhbrian1@gmail.com">commishhbrian1@gmail.com</a>
Jeff D. Dawes 2199 E. SR 16 Urbana, IN 46990 Phone: (260) 571-0771	District 2 Commissioner	<a href="mailto:dawes_jeff@hotmail.com">dawes_jeff@hotmail.com</a>
Barry J. Eppley 1870 W 400 S Wabash, IN 46992 Phone: (260) 407-2256	District 3 Commissioner	<a href="mailto:beppley@wabashcounty.in.gov">beppley@wabashcounty.in.gov</a>
Marcie Shepherd 1 W. Hill St., Ste. 103 Wabash, IN 46992 (260) 563-0661 ext. 1222	County Auditor	<a href="mailto:auditor@wabashcounty.in.gov">auditor@wabashcounty.in.gov</a>
Lori Draper 69 W. Hill St. Wabash, IN 46992 (260) 563-0661 ext. 1230	Clerk of Courts	<a href="mailto:clerk@wabashcounty.in.gov">clerk@wabashcounty.in.gov</a>
Jim Dils 1 W. Hill St., Ste. 202 Wabash, IN 46992 (260) 563-0661 ext. 1290	Wabash Co. Coordinator (HR)	<a href="mailto:jdils@wabashcounty.in.gov">jdils@wabashcounty.in.gov</a>
Ryan Baker 79 W. Main St. Wabash, IN 46992 (260) 563-8891	County Sheriff	<a href="mailto:ryanb@wcsd.us">ryanb@wcsd.us</a>
Cole Wyatt 800 Manchester Ave. Wabash, IN 46992 (260) 563-2091	Highway Superintendent	<a href="mailto:cwyatt@wabashcounty.in.gov">cwyatt@wabashcounty.in.gov</a>

Keith Walters  
1 W. Hill St., Ste. LL02  
Wabash, IN 46992  
(260) 563-3181

EMA Executive Director

[kwalters@wabashcounty.in.gov](mailto:kwalters@wabashcounty.in.gov)

## WABASH COUNTY OVERVIEW OF TITLE VI PROGRAM: DATA COLLECTION, ANALYSIS & REPORTING

The type of data collected is dependent on the program area's objective. **Wabash County** collects various types of data to ensure compliance with Title VI. Some information is collected for a period of time with the objective of determining what data needs to be collected.

The following types of data are currently being collected by **Wabash County**:

- Complaints received, logged, processed, and investigated by **Wabash County**
- Environmental Justice analysis and reports
- Limited English Proficiency reports
- Title VI Training
- Public Involvement Survey
- Records of commissioner meeting minutes and discussions related to Title VI in all program areas.
- **Wabash County** collects data related to specific program areas being reviewed this year for disparate / disproportionate impacts or other evidence of potential discrimination or discriminatory outcomes.

## COMPLAINTS OF DISCRIMINATION

### HOW TO FILE A COMPLAINT

While a Complainant may preliminarily submit his or her complaint on the "Title VI Complaint Form" available on Wabash County's website ([www.wabashcounty.in.gov](http://www.wabashcounty.in.gov) found under ADA/Title VI Information), an online form submission, mail, facsimile, or an email to the Title VI Coordinator, a signed, original copy of the complaint must be mailed to the Title VI Coordinator to officially begin the complaint process. Any person with a disability may request to file his or her complaint using an alternative format. **Wabash County** does not require a Complainant to use **Wabash County's** complaint form when submitting his or her complaint.

Direct all complaints of discrimination pursuant to Title VI to:

**Jim Dils**  
Title VI Coordinator  
1 W. Hill St., Ste. 202  
Wabash, Indiana 46992  
Phone: 260-563-0661 ext. 1290  
FAX: 260-563-5898  
[jdils@wabashcounty.in.gov](mailto:jdils@wabashcounty.in.gov)

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## ELEMENTS OF A COMPLETE COMPLAINT

A complaint must be both written and signed to be complete. Verbal complaints must be reduced to writing and provided to the Complainant for confirmation, review, and signature before processing. A “Title VI Complaint Form” is available for download from **Wabash County’s** website at: [www.wabashcounty.in.gov](http://www.wabashcounty.in.gov) under “ADA/Title VI Information”.

Additionally, a complaint must include the following information:

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

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## PROCESSING COMPLAINTS

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

- The Title VI Coordinator will review the complaint upon receipt to ensure that all required information is provided, the complaint meets the filing deadline date which is 180 days from the date the alleged discriminatory act occurred and falls within the jurisdiction of the County.
- The Title VI Coordinator will then investigate the complaint. If the complaint is against Wabash County, then the Commissioner’s office or their designee will investigate the complaint. Additionally, a copy of the complaint will be forwarded to the County Attorney.
- If the complaint warrants a full investigation, the Complainant will be notified in writing by certified mail. This notice will name the investigator and/or investigating agency.
- The party alleged to have acted in a discriminatory manner will also be notified by certified mail as of the complaint. This letter will also include the investigator’s name and will request that this party be available for an interview.
- Any comments or recommendations from legal counsel will be reviewed by the Title VI Coordinator and Wabash County Commissioner’s office.



- Once the County has investigated the report findings, the County will adopt a final resolution.
- All parties associated with the complaint will be properly notified of the outcome of the County’s investigative report.
- If the complainant is not satisfied with the results of the investigation of the alleged discriminatory practice(s), she/he shall be advised of their right to appeal the County’s decision. Appeals must be filed within 180 days after the County’s final resolution. Unless new facts not previously considered come to light, reconsideration of the County’s determination will not be available.
- The foregoing complaint resolution procedure will be implemented in accordance with the Department of Justice guidance manual entitled “Investigation Procedures Manual for the Investigation and Resolution of Complaints Alleging Violations of Title VI and Other Nondiscrimination Statutes,” available online at: <https://www.fhwa.dot.gov/civilrights/programs/finalcomplaintmanual110410.cfm> .

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## ENVIRONMENTAL JUSTICE ANALYSIS & REPORTS

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

The three fundamental environmental justice (EJ) principles are:

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

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

## LIMITED ENGLISH PROFICIENCY (LEP) POLICY

On August 11, 2000, the President signed an executive order, Executive Order 13166: Improving Access to Service for Persons with Limited English Proficiency (LEP), to clarify Title VI of the Civil Rights Act of 1964. It has as its purpose, to ensure meaningful access to programs and services to otherwise eligible persons who are not proficient in the English language. In addition, The US Department of Transportation

published Policy Guidance Concerning Recipients’ responsibilities to Limited English Proficient Person in the December 14, 2005 Federal Register. This guidance outlines the following four factors that the County uses to access the LEP populations in **Wabash County**.

1. The number and proportion of LEP persons eligible to be served or likely to be encountered by the County.
2. The frequency with which LEP individuals meet the program, activity or service.
3. The nature and importance of the program, activity, or service provided by the program.
4. The resources available to the County and costs.

In addition, Wabash County has not implemented the safe harbor provision whereby it identifies and translate all vital documents into any language where the 5% threshold is met whereby 5% or more of the population in the county both:

- Does not speak English very well AND
- Primarily speaks another specific language as identified in current census data or other publicly available records.

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#### SUMMARY OF THE FOUR FACTOR ANALYSIS

##### **Factor 1:**

The number and proportion of LEP persons eligible to be served or likely to be encountered by the County can only be estimated until the actual number of persons who can speak English less than “very well” are documented as needing assistance by County Staff. With this Title VI Plan being in early development stages and considered a document that may need regular updates, US Census Bureau information is being used at this time. The total population is provided below to shown general distribution of race and ethnicity in the community. The estimated number of persons that may not speak English “very well” is following in the US Census Bureau 2010-2020 American Community Survey.

The U.S. Census Bureau provides statistics from 2020 for **Wabash County** as follows:

Total population = 30,976

Population by ethnicity:

Hispanic or Latino = 836 Non-Hispanic or Latino = 29,920

Population by Race:

White = 29,148, African American = 2,788, Asian = 186, American Indian or Alaska Native = 248, Native Hawaiian and Pacific Islander = 0, Other = n/a, Identified by two or more = 403.

The US Census Bureau 2010-2020 American Community Survey 5-Year Estimates under SELECTED SOCIAL CHARACTERISTICS estimates the number of people in **Wabash County** who speak a language

other than English to be 29,920 with those speaking English less than “very well” estimated at 3.3% or approximately 403 individuals who may be considered limited in English proficiency.

According to the census numbers above there may be up to 1022 individuals who live in **Wabash County** that may be considered as LEP. Based on actual contact between County Staff and the community there have been very few requests from anyone in the service area asking the County to provide language translation services. Therefore, the LEP population is probably even less than the estimate shown above.

**Factor 2: The frequency with which LEP individuals meet the program, activity or service:**

Due to the infrequent requests for translation services, there appears to be a minimal need for translation services from the County. This may be attributed to the high percentage of younger people (20.6% for ages up to 17) who are available as family members for translation services.

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

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

**Factor 4: The resources available to the County and costs:**

Wabash County currently has employees that are bilingual in English and Spanish and are available at the Wabash County Judicial Center, located at 49-89 West Hill Street, Wabash Indiana 46992 and by calling (260) 563-0661. Resources are available and willing to translate requests from the Hispanic and Latino populations.

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SUMMARY OF LEP ACCOMMODATION PLAN

- **Wabash County** strives to serve its population to the best of its ability and will provide upon request, services to assist the LEP population including translation of vital documents and interpretation services deemed necessary to provide meaningful access to County services to the best of its ability at no cost to the individual.
- A U.S. Census Bureau “*I Speak*” card is available as part of this document. This card allows LEP individuals to communicate their preferred language to County Staff whereas County Staff may then access a translation service as determined by the County.
- **Wabash County** utilizes a voluntary public involvement survey to collect information regarding persons affected by proposed projects. The survey permits respondents to remain anonymous, while voluntarily answering questions regarding their gender, ethnic County, race, age, sex, disability status, and household income. Once the survey data has been collected, it will be reviewed and then the survey will be placed in a file for future reference. In the case enough surveys are collected over time to show a significant increase in LEP populations, the County may

consider changes to their LEP policy. Completed surveys shall be retained for a period of three years from the date of the meeting and/or completion of the related project, if applicable.

- The County reviews written Title VI complaints and ensures every effort is made to resolve complaints informally at the local or regional level and review and update the County's Title VI plan and procedures as required.
- Staff for the County will be provided training on the requirements for providing meaningful access to services for LEP persons and new employees will receive the same training.

## TITLE VI TRAINING

### EMPLOYER/EMPLOYEE DISSEMINATION & TRAINING

**At the time of Hire (and annually to all employees if applicable):** Title VI policy education and literature will be provided to all **Wabash County** employees. **Wabash County** employees will be required to sign an acknowledgement 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 **Wabash County** deems necessary.

**Ongoing Training provided to current employees:** Current employees will receive training annually. Training will consist of the Wabash County Title VI Implementation Plan, reviewing and explaining all changes to current legislation, the County's internal policy changes that will be provided to all trainees in person.

Employees will be expected to follow the Title VI policy and the guidelines set forth. In addition, **Wabash County** 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.

## PUBLIC INVOLVEMENT

### DATA COLLECTION

Pursuant to 23 CFR 200.9(b) (4), **Wabash County** shall collect and analyze statistical information regarding demographics to assist in monitoring and ensuring nondiscrimination in all its programs and activities.

**Wabash 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 disabled. The facilitator of the public hearings and meetings will make an announcement at the beginning of the meeting informing attendees of the survey and its purpose and a request will be made for the attendees to complete the voluntary survey. 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.

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## COMMUNITY INVOLVEMENT & OUTREACH

**Wabash 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.

**Wabash County** host meetings weekly and those meetings are open to the public. Any meetings that are open to the public are published on **Wabash County** website's main page. **Wabash County** provides the option for any member of the public that has any complaint(s), regarding any issue with Title VI Discrimination or ADA accessibility complaints, to present their concerns before the adjournment of each weekly commissioner's meeting. The complainant has the option to submit their complaint in written form as described in the Complaint Policy section in this plan. In addition, meeting attendees with complaints or issues will be included into the meeting minutes as public record. **Wabash 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. Auxiliary aids are also available upon request. Requests must be made within forty-eight (48) hours in advance.

Also published on **Wabash County's** website are various meeting agenda's, meeting minutes, notices, events and news. Some departments within **Wabash County** utilize signage, media and social media websites as another avenue to communicate with the community.

**REVIEW OF PROGRAM AREA**

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

**ANNUAL WORK PLAN**

<u>Accomplishments</u>	<u>Completion Date</u>
<i>Created Title VI Implementation Plan</i>	<i>November 22, 2021</i>
<i>Named Title VI Coordinator</i>	<i>November 22, 2021</i>
<i>Revised Website including ADA Plan &amp; Complaint Form</i>	<i>December, 2021</i>
<i>Added Title VI Implementation Plan to Website</i>	<i>December, 2021</i>

<b><u>Goals</u></b>	<b><u>Target Completion Date</u></b>
<i>Title VI Program Coordinator selected</i>	<i>November 22, 2021</i>
<i>Title VI Plan approved through County Commissioners</i>	<i>November 22, 2021</i>
<i>Title VI training dates for coordinator/employee(s)</i>	<i>December , 2021</i>
<i>Alternate Title VI Coordinator selected</i>	<i>January , 2022</i>
<i>Post Title VI/EEO posters in public buildings</i>	<i>January , 2022</i>
<i>Revise Title VI/ADA website</i>	<i>January , 2022</i>
<i>Implement Title VI Training</i>	<i>January , 2022</i>
<i>Hand-out "Voluntary Title VI Public Involvement Survey" at Commissioner Meeting once per month</i>	<i>January , 2022</i>

# APPENDIX

- A. Assurances and Non-Discrimination Policies
- B. Complaint Policy / Grievance Procedure
- C. Complaint Log
- D. External Complaint Procedure/Form
- E. Public Involvement Survey
- F. I Speak Cards
- G. Training Materials & Records of Training Attendance
- H. Reports and Outcomes of Data Collected \*
- I. [Materials Related to Annual Goals & Accomplishments] \*

\*If applicable / as applicable. Change Appendix Title to reflect information attached.



**APPENDIX A: ASSURANCES and NON-DISCRIMINATION POLICIES**



## Wabash County, Indiana

### Title VI Assurances

The **County of Wabash, Indiana** (hereinafter referred to as the "Recipient") HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the Department of Transportation and the Federal Highway Administration, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations (CFR), Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes - Implementation and Review Procedures (hereinafter referred to as the Regulations) and other pertinent nondiscrimination authorities and directives, to the end that in accordance with the Act, Regulations, and other pertinent nondiscrimination authorities and directives, no person in the United States shall, on the grounds of race color, or national origin, sex (23 USC 324), age (42 USC 6101), disability/handicap (29 USC 790) and low income (Executive Order 12898) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from the Department of Transportation, including the Indiana Department of Transportation (INDOT), 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 Transportation 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 Transportation Program and, in adapted form in all proposals for negotiated agreements:

The **County of Wabash, Indiana**, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation and Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes, issued pursuant to such Acts, hereby notifies all bidders that it will affirmatively insure that in any 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 race, color, national origin, sex, age, disability/handicap and low income in consideration for an award.

3. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to the Acts and the Regulations.
4. That the Recipient shall insert the clauses of Appendix B of this assurance, 'as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over or under such property.
7. That the Recipient shall include the appropriate clauses set forth in Appendix C of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under the Federal Aid Transportation 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 Transportation Program.
8. That this assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance

is to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.

9. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he delegates specific authority to give reasonable guarantee that it, other recipients, sub-grantees, contractors, sub-contractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.
  
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

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

Dated: 11-22-21

COUNTY OF WABASH, INDIANA

By:   
Wabash County Commissioner

## APPENDIX A

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

- (1) **Compliance with Regulations:** The contractor shall comply with the Regulation relative to nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, and the Federal Highway Administration (hereinafter "FHWA") Title 23, Code of Federal Regulations, Part 200 as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
- (2) **Nondiscrimination:** The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin, sex, age, and disability/handicap and low income in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by 49 CFR, section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- (3) **Solicitations for Subcontractors, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin, sex, age, and disability/handicap and low income.
- (4) **Information and Reports:** The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the *County Wabash* 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 the *County Wabash* or the *Indiana Department of Transportation (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, *County of Wabash* 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 action with respect to any subcontract or procurement as the *County of Wabash* or *INDOT* or the *FHWA* may direct as a means of enforcing such provisions including sanctions for non-compliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the *County of Wabash* to enter into such litigation to protect the interests of the *County of Wabash*, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

## APPENDIX B

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

### **(GRANTING CLAUSE)**

NOW, THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that the *County of Wabash* 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 *INDOT or the FHWA*, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally- assisted programs of the Department of Transportation and Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the *County of Wabash* 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 *County of Wabash* and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on the *County of Wabash* its successors and assigns.

The *County of Wabash*, 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, sex, age, and disability/handicap, and low income be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on over or under such lands hereby conveyed [,] [and (2) that the *County of Wabash* shall use the lands and interests in lands and interests in lands so

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

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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 *County of Wabash* pursuant to the provisions of Assurance 6(a).

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

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

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

[Include indeed] \*

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

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by the *County of Wabash* pursuant to the provisions of

Assurance 6(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 *County of Wabash* 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 *County of Wabash* 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 *County of Wabash* and its assigns.



## WABASH COUNTY, INDIANA

### NON-DISCRIMINATION POLICIES

## PUBLIC ACCESS TO FACILITIES, PROGRAMS, ACTIVITIES & SERVICES POLICY

### PART A – POLICY STATEMENT

#### I. General Commitment to Non-Discrimination

The **County of Wabash** prohibits discrimination and/or the exclusion of individuals from its municipal facilities, programs, activities and services based on the individual person's race, color, national origin, sex, age, disability, low-income status, sexual orientation or limited English proficiency. The **County of Wabash** affirms its commitment to providing meaningful opportunities and access to municipal facilities, programs, activities and services in an effort to comply with all laws including: Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; and the Americans with Disabilities Act of 1990, as amended.

#### II. Persons with Disabilities

The **County of Wabash** is committed to including qualified individuals with disabilities in municipal services, programs and activities. For further information please see the **County of Wabash** Title VI Implementation Plan.

#### III. Limited English Speaking (LEP) Persons

The **County of Wabash** is committed to providing persons with Limited English Proficiency (LEP) meaningful access and equal opportunity to participate in our services, activities and programs. The **County of Wabash** 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.

Which documents must be translated, when oral translation is necessary, and whether such services must be immediately available depend on many factors? As a result, the **County of Wabash** is

committed to following the United States Department of Justice (USDOJ) guidance on making such determinations, which includes determining:

- 1) Number or Proportion of LEP Individuals
- 2) Frequency of Contact with the Program
- 3) Nature and Importance of the Program
- 4) Resources Available to the **County of Wabash**

#### IV. Contacting the **County of Wabash**

Individuals with requests for services, questions or complaints concerning the **County of Wabash** Non-Discrimination Policy on “Public Access to Facilities, Programs, Activities & Services Policy” should contact the **County of Wabash’s** Title VI Coordinator. The Title VI Coordinator for the **County of Wabash** is:

**Jim Dils**  
Title VI Coordinator  
1 West Hill Street, Ste. 202  
Wabash, Indiana 46992  
Phone: 260-563-0661 ext.1290  
FAX: 260-563-5898  
[jdils@wabashcounty.in.gov](mailto:jdils@wabashcounty.in.gov)

## PART B – NON-DISCRIMINATION STANDARD OPERATING PROCEDURES

### I. Elimination of Discrimination

The **County of Wabash** will continue to work to identify and eliminate discrimination on race, color, national origin, sex, age, disability, low-income status, sexual orientation or limited English proficiency. If discrimination is found to exist, the **County of Wabash** will implement appropriate policies, procedures or programs to eliminate the discrimination. Programs and procedures, include, but are not limited to: Limited English Proficiency access plan; extend contracting and subcontracting activities to Disadvantaged Business Enterprises (DBE) and non-DBE minority and female owned business; and monitoring contractors and consultants for Title VI compliance.

### II. Public Outreach

The **County of Wabash** is committed to providing the general public with information on the non-discrimination protections provided by Title VI, Section 504 and the ADA. The **County of Wabash** will pursue all available opportunities to educate the public on issues relating to discrimination under Title VI, Section 504 and the ADA. Public outreach may include, but is not limited to, posting the **County of Wabash’s** non-discrimination policy in public locations, including the **County of Wabash’s** non-discrimination policy in public notices as appropriate, and posting the **County of Wabash’s** non-discrimination policy on the **County of Wabash** website.

### III. Limited English Proficiency

The **County of Wabash** 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 the **County of Wabash** will conduct a four-part analysis to determine what, if any, limited English proficiency services will be required.

The four factors to be considered in determining the need and type of language assistance services are:

1. Number or Proportion of LEP Individuals
2. Frequency of Contact with the Program
3. Nature and Importance of the Program
4. Resources Available to the **County of Wabash**

If a review of the first two factors shows that less than five percent (5%) 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.

However, in an effort to ensure that persons with Limited English Proficiency have meaningful access and equal opportunity, the **County of Wabash** will accommodate any and all requests for oral or written translation services.

If more the five percent (5%) of the intended beneficiaries of the program or project are limited English proficient, the **County of Wabash** 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 the **County of Wabash** should be considered in determining the appropriate language assistance measures. Language assistance measures may include, but are not limited to, oral translation services, including the use of a telephone interpreter line, and written translation services.

### IV. Monitoring Contractors and Consultants

The **County of Wabash** will ensure that all federally funded contracts contain required Title VI assurances prohibiting discrimination in violation the **County of Wabash's** policy on non-discrimination. The **County of Wabash** will monitor in consultants and contractors for compliance with the **County of Wabash's** non-discrimination policy. The **County of Wabash** will promptly investigate any alleged claim of discrimination and will work with the consultant or contractor to obtain voluntary compliance with the **County of Wabash's** non-discrimination policy.

## PART C – COMPLAINT PROCEDURE

Any person who believes that he or she, on the basis of race, color, national origin, gender, age, disability, religion, low income status, or Limited English Proficiency, has been excluded from or denied participation in, been denied the benefits of, or otherwise been subjected to discrimination in or under any program or activity receiving federal funding assistance in violation of Title VI of the Civil Rights Act of 1964, as amended and its related statutes, regulations and directives, may submit a complaint. The **County of Wabash** assures every effort will be made to ensure non-discrimination in all of its programs and activities, whether those programs and activities are federally funded or not.

Complaint forms may be found on the **County of Wabash** website. Individuals are not required to use the complaint form and may submit a complaint in any format that includes the name, address and telephone number of the individual complaining and brief description of the alleged discriminatory conduct including the date of harm. An individual submitting a complaint alleging discrimination may include relevant evidence, including the names of witnesses and supporting documentation. A complaint must be signed by the complainant.

Complaint forms must be submitted within one hundred eighty (180) days of the date of the alleged discrimination. Complaint form should be directed to:

**Jim Dils**  
Title VI Coordinator  
1 West Hill Street, Ste. 202  
Wabash, Indiana 46992  
Phone: 260-563-0661 ext.1290  
FAX: 260-563-5898  
[jdils@wabashcounty.in.gov](mailto:jdils@wabashcounty.in.gov)

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

Any person aggrieved by the findings of the Title VI Coordinator may, within fifteen (15) days of the receipt of the response of the Title VI Coordinator, file an appeal to the Office of the **Wabash County Commissioners**. Within 15 calendar days after receipt of the appeal of the Title VI Coordinator's report, the **Wabash County Commissioner's** designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the Office of the **Wabash County Commissioners** will respond in writing, will explain the position of the **Wabash County Commissioners** and offer a final resolution of the complaint.

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.

**APPENDIX B: COMPLAINT POLICY / GRIEVANCE PROCEDURE**

## **Complaint Policy**

Any person who believes that he or she as a member of a protected class, has been discriminated against based on race, color, national origin, gender, age, disability, religion, low income status, or Limited English Proficiency 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 Wabash County 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 Wabash County supervisor or to the Wabash County Human Resource or EEO Officer. The complaint should be submitted within 180 days of the alleged discrimination. A “Title VI Complaint Form” may be found on Wabash County’s website ([www.wabashcounty.in.gov](http://www.wabashcounty.in.gov) found under ADA/Title VI Information), or at the Title VI Coordinator’s Office located at 1 West Hill Street, Suite 202, Wabash, Indiana 46992 or by calling (260) 563-0661 ext. 1290.

Individuals are not required to use Wabash County’s complaint form. If necessary, Wabash County 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:**

**Jim Dils**

Title VI Coordinator

1 West Hill Street, Ste. 202

Wabash, Indiana 46992

Phone: 260-563-0661 ext.1290

FAX: 260-563-5898

[jdils@wabashcounty.in.gov](mailto:jdils@wabashcounty.in.gov)

Within 60 days of the receipt of the complaint Wabash County will investigate the allegation based on the information provided and issue a written report of its findings to the complainant. Wabash County 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 investigate. 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 N750  
Indianapolis, IN 46204  
Phone: (317) 233-6511  
Fax: (317) 233-0891

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

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



## **NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT**

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 ("ADA"), **Wabash County, Indiana** will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

***Employment:*** **Wabash County, Indiana** does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the ADA.

***Effective Communication:*** **Wabash County, Indiana** will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in **Wabash County, Indiana's** programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

***Modifications to Policies and Procedures:*** **Wabash County, Indiana** will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in **Wabash County, Indiana** offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of **Wabash County, Indiana**, should contact the office of the Title VI/ADA Coordinator as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the **Wabash County, Indiana** to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden. Complaints that a program, service, or activity of **Wabash County, Indiana** is not accessible to persons with disabilities should be directed to:

**Jim Dils**  
Title VI/ADA Coordinator  
1 W. Hill St., Ste. 202  
Wabash, Indiana 46992  
Phone: 260-563-0661 ext.1290  
FAX: 260-563-5898  
[jdils@wabashcounty.in.gov](mailto:jdils@wabashcounty.in.gov)

**Wabash County, Indiana** will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.



## County of Wabash, Indiana

# **Grievance Procedure under The Americans with Disabilities Act**

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by **Wabash County, Indiana**. The County of Wabash's Personnel Policy governs employment-related complaints of disability discrimination.

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

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

**Jim Dils**

Title VI Coordinator

1 W. Hill St., Ste. 202

Wabash, Indiana 46992

Phone: 260-563-0661 ext.1290

FAX: 260-563-5898

[jdils@wabashcounty.in.gov](mailto:jdils@wabashcounty.in.gov)

Within 15 calendar days after receipt of the complaint, the Title VI/ADA Coordinator or his designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the Title VI/ADA Coordinator or his designee 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 **Wabash County, Indiana** and offer options for substantive resolution of the complaint.

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

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

respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint. All written complaints received by the Title VI/ADA Coordinator or his designee, appeals to the **Wabash County Commissioners** or their designee, and responses from these two offices will be retained by the **Wabash County, Indiana** for at least three years.

**APPENDIX C: COMPLAINT LOG**



**APPENDIX D: EXTERNAL COMPLAINT PROCEDURE**

## EXTERNAL COMPLAINT OF DISCRIMINATION

### INSTRUCTIONS:

The purpose of this form is to help any person interested in filing a discrimination complaint with **Wabash County**. You are not required to use this form. You may write a letter with the same information, sign it, and return it to the address below. All bold items must be completed for your complaint to be investigated. Failure to provide complete information may impair the investigation of your complaint.

Title VI of the Civil Rights Act of 1964, as amended and its related statutes and regulations (Title VI) prohibit discrimination based on race, color, national origin, sex, age, disability/handicap, or income status in connection with programs or activities receiving federal financial assistance for the United States Department of Transportation, Federal Highway Administration, and/or Federal Transit Administration. These prohibitions extend to **Wabash County** as a sub-recipient of federal financial assistance.

Upon request, assistance will be provided if you are an individual with a disability or have limited English proficiency. Complaints may also be filed using alternative formats such as computer disk, audiotape, or Braille.

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

**Wabash County** is prohibited from retaliating against any individual because he or she opposed an unlawful policy or practice, filed charges, testified, or participated in any complaint action under Title VI or other nondiscrimination authorities.

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

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

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



### External Complaint Form

COMPLAINANT INFORMATION		
Name (first, middle, and last)		
Address (number and street, city, state and ZIP code)		
Home telephone number ( ) -	Work telephone number ( ) -	Cellular telephone number ( ) -
Name of complainant		Date (month, day, year)

PERSON / AGENCY YOU BELIEVE DISCRIMINATED AGAINST YOU		
Name (first, middle, and last)	Title	
Name of company		
Address (number and street, city, state and ZIP code)		
Home telephone number ( ) -	Work telephone number ( ) -	Cellular telephone number ( ) -
When was the last alleged discriminatory act? (month, day, year) _____		
<p>Complaints of discrimination must be filed within 180 days of the date of the alleged discriminatory act. If the alleged act of discrimination occurred more than 180 days ago, please explain your delay in filing this complaint.</p> <hr/> <hr/> <hr/>		
<p>The alleged discrimination was based on:</p> <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> Gender <input type="checkbox"/> National Origin <input type="checkbox"/> Disability <input type="checkbox"/> Age <input type="checkbox"/> Retaliation		
Describe the alleged act(s) of discrimination. (Use additional pages, if necessary.)		
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Name of complainant	Date (month, day, year)
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**Provide the names of any individuals with additional information regarding your complaint:**

Name of witness 1 (first, middle, and last)		Title
Name of company		
Address (number and street, city, state and ZIP code)		
Home telephone number ( ) -	Work telephone number ( ) -	Cellular telephone number ( ) -
Include a brief description of the relevant information the witness may provide to support your complaint of discrimination.		
-----		
Name of witness 2 (first, middle, and last)		Title
Name of company		
Address (number and street, city, state and ZIP code)		
Home telephone number ( ) -	Work telephone number ( ) -	Cellular telephone number ( ) -
Include a brief description of the relevant information the witness may provide to support your complaint of discrimination.		
-----		

Name of witness 3 (first, middle, and last)		Title
Name of company		
Address (number and street, city, state and ZIP code)		
Home telephone number ( ) -	Work telephone number ( ) -	Cellular telephone number ( ) -
Include a brief description of the relevant information the witness may provide to support your complaint of discrimination.		
-----		
How would you like your complaint to be resolved?		
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Name of complainant	Date (month, day, year)
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Have you filed a complaint alleging the same discrimination with another state or federal agency?  Yes  No

*If yes, please provide the following information for each agency:*

Name of the agency	Date complaint filed (month, day, year)
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Case number assigned to your complaint	Current status of your complaint
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How did you learn about your right to file a discrimination complaint with INDOT?

Signature	Date signed (month, day, year)
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**APPENDIX E: VOLUNTARY TITLE VI PUBLIC INVOLVEMENT  
SURVEY**

## VOLUNTARY TITLE VI PUBLIC INVOLVEMENT SURVEY

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

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

If you have any questions regarding Wabash County’s responsibilities under Title VI of the Civil Rights Act of 1964 or the Americans with Disabilities Act, please contact Jim Dils, Title VI Coordinator, 1 West Hill Street, Ste. 202, Wabash County, Indianan 46992, [jdils@wabashcounty.in.gov](mailto:jdils@wabashcounty.in.gov) .

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

Date:		
Project Name:		
Proposed Project Location:		
Gender: <input type="checkbox"/> Female <input type="checkbox"/> Male      Ethnicity: <input type="checkbox"/> Hispanic or Latino <input type="checkbox"/> Not Hispanic or Latino		
Race: (Check one or more)		
<input type="checkbox"/> American Indiana or Alaska Native	<input type="checkbox"/> Asian	
<input type="checkbox"/> Native Hawaiian or Other Pacific Islander	<input type="checkbox"/> White	
<input type="checkbox"/> Black or African-American	<input type="checkbox"/> Multi-racial	
Age:		Disability:
<input type="checkbox"/> 1-21	<input type="checkbox"/> 22-40	<input type="checkbox"/> Yes
<input type="checkbox"/> 41-65	<input type="checkbox"/> 65+	<input type="checkbox"/> No
Household Income:		
<input type="checkbox"/> \$0-\$12,000	<input type="checkbox"/> \$12,001-\$24,000	<input type="checkbox"/> \$24,001-\$36,000
<input type="checkbox"/> \$36,001-\$48,000	<input type="checkbox"/> \$48,001-\$60,000	<input type="checkbox"/> \$60,001+

**Jim Dils**  
 Title VI Coordinator  
 1 West Hill Street, Ste. 202  
 Wabash, Indiana 46992  
 Phone: 260-563-0661 ext.1290  
 FAX: 260-563-5898  
[jdils@wabashcounty.in.gov](mailto:jdils@wabashcounty.in.gov)

**APPENDIX F: *I-Speak* Card**

<input type="checkbox"/> ضع علامة في هذا المربع إذا كنت تقرأ أو تتحدث العربية.	1. Arabic
<input type="checkbox"/> Մարդկանց հետ «նրանց» կարողանալ զրոյց ղարկալարանակ, կրկն կարողանալ կարողանալ նրանց հարկարկան:	2. Armenian
<input type="checkbox"/> যদি আপনি বাংলা পড়েন বা বলেন তা হলে এই বক্সে মাণ দিন।	3. Bengali
<input type="checkbox"/> ល្អប្រសើរណាស់ប្រសិនបើ៖ មើលការប្រើប្រាស់ខាងលើ ផ្នែក ។	4. Cambodian
<input type="checkbox"/> Motka i kahhon ya yangin untungnu' manaitai pat untungnu' kumentos Chamorro.	5. Chamorro
<input type="checkbox"/> 如果你能读中文或讲中文，请选择此框。	6. Simplified Chinese
<input type="checkbox"/> 如果你能读中文或讲中文，请选择此框。	7. Traditional Chinese
<input type="checkbox"/> Označite ovaj kvadratić ako čitate ili govorite hrvatski jezik.	8. Croatian
<input type="checkbox"/> Zaškrtněte tuto kolonku, pokud čtete a hovoříte česky.	9. Czech
<input type="checkbox"/> Kruis dit vakje aan als u Nederlands kunt lezen of spreken.	10. Dutch
<input type="checkbox"/> Mark this box if you read or speak English.	11. English
<input type="checkbox"/> اگر خواندن و نوشتن فارسی بلد هستید این مربع را علامت بزنید.	12. Farsi

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

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

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**APPENDIX G: TRAINING MATERIALS & RECORDS OF TRAINING ATTENDANCE**

## TRAINING RECORD OF ATTENDANCE

<u>ATTENDEE NAME</u>	<u>DATE OF TRAINING</u>	<u>TOPIC/SUBJECT</u>	<u>TRAINING MATERIAL SOURCE</u>

## **APPENDIX H: REPORTS AND OUTCOMES OF DATA COLLECTED \***

\*If applicable / as applicable. Change Appendix Title to reflect information attached.

## **APPENDIX I: MATERIALS RELATED TO ANNUAL GOALS & ACCOMPLISHMENTS \***

\*If applicable / as applicable. Change Appendix Title to reflect information attached.