

DeKalb County

Title VI

Program and  
Implementation Plan

April 2018

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## **Title VI Policy Statement**

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, national origin, disability, religion, sex, sexual orientation, gender identity, age, low income status or limited English proficiency in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, on the ground of race, color, national origin, disability, religion, sex, sexual orientation, gender identity, age, low income status or limited English proficiency be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance" (42 U.S.C. Section 2000d).

DeKalb County, Indiana is committed to ensuring that no person is excluded from participation in, or denied the benefits of its services on the basis of race, color, national origin, disability, religion, sex, sexual orientation, gender identity, age, low income status or limited English proficiency as protected with Title VI (Exhibit 1).

This plan was developed to guide DeKalb County, Indiana in its administration and management of Title VI-related activities.

## **Organization and Staffing**

The Commissioners of DeKalb County, Indiana are responsible for ensuring the implementation of the County's Title VI Program.

The Director of Human Resources, Dotty Miller serves as the Title VI Coordinator, on behalf of the Commissioners (Exhibit 2). The Title VI Coordinator is responsible for the overall management of the Title VI Program to ensure compliance with provisions of the County's policy of non-discrimination with the law, including the requirements of 23 Code of Federal Regulation (CFR) 200 and 49 Code of Federal Regulation 21. The contact information for the Title VI Coordinator is as follows:

Dotty Miller  
Title VI Coordinator  
100 South Main Street  
Auburn, IN 46706  
260-333-0701 ext 4100  
[dmiller@co.dekalb.in.us](mailto:dmiller@co.dekalb.in.us)

## **Title VI Coordinator Responsibilities**

The Title VI Coordinator is responsible for implementing, monitoring, and ensuring the County's compliance with Title VI regulations and the overall administration of the Title VI Program and Standard U.S. Title VI Assurances (Exhibit 3). This includes the completion of the following activities:

- Program Administration – Administer the Title VI Program and coordinate implementation of the plan. Ensure compliance with the assurances, policy, and program objectives. Perform Title VI Program reviews to assess and update administrative procedures, staffing, and resources; provide recommendations as required to the Commissioners.
- Data collection – Review and analyze the statistical data gathering process performed by the Title VI Liaisons (Department Heads) periodically to ensure sufficiency of data for meeting the requirements of the Title VI program administration. Document the analysis for the Federal Highway Administration (FHWA).
- Training Programs – Conduct or facilitate training programs or Title VI current and new regulations for County employees; and facilitate Title VI training for Title VI Liaisons, contractors, and sub-recipients. A summary of training conducted will be reported in the annual update to INDOT.
- Title VI Plan Update – Review and update the Title VI Plan annually as needed or required. Present the updated plan to the Commissioners for approval; submit amended Plan to INDOT as required.
- Reporting – The Title VI coordinator may conduct reviews of the County's Title VI Program to assess for Title VI compliance to assure effectiveness in compliance with Title VI provisions. The Title VI Coordinator and the Title VI Liaisons will coordinate efforts to ensure the requirements of Title VI are met.
- The Title VI Coordinator will prepare an annual summary to report accomplishments and changes to the program during the preceding year. This summary will also include goals and objectives for the upcoming year.
- Public Dissemination – Work with the Title VI Liaisons to develop and disseminate Title VI Program information to the County employees and sub-recipients, including contractors, subcontractors, consultants, sub-consultant and the general public. Public dissemination may include postings of official statements, inclusions of the Title VI language in contracts or other agreements, website postings, and an annual publication of the County's Title VI Policy Statement in the newspaper and informational brochures. Ensure public service announcements or notices are posted of proposed projects, hearings, meetings, or formation of public advisory boards, in newspapers or other media reaching the affected community. Ensure the full utilization of available minority publications or media; and, where appropriate, provide written or verbal information in

languages other than English. (See Exhibit 4 for the County's Title VI Notice to the Public.)

- Complaints – The Title VI coordinator will ensure the Complaint Procedure for filing, review and investigating Title VI complaints received by DeKalb County will follow procedural guidelines. Ensure every effort is made to resolve complaints and properly document and maintain a log of all complaints.
- Elimination of Discrimination – Work with the Title VI Liaisons to establish procedures for promptly resolving deficiencies, as needed. Recommend procedures to identify and eliminate discrimination that may be discovered in the County's processes.
- Develop and implement DeKalb County's Limited English Proficiency (LEP) Plan; provide training to the Department Heads on procedure to follow when a person requests an interpreter.
- Establish procedures for reviewing contracts with sub-recipients, special interest programs and activities to include in Title VI assurance.
- Attend Title VI Training as required by INDOT.

## Department Head (Title VI Liaison) Responsibilities

The Department Heads are as follows:

Name	Department	Contact #	Email Address
Sheila Stonebraker	Assessor	260-925-1824	<a href="mailto:ssonebraker@co.dekalb.in.us">ssonebraker@co.dekalb.in.us</a>
Jan Bauman	Auditor	260-925-2362	<a href="mailto:jbauman@co.dekalb.in.us">jbauman@co.dekalb.in.us</a>
Bill Hunter	Central Communications	260-333-7911	<a href="mailto:bhunter@co.dekalb.in.us">bhunter@co.dekalb.in.us</a>
Kurt Grimm	Circuit Court	260-925-2764	<a href="mailto:kgrimm@co.dekalb.in.us">kgrimm@co.dekalb.in.us</a>
Holly Albright	Clerk of Courts	260-925-0912	<a href="mailto:halbright@co.dekalb.in.us">halbright@co.dekalb.in.us</a>
Kellie Knauer	Community Corrections	260-333-0710	<a href="mailto:kknauer@co.dekalb.in.us">kknauer@co.dekalb.in.us</a>
Mike Gerber	Coroner		<a href="mailto:firemedic45in@msn.com">firemedic45in@msn.com</a>
Donald Pierson	County Home (Sunny Meadows)	260-925-3299	<a href="mailto:smeadows@co.dekalb.in.us">smeadows@co.dekalb.in.us</a>
Elysia Rodgers	Extension	260-925-2562	<a href="mailto:eberry@purdue.edu">eberry@purdue.edu</a>
Cheryl Lynch	Health	260-925-2220	<a href="mailto:clynch@co.dekalb.in.us">clynch@co.dekalb.in.us</a>
Ben Parker	Highway	260-925-1864	<a href="mailto:bparker@co.dekalb.in.us">bparker@co.dekalb.in.us</a>
Roger Powers	Homeland Security	260-925-1392	<a href="mailto:rapowers@co.dekalb.in.us">rapowers@co.dekalb.in.us</a>
Dotty Miller	Human Resources	260-333-0701	<a href="mailto:dmiller@co.dekalb.in.us">dmiller@co.dekalb.in.us</a>
Jack Smith	Information Systems	260-333-0701	<a href="mailto:jbsmith@co.dekalb.in.us">jbsmith@co.dekalb.in.us</a>
Christopher Gaumer	Development Services	260-925-1923	<a href="mailto:cgaumer@co.dekalb.in.us">cgaumer@co.dekalb.in.us</a>
	Probation	260-925-2400	
Clara Mary Winebrenner	Prosecutor	260-925-1646	<a href="mailto:cwinebrenner@co.dekalb.in.us">cwinebrenner@co.dekalb.in.us</a>
Mark Olivero	Public Defender	260-925-1863	<a href="mailto:molivero@co.dekalb.in.us">molivero@co.dekalb.in.us</a>
Katie Firestone	Recorder	260-925-2112	<a href="mailto:kfirestone@co.dekalb.in.us">kfirestone@co.dekalb.in.us</a>
Donald Lauer	Sheriff	260-925-3365	<a href="mailto:dlauer@co.dekalb.in.us">dlauer@co.dekalb.in.us</a>
Julie Knudson	Soil & Water	260-925-5620	<a href="mailto:jknudson@co.dekalb.in.us">jknudson@co.dekalb.in.us</a>
Kevin Wallace	Superior Court I	260-925-4723	<a href="mailto:kwallace@co.dekalb.in.us">kwallace@co.dekalb.in.us</a>
Monte Brown	Superior Court II	260-925-5277	<a href="mailto:mbrown@co.dekalb.in.us">mbrown@co.dekalb.in.us</a>
Michael Kline	Surveyor	260-925-2222	<a href="mailto:mkline@co.dekalb.in.us">mkline@co.dekalb.in.us</a>
Linda Craig	Title IV-D	260-925-3450	<a href="mailto:lcraig@co.dekalb.in.us">lcraig@co.dekalb.in.us</a>
Sandra Wilcox	Treasurer	260-925-2712	<a href="mailto:swilcox@co.dekalb.in.us">swilcox@co.dekalb.in.us</a>
Brian Lamm	Veteran's Services	260-925-0131	<a href="mailto:blamm@co.dekalb.in.us">blamm@co.dekalb.in.us</a>
David Swogger	Weights & Measures	260-281-2047	

Each Department Head within DeKalb County is responsible for the following under Title VI:

- Ensuring all County contract documents contain the appropriate Title VI provisions;
- Consulting with the Commissioners and the Title VI Coordinator when Title VI complaints are received or issues arise;

- Ensure that all people are treated equitably regardless of race, color, national origin, disability, religion, sex, sexual orientation, gender identity, age, low income status or limited English proficiency;
- Develop and update internal policies and procedures to ensure Title VI compliance during all phases of projects, activities, etc.;
- Ensure all business pertaining to the selection, negotiation and administration of consultant contracts and agreements is accomplished without discrimination based on race, color, national origin, disability, religion, sex, sexual orientation, gender identity, age, low income status or limited English proficiency;
- Ensure internal and external publications and all other relevant communications disseminated to the public include the Title VI policy reference; and
- Provide information in the appropriate language or interpreters as needed for individuals with disabilities and LEP persons.

### **Department Head (Title VI Liaison) Reporting**

The Department Heads must submit the Title VI Compliance Review Form (Exhibit 5) to the Title VI Coordinator to be used as an assessment tool to determine whether the departments are in compliance with Title VI and to ascertain instances where the Title VI Coordinator may provide training to help the Department Heads achieve its Title VI goals and maintain compliance. The Title VI Coordinator will review the data collection procedures for each department periodically to ensure compliance with DeKalb County's Title VI Program requirements. The Department Heads should prepare the report and submit it annually on or around June 30<sup>th</sup> of each year.

The following information should be included in each annual report submitted:

- Number of federally funded projects awarded during the past year.
- Number of Title VI complaints received during the past year.
- Attendance at public meeting/hearing tracked and broken down by ethnicity, race, gender and disability.
- Statistical data collected on ethnicity, race gender and disability for communities impacted by construction projects.
- Does your staff understand the Title VI Policy and Procedures set in place for the County?
- Statistical data collected on ethnicity, race, gender and disability for all right-of-way relocates.
- Proof of public dissemination of the Title VI Policy or Policy Statement.
- Information concerning the dissemination of copies of the Civil Rights Act of 1964 non-discrimination statement;

- Information on number of individuals who received Title VI training in each department including attendees, dates and locations.
- Information on number of LEP persons needing assistance including service used and related cost;
- A description of the communication needs of LEP persons;

## **Training**

The Title VI coordinator will make Title VI Program and the LEP Plan training available to employees, contractors, sub-recipients, and the Title VI Liaisons. The training will be documented on the Training Log (Exhibit 6). The training will provide information on Title VI provisions and operation and identifying Title VI issues and resolution of complaints. A summary of the training conducted will be included in the annual summary.

## **External Complaint Process**

The County will promptly investigate all properly submitted complaints of alleged discrimination. The County will also attempt to resolve such complaints and take corrective action upon a finding of a substantiated complaint. Within 60 days of receiving a complete complaint, the County will submit its final investigative report to INDOT. The County's complaint process provides a procedure for appeal of all unsubstantiated claims of discrimination (Exhibit 7).

## **Complaint Investigation Procedures**

The Title VI Coordinator will make a determination to accept, reject or refer to the appropriate federal/state agency a complaint within seven (7) calendar days of its receipt. The County will determine whether the person or entity purportedly engaged in the alleged discriminatory act is a County sub-recipient (the legal entity to which the County made a sub-award and which is accountable to the recipient for the use of the funds provided). If the complaint does not specifically mention that the alleged discriminatory factor is a County sub-recipient, the County may presume so in deciding whether to accept the complaint for further processing.

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964 and its related statues, regulations and directives. These procedures do not affect the right of the Complainant to file formal complaints with other state or federal agencies or to seek private counsel for complaints alleging discrimination. These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the Complainant.

The County will make every effort to facilitate a voluntary early resolution of complaints at the lowest level possible. The County may exercise the option of informal resolution at any stage of

the process. The Title VI Coordinator will make every effort to pursue a resolution of the complaint.

The Title VI Coordinator may refer all complaints against the County to INDOT or the FHWA or the appropriate Federal agency.

### **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 County service, program or activity whether federally funded or not, based on their race, color, national origin, disability, religion, sex, sexual orientation, gender identity, age, low income status or limited English proficiency may file a complaint. A complainant's representative may also file a complaint on behalf of such a person.

### **Timeliness of Complaints**

For a complaint against the County or a sub-recipient to be considered timely, it must be filed within 60 days after the alleged incident has occurred. The County may waive the 60-day time limit for good cause at its discretion.

The file date of a complaint is the earlier of the postmark or date received by the County.

The County will determine on a case-by-case basis whether to waive the time limit for good cause. Good cause for a waiver shall include, but is not limited to, the following instances:

- **Lack of Knowledge**

The County may waive the time limit in situations where the person on whose behalf the complaint was filed did not know of and could not have reasonably known of the violation during the 60-day time limit. The complainant must file his or her complaint within 60 days of becoming knowledgeable of the violation.

- **Incapacitation**

The County may also waive the time limit in situations where the person on whose behalf of the complaint was filed was incapacitated because of illness or other documentation of the purported incapacitation. The complainant must file his or her complaint within 60 days after the period of incapacity ends.

### **Location/Availability of Complaint Forms**

The Complaint Form is available online via the County website. Additionally, persons may contact the Title VI Coordinator to request a copy of the complaint form via email, facsimile or

United States mail. The County's Title VI Coordinator shall provide copies of its complaint form in alternative formats upon request.

### **How to File a Complaint**

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

Direct Title VI complaints to:

Dotty Miller  
Title VI Coordinator  
100 South Main Street  
Auburn, IN 46706  
260-333-0701 ext 4100  
[dmiller@co.dekalb.in.us](mailto:dmiller@co.dekalb.in.us)

### **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 Title VI Complaint of Discrimination form is available for download from the County's website at: <http://www.co.dekalb.in.us>. Additionally, a complete complaint is filed within 60 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; 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 on the basis of race, color, national origin, disability, religion, sex, sexual orientation, gender identity, age, low income status or limited English proficiency) and the date of occurrence.

The following items are not acceptable as a complete complaint unless accompanied by a signed cover letter that specifically requests the County take action concerning the allegations:

- 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

The Title VI Coordinator shall notify the Complainant in writing if his or her complaint is incomplete and allot 15 calendar days for the Complainant to respond and provide the supplemental information needed to complete the complaint.

### **Processing Complaints**

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

- Maintaining a log of all complaints. The Title VI Coordinator will note the complaint in the log (Exhibit 8) by sequential case number based on the year, month and order in which the County received the complaint. For example, if the County received its first complaint on March 4, 2011, the case number would be 2011-03-01.
- Acknowledging receipt of the complaint and informing the Complainant of the action taken or proposed action to be taken to process the complaint in the form of an acknowledgement letter. The acknowledgement letter shall include a restatement of the complaint, brief statement of the County's jurisdiction over the sub-recipient if the complaint is regarding a sub-recipient, and contact information for the investigator assigned to conduct the investigation.
- Providing written notice of the complaint to INDOT within 10 working days of receipt of the complaint.
- Forwarding a notice via certified mail to the Respondent informing them of the allegations, requesting a position statement and providing the name and telephone number of the Title VI Program staff person assigned to investigate the complaint.
- Informing the Complainant that he or she has a right: (1) to have a witness or representative present during any interviews and (2) to submit any documentation he or she perceives as relevant to proving the allegations contained in the complaint.
- Providing the Respondent an opportunity to respond to all aspects of the Complainant's allegations.
- Determining which witnesses will be contacted and interviewed.

- Contacting the Complainant at the conclusion of the investigation to provide the Complainant an opportunity to provide additional information before the County prepares its final report to be forwarded to INDOT.
- Writing a confidential investigative report (IR) and forwarding a copy of the same to INDOT. The report shall not be disclosed to the Complainant or Respondent. The report shall include the following:
  - A summary of the written complaint;
  - A brief description of the standard of review/methodology used to investigate the complaint;
  - Summarized statements taken from witnesses;
  - Findings of fact and an analysis of the evidence gathered. The analysis should address each allegation in the complaint and Respondent's position;
  - A determination, based on the preponderance of evidence presented, of whether the complaint is substantiated or unsubstantiated; and
  - Proposed corrective action for substantiated cases.
- Drafting a Letter of Findings (LOF) and mailing the LOF to INDOT, Respondent and Complainant (by certified mail) within 60 calendar days of the date the complaint was received by the City. The LOF will include the following:
  - A summary of the written complaint;
  - A brief description of the standard of review/methodology used to investigate the complaint;
  - Findings of fact and an analysis of the evidence gathered. The analysis should address each allegation in the complaint and Respondent's position;
  - A determination, based on the preponderance of evidence presented, of whether the complaint is substantiated or unsubstantiated;
  - Proposed corrective action for substantiated cases; and
  - A notice of the right to appeal to the FHWA with an outline of the procedures for appeal.

### **Corrective Action**

If the City recommends corrective action, the City will give the Respondent 30 calendar days to inform the City of the actions taken for compliance. The Title VI Coordinator shall monitor Respondent's corrective action compliance. Corrective action may include actions that the Respondent will complete at a future date after the initial 30 days and must include projected time in which the Respondent will complete the action. If the Respondent has not taken the recommended corrective action within the 30-day period allowed, the City will find the Respondent to be in noncompliance with Title VI and its implementing regulations. Noncompliance not corrected by informal means as described above may be subject to sanctions as per 49 CFR § 21.13.

## **Pre-Investigative/Administrative Closures**

It is the general practice of the County to investigate all complete complaints; however, the County may administratively close a complaint at its discretion. The types of complaints that may be administratively closed and will not be investigated include, but are not limited to, the following:

- Complaints that fail to state a claim or provide any substantial or coherent claim;
- Complaints that are outside the scope of the County's Title VI jurisdiction;
- Untimely complaints filed more than 60 days after the alleged discriminatory acts;
- Complaints voluntarily withdrawn by the Complainant;
- Complaints in which the investigation has been impaired by the County's inability to locate the Complainant;
- Complaints that are a continuation of a pattern of previously filed complaints involving the same or similar allegations against the same recipient or other recipients that repeatedly have been found factually or legally unsubstantiated by the County;
- Complaints containing the same allegations and issues that have been addressed in a recently closed complaint or compliance review conducted by the County;
- Complaints containing allegations that are foreclosed by previous decisions by the Federal courts, Department of Justice or the County policy determinations;
- Complaints filed for complainants or parties who refuse to cooperate with the investigation and whose lack of cooperation substantially impairs the completion of the investigation. In such circumstances, the Complainant should be contacted and advised that their lack of cooperation has hindered the investigation. Furthermore, the Complainant must be advised that continued failure to cooperate may result in an administrative closure of the complaint without further investigation;
- Complaints transferred to another agency for investigation; and
- Complaints where the death of a Complainant makes it impossible to investigate the allegations fully or the death of the Complainant forecloses the possibility of relief because the complaint involved potential relief solely for the Complainant or injured party.

The County shall notify Complainants in writing via certified mail when a determination is made to administratively close a case without further investigation. The notification shall include an explanation of the basis for the administrative closure.

## **Appeals Procedures**

The Complainant has the right to appeal to INDOT any determination that results in an unsubstantiated claim. The County will convey to the Complainant the procedures for filing the appeal to INDOT along with the Letter of Findings. The procedure for filing an appeal with INDOT is:

- Complainant must submit the appeal in writing to the Title VI Coordinator within 14 calendar days of receipt of the County's Letter of Findings.
- Complainant must cite in the appeal the specific portion(s) of the finding with which the Complainant disagrees and the reason(s) for the disagreement.
- The County will forward the appeal and the record within seven (7) calendar days to INDOT for review.
- INDOT has 30 calendar days after the receipt of the appeal to complete its review.
- Written findings of INDOT are then sent to the Complainant and the County Commissioners.

## **Confidentiality**

In accordance with DOT Order 1000.12, the County shall keep all complainants' identities confidential except to the extent necessary for carrying out an investigation. If an investigator determines that it is necessary to disclose the Complainant's identity to the Respondent or a third party the investigator must first obtain Complainant's written permission. Furthermore, the County shall obtain a Complainant's written consent before providing a copy of the complaint to the Respondent or a third party.

## **Records**

The Title VI Coordinator shall maintain all records of an investigation in a confidential area for three (3) years after the completion of the investigation.

## **Summary of Complaints Received**

- As of January 1, 2018 there were no requests for language services.

## **Public Participation and Outreach**

The County's Title VI Coordinator will update the Title VI webpage as needed.

DeKalb County, Indiana will make available a Voluntary Title VI Public Involvement Survey (Exhibit 9) available at all public meetings and hearings. The Presiding Officer is responsible for making an announcement at the beginning and at the end of the meeting or hearing informing the attendees of the purpose of the survey and request the attendees to complete the survey.

The completed surveys will be retained for three (3) years from the date of the meeting or hearing.

## **Title VI Civil Rights Compliance Reviews**

DeKalb County, Indiana performs annual reviews to determine overall compliance with Title VI of the Civil Rights Act of 1964, which prohibits discrimination against person(s) race, color, national origin, disability, religion, sex, sexual orientation, gender identity, age, low income status or limited English proficiency in programs or activities, receiving Federal financial assistance. DeKalb County performs annual reviews through interviews and document reviews within each department. (See Exhibit 5 Compliance Review Form).

## **Limited English Proficiency (LEP) Plan**

This Limited English Proficiency Plan has been prepared to address DeKalb County, Indiana responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English language skills. The plan has been prepared in accordance with Title VI of the Civil Rights Act of 1964, U.S.C. 2010, and its implement regulations provide that no person shall be subjected to discrimination on the basis of race, color, national origin, disability, religion, sex, sexual orientation, gender identity, age, low income status or limited English proficiency under any program or activity that receives federal financial assistance.

Executive Order 13166, titled *Improving Access to Services for Persons with Limited English Proficiency*, indicates that differing treatment based upon a person's inability to speak, read, write or understand English is a type of national origin discrimination. It directs each federal agency to publish guidance for its respective recipient clarifying their obligation to ensure that such discrimination does not take place. This order applies to all state and local agencies which receive federal funds, including all DeKalb County departments and divisions receiving federal grant funds.

In developing the plan while determining DeKalb County's extent of obligation to provide LEP services, DeKalb County undertook the U. S. Department of Transportation's four-factor analysis which considers the following factors:

**1. The number or proportion of LEP person in the service area who may be served or are likely to encounter a County program, activity, or service.**

DeKalb County has a population of 42,223 based on the 2010 U.S. Census. The total population for DeKalb County 5 years of age and older is 39,652 based on the 2010-2014 5 Year American Community Survey. The 2010-2014 5 Year American Community Survey determined that 142 (0.36% of the County's population) persons in DeKalb County have limited English proficiency; that is, they speak English "not well" or "not at all". The Spanish or Spanish Creole language was the largest non-English speaking language group. Based on the 2010-2014 5 Year American Community Survey there were 13 (0.03% of the County's population) respondents age 5 and older identified as speaking the Spanish or Spanish Creole language that spoke English "not well" or "not at all".

**2. The frequency with which LEP individuals come in contact with a County program, activity, or service.**

DeKalb County will be implementing the LEP Plan on January 1, 2017 therefore the County will assess the frequency at which employees have or could have contact with LEP persons over the next year.

**3. The nature and importance of the program, activity, or service provided by the County to LEP community.**

The majority of the population, 97.5% in the DeKalb County speak only English. Based on the 2010-2014 5 Year American Community Survey the largest geographic concentration of any one type of LEP individuals within DeKalb County's service area is Spanish or Spanish Creole.

**4. The resources available to the County and overall cost to provide LEP assistance.**

This will be a goal in the upcoming year for DeKalb County to investigate and select a resource for interpreting and document translation service that best serves the needs of DeKalb County.

**Language Assistance**

A person who does not speak English as their primary language and who has a limited ability to read, write, speak or understand English may be a Limited English Proficient person and may be entitled to language assistance with respect to DeKalb County's programs and activities. Language assistance can include interpretation, which means oral or spoken transfer of a message from one language into another language and/or translation, which means the written transfer or a message from one language into another language. DeKalb County will determine when interpretation and/or translation are needed and are reasonable. How DeKalb County staff may identify if an interpreter is needed or if an LEP person needs language assistance:

- Examine records to see if requests for language assistance have been received in the past, either at meetings or over the phone, to determine whether language assistance might be needed at future events (Exhibit 10)
- Have Language Identification Flashcards (Exhibit 11) available at County events near the registration table and at customer service areas easily accessible to the staff. Individuals self-identifying as persons not proficient in English may not be able to be accommodated with translation assistance at the time, but it will assist in identifying language assistance needs for future events.

### **Language Assistance Measures**

Although there is a very low percentage in DeKalb County of LEP individuals, that is, persons who speak English “not well” or “not at all”, DeKalb County will strive to offer language assistance using the following measures:

- If an individual asks for language assistance and DeKalb County determines that the individual is an LEP person and if language assistance is necessary to provide meaningful access. DeKalb County has the discretion to determine whether language assistance is needed, and if so, the type of language assistance necessary to provide meaningful access.
- When an interpreter is needed, in person or on the telephone, staff will attempt to determine what language is required and access the language interpreting service provided to the staff.
- DeKalb County will periodically assess the need for language assistance based on requests for interpreters and/or translation.

### **Summary of Language Services requests 2017**

- As of January 1, 2018 there were no requests for language services.

## Title VI Goals

2017 Goals	Goal Date	Completion Date
Place the Title VI Implementation Plan and all Title VI forms on the DeKalb County website	12/31/2016	12/31/2016
Train the Title VI Liaisons on the Title VI Program and LEP Plan	3/31/2017	3/31/2017
Incorporate a language service for all Departments to utilize for LEP persons	3/31/2017	3/31/2017
Identify sub-recipients	6/30/2017	6/30/2017
Provide Title VI training and/or information to the sub-recipients	6/30/2017	6/30/2017
Publish Title VI Statement annually in the local newspaper(s)	9/30/2017	9/30/2017
Review all programs for Title VI implications	9/30/2017	9/30/2017
Update Title VI plan as needed	12/31/2017	12/31/2017
Identify 2018 Goals	12/31/2017	12/31/2017
Identify 2017 Accomplishments	12/31/2017	12/31/2017

## Title VI Reporting/Accomplishments

1. Completion of the Title VI Implementation Plan
2. Update of the ADA Transition Plan

**EXHIBIT 1**

Nondiscrimination Statement of Policy

# DeKalb County Commissioners

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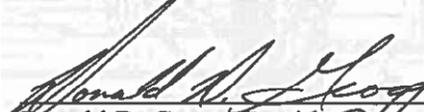
Donald D. Grogg, President  
Randall J. Deetz, Vice President  
Jacqueline R. Rowan, Member  
100 South Main Street  
Auburn, IN 46706  
260-925-2362, Fax 260-925-5948

## DeKalb County's Nondiscrimination Statement of Policy

DeKalb County values each individual's civil rights and wishes to provide equal opportunity and equitable service for the citizens of this community. As a recipient of federal funds, DeKalb County is required to conform to Title VI of the Civil Rights Act of 1964 (Title VI) and all related statutes, regulations and directives which provide that no person shall be excluded from participation in, denied benefits of or subjected to discrimination under any program or activity receiving federal financial assistance from the U.S. Department of Transportation (DOT) on the grounds of race, color, national origin, disability, religion, sex, sexual orientation, gender identity, age, low income status or limited English proficiency.

The Title VI Implementation Plan is developed to guide DeKalb County, Indiana, in its administration and management of Title VI-related activities.

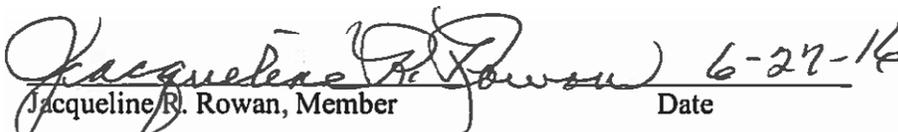
**Commissioners** of DeKalb County:

  
Donald D. Grogg, President

6-27-16  
Date

  
Randall J. Deetz, Vice President

\_\_\_\_\_  
Date

  
Jacqueline R. Rowan, Member

6-27-16  
Date

/dsm

**EXHIBIT 2**

Resolution for Title VI Coordinator



**EXHIBIT 3**

Standard U.S. DOT Title VI Assurances

# DeKalb County, Indiana

## Standard U.S.DOT Title VI Assurances

DeKalb County, Indiana values each individual's civil rights and wishes to provide equal opportunity and equitable service for the citizens of this state. As a recipient of federal funds, DeKalb County, Indiana conforms to Title VI of the Civil Rights Act of 1964 (Title VI) and all related statutes, regulations, and directives, which provide that no person shall be excluded from participation in, denied benefits of, or subjected to discrimination under any program or activity receiving federal financial assistance from DeKalb County, Indiana on the grounds of race, color, age, sex, sexual orientation, gender identity, disability, national origin, religion, income status or limited English proficiency. DeKalb County, Indiana 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.

It is the policy of DeKalb County, Indiana 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; Federal 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; Executive Order No. 12898, 59 Federal Register 7629 (1994) (Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations); and Executive Order No. 13166, 65 Federal Register 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 program 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, DeKalb County, Indiana 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.

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

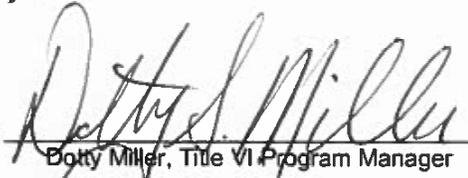
Whenever DeKalb County, Indiana utilizes federal-aid funds for any subrecipient, contractor or consultant, DeKalb County, Indiana will include Title VI language in all written agreements.

The following individual has been identified by DeKalb County, Indiana 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.

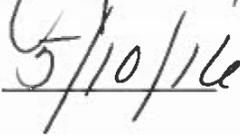
Dotty Miller  
Title VI/ADA Program Manager  
Director of Human Resources  
DeKalb County Government  
100 South Main Street  
Auburn, IN 46706  
260-333-0701 ext 4100  
260-333-0235 FAX  
dmiller@co.dekalb.in.us

DeKalb County, Indiana  
Recipient

By:

  
Dotty Miller, Title VI Program Manager

Dated:



# DeKalb County, Indiana

## Title VI Assurances

DeKalb County, Indiana (hereinafter referred to as the MRecipient"), HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the Department of Transportation it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 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), sexual orientation, gender identity (Executive Order 13672), age (42 USC 6101), disability/handicap (29 USC 790) and low income (Executive Order 12898) be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination under any program or activity for which the Recipient received Federal financial assistance from the Department of Transportation, including the Indiana Department of Transportation 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 assurance with respect tots FederalAid Transportation Program:

1. That the Recipient agrees that each Mprogram" and each "facility as defined in subsections 2123(e) and (b) and 23 CFR 200.S(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:

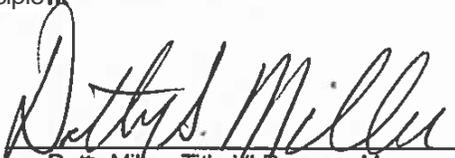
DeKalb County, Indiana in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office the Secretary. Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation and Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes, issued pursuant to such Act, hereby notifies all bidders that will affirmatively insure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of religion, race color, national origin, sex, sexual orientation, gender identity, age, disability/handicap and low income in consideration for an award.

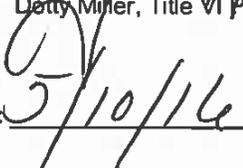
3. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to the Act and the Regulations.
4. That the Recipient shall insert the clauses of Appendix B of this assurance, as a covenant running with the land, in any deed from the United States effecting a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

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

Dotty Miller  
Title VI/ADA Program Manager  
Director of Human Resources  
DeKalb County Government  
100 South Main Street  
Auburn, IN 46706  
260-333-0701 ext 4100  
260-333-0235 FAX  
dmiller@co.dekalb.inus

DeKalb County, Indiana  
Recipient

By:   
Dotty Miller, Title VI Program Manager

Dated: 

## 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 Regulations relative to nondiscrimination in federally assisted programs of the U.S. Department of Transportation (hereinafter referred to as DOT), Title 49, Code of Federal Regulations, part 21, and the Federal Highway Administration (hereinafter "FHWA"), Title 23, Code of Federal Regulations, Part 200 as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

### 2. Nondiscrimination

The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of religion, race, color, or national origin, sex, sexual orientation, gender identity, age and disability/handicap and low income in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The Contractor shall not participate either directly or indirectly in discrimination prohibited by 49 CFR section 215 of the Regulations, including employment practices. When the contract covers a program set forth in Appendix B of the Regulations.

### 3. Solicitations for Subcontracts, Including Procurement of Materials and Equipment

In all solicitations either by competitive bidding or negotiations made by the Contractor for work to be performed under a subcontract, including procurement 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 ground of religion, race, color, or national origin, sex, sexual orientation, gender identity, 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 DeKalb County, Indiana, the Indiana Department of Transportation, or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the Contractor shall so certify to DeKalb County, Indiana, the Indiana Department of Transportation, or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.

### 5. Sanctions for Noncompliance

In the event of the Contractor's noncompliance with the nondiscrimination provisions of the contract, DeKalb County, Indiana, the Indiana Department of Transportation and/or the Federal Highway Administration concurrence, shall impose such contract sanctions determined to be appropriate, including, but not limited to:

- (a.) Withholding of payments to the contractor under the contract until the contractor complies, and/or
- (b.) Cancellation, termination or suspension of the contract, in whole or in part.

### 6. Incorporation of Provisions:

The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto.

The Contractor shall take such action with respect to any subcontractor or procurement as DeKalb County, Indiana, the Indiana Department of Transportation or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event a Contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Contractor may request DeKalb County, Indiana to enter into such litigation to protect the interests of DeKalb County, Indiana 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 DeKalb County, 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 Transportation Program and the policies and procedures prescribed by NDOT or FHWA and, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in federally-assisted programs of the Department of Transportation 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 DeKalb County, 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 DeKalb County, Indiana and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on DeKalb County, Indiana, its successors, and assigns.

DeKalb County, 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, sexual orientation, gender identity, 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 DeKalb County, Indiana shall use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, 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 assign 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 DeKalb County, 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 a part of the consideration hereof, does hereby covenant and agree in the case of deeds and leases add "as a covenant running with 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, DeKalb County, Indiana shall have the right to terminate the license, lease, permit, etc.) and to re-enter and repossess said land and the facilities thereon, and hold the same as if said licenses, lease, permit, etc.] had never been made or issued.

[Include in deed]\*

That in the event of breach of any of the above nondiscrimination covenants, DeKalb County, Indiana shall have the right to reenter said lands and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of DeKalb County, Indiana and assigns.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by DeKalb County, 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 religion, race, color, national origin, sex, sexual orientation, gender identity, age, disability/handicap and low income shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land and the furnishing of services thereon, no person on the ground of religion, race, color, national origin, sex, sexual orientation, gender identity, age, disability/handicap and low income shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes-Implementation and Review Procedures, and as said Regulations may be amended.

(Include in licenses, leases, permits, etc.)"

That in the event of breach of any of the above nondiscrimination covenants, the DeKalb County, Indiana shall have the right to terminate the license, lease, permit, etc.] and re-enter and repossess said land and the facilities hereon, 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, DeKalb County, Indiana shall have the right to re-enter said land and facilities thereon, and the above described lands and facilities shall thereupon revert and vest in and become the absolute property of DeKalb County, Indiana and its assigns.

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•Reverter cl. 5C 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.

**EXHIBIT 4**

Title VI Notice to the Public

## **DeKalb County, Indiana Title VI Notice to the Public**

DeKalb County, Indiana hereby gives public notice that it is the County's policy to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and the related statutes and regulations in all programs and activities. Title VI requires that no person shall, on the grounds of race, color, national origin, disability, religion, sex, sexual orientation, gender identity, age, low income status or limited English proficiency be excluded from the participation in, be denied the benefits of or be otherwise subjected to discrimination under any Federal Aid Highway program or other activity for which DeKalb County, Indiana receives federal financial assistance.

Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint with DeKalb County, Indiana. Any such complaint must be filed with the County within sixty (60) days following the date of the alleged discriminatory occurrence. Title VI Discrimination Complaint forms may be obtained from the County's website at [www.co.dekalb.in.us](http://www.co.dekalb.in.us) or by contacting the Title VI Coordinator, Dotty Miller, by phone at 260-333-0701 or by email at [dmiller@co.dekalb.in.us](mailto:dmiller@co.dekalb.in.us).

**EXHIBIT 5**

Title VI Compliance Review Form

**DeKalb County, Indiana  
Title VI Compliance Review Form**

Name of Preparer:	Date:
Department:	Phone Number & Email Address:
<b>Data Collection - Do you have a process to collect the following:</b>	
Number of INDOT federally funded projects awarded during the past two years.  <input type="checkbox"/> Yes <input type="checkbox"/> No  If yes, provide the number by year for the past two years below:  If no, explain why below:	
Number of Title VI complaints received for the past three years.  <input type="checkbox"/> Yes <input type="checkbox"/> No  If yes, provide the number received by year for the past three years below:  If no, explain why below:	
Attendance at public meetings/hearings tracked and broken down by ethnicity, race, gender and disability.  <input type="checkbox"/> Yes <input type="checkbox"/> No  If yes, provide the attendance statistics for last year below:  If no, explain why below:	
Statistical data collected on ethnicity, race, gender and disability for communities impacted by construction projects.  <input type="checkbox"/> Yes <input type="checkbox"/> No  If yes, provide the data collected below for the past year:  If no, explain why below:	

Name of Preparer:	Date:
-------------------	-------

Do you have a Limited English Proficiency (LEP) in place?

Yes       No

If yes, provide the number of LEP persons requesting service below:

If no, explain why below:

**Policies, Procedures and Processes:**

Do you and your staff understand the Title VI Policy and Procedure guidelines set in place for the County?

Yes       No

If no, explain why below:

Statistical data collected on ethnicity, race, gender and disability for all right-of-way relocates.

Yes       No

If yes, provide the data collected below for the past year:

If no, explain why below:

Do you have proof of public dissemination of the Title VI Policy or Policy Statement?

Yes       No

If yes, provide dates and/or copies of the dissemination (i.e. newspaper, website, etc.).

If no, explain why below:

**Training:**

Have you and your staff received Title VI training (formal or informal)?

Yes       No

If no, explain why below:

**EXHIBIT 6**

Training Log

**DEKALB COUNTY TRAINING LOG**

Name	Title	Training Event	Training Received	Date	Provider
			Y / N		
			Y / N		
			Y / N		
			Y / N		
			Y / N		
			Y / N		
			Y / N		
			Y / N		
			Y / N		
			Y / N		
			Y / N		
			Y / N		
			Y / N		
			Y / N		
			Y / N		
			Y / N		

**EXHIBIT 7**

Title VI External Complaint of Discrimination

## EXTERNAL COMPLAINT OF DISCRIMINATION

Dotty Miller  
Title VI & ADA Coordinator  
Director of Human Resources  
DeKalb County Government  
100 South Main Street  
Auburn, IN 46705  
260-333-0701 ext 4100  
260-333-0235 FAX  
[dmiller@co.dekalb.in.us](mailto:dmiller@co.dekalb.in.us)

### ***INSTRUCTIONS:***

The purpose of this form is to help any person interested in filing a discrimination complaint with DeKalb County, Indiana.

You are not required to use this form. You may write a letter with the same information, sign it and return to the address printed above.

All items in bold must be completed for your complaint to be investigated. Failure to provide complete information may impair the investigation of your complaint.

Title VI of the Civil Rights Act of 1964, as amended and its related statutes and regulations (Title VI) prohibit discrimination on the basis of race, color, national origin, disability, religion, sex, sexual orientation, gender identity, age, low income, or limited English proficiency (LEP) in connection with programs or activities receiving federal financial assistance from the United States Department of Transportation, Federal Highway Administration and/or Federal Transit Administration. These prohibitions extend to DeKalb County, Indiana as a direct recipient of federal financial assistance and to its sub-recipients, consultants, and contractors, whether federally funded or not.

DeKalb County, Indiana will provide assistance if you are an individual with a disability or have limited English proficiency. Complaints may also be filed using alternative formats, such as a computer disk, audiotape or Braille. For TTY customers, dial 711 to reach the Indiana Relay Service.

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

DeKalb County, Indiana and its sub-recipients, consultants, and contractors are 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. Mail the original complaint form along with any copies of documents or records relevant to your complaint to the address above.

Complaints of discrimination must be filed, within 60 days of the date of the alleged discriminatory act. If the alleged act of discrimination occurred more than 60 days ago, please explain your delay in filing this complaint.

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

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

<b>PERSON/AGENCY/COMPANY YOU BELIEVE DISCRIMINATED AGAINST YOU</b>		
<b>Name (first, middle, and last)</b>	<b>Title</b>	
<b>Name of company</b>		
<b>Address (number and street, city, state and ZIP code)</b>		
<b>Home telephone number</b> (     )     -	<b>Work telephone number</b> (     )     -	<b>Cellular telephone number</b> (     )     -
<b>When was the last alleged discriminatory act? (month, day, year) _____</b>		

Complaints of discrimination must be filed within 60 days of the date of the alleged discriminatory act. If the alleged act of discrimination occurred more than 60 days ago, please explain your delay in filing this complaint.				
<b>The alleged discrimination was based on:</b>				
_____ Race	_____ Color	_____ Age	_____ Gender Identity	
_____ Disability	_____ National Origin	_____ LEP	_____ Retaliation	
_____ Religion	_____ Sex	_____ Income	_____ Sexual Orientation	
_____ Other				



Name of complainant		Date (month, day, year)
Provide the names of any individual(s) 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.		

Name of complainant	Date (month, day, year)
How would you like your complaint to be resolved?	
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 agency	Date complaint filed (month, day, year)
Case number assigned to your complaint	Current status of your complaint
How did you learn about your right to file a discrimination complaint with DeKalb County, Indiana?	
<b>Signature</b>	<b>Date signed (month, day, year)</b>

**EXHIBIT 8**

Title VI Complaint Log



**EXHIBIT 9**

Voluntary Title VI Public Involvement Survey

## DeKalb County, Indiana

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)). DeKalb 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 DeKalb 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 DeKalb County's responsibilities under Title VI of the Civil Rights Act of 1964 or the Americans with Disabilities Act, please contact the Title VI

Coordinator: Dotty Miller  
 DeKalb County Government  
 100 South Main Street  
 Auburn, Indian 46706  
 260-333-0701  
[dmiller@co.dekalb.in.us](mailto:dmiller@co.dekalb.in.us)

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 above.

<b>Date (month, day, year)</b>					
<b>Project name</b>					
<b>Proposed project location</b>					
<b>Gender:</b> <input type="checkbox"/> Female <input type="checkbox"/> Male		<b>Ethnicity:</b> <input type="checkbox"/> Hispanic or Latino <input type="checkbox"/> Not Hispanic or Latino			
<b>Race: (Check one or more)</b>					
<input type="checkbox"/> American Indian 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"/> Multiracial			
<b>Age:</b> <input type="checkbox"/> 1-21 <input type="checkbox"/> 22-40			<b>Disability:</b> <input type="checkbox"/> yes		
<input type="checkbox"/> 41-65 <input type="checkbox"/> 65+			<input type="checkbox"/> no		
<b>Household Income:</b>					
<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+	

**EXHIBIT 10**

Limited English Proficiency (LEP) Report

## LIMITED ENGLISH PROFICIENCY (LEP) REPORT

**USE OF FORM:** This form should be used to record and report communications with or requests for services from individuals and / or entities in need of language services. If there is a language barrier between a DeKalb County employee in an individual or group interaction, please provide as much information regarding the interaction as possible on this form.

**TRANSMITTAL:** Please complete this form and deliver it to the DeKalb County Title VI Coordinator  
 Dotty Miller, Director of Human Resources  
 100 South Main Street  
 Auburn, IN 46706  
 260-333-0701 ext 4100  
 260-333-0235 FAX  
[dmiller@co.dekalb.in.us](mailto:dmiller@co.dekalb.in.us)

Date of Form Completion:	DeKalb County Employee Completing Form:	DeKalb County Employee Job Title/Role:	DeKalb County Employee Work Phone #:
Date of LEP Issue:	Was there a request for language services? <input type="checkbox"/> YES <input type="checkbox"/> NO	If requested, by whom:	DeKalb County Employee email address:
<b>Contact Type:</b> <input type="checkbox"/> Individual face-to-face <input type="checkbox"/> Individual by phone <input type="checkbox"/> Individual in writing <input type="checkbox"/> Agency-sponsored Public Meeting <input type="checkbox"/> Evert (describe below) <input type="checkbox"/> Contact by outside organization <input type="checkbox"/> Other (please describe below)		<b>Level of Language Barrier:</b> <input type="checkbox"/> Communication was not possible <input type="checkbox"/> Communication was significantly impaired <input type="checkbox"/> Communication was partially possible <input type="checkbox"/> Communication was possible due to interpretation provide by a non-DeKalb County employee sponsored interpreter <i>Was this interpreter a minor?</i> <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Communication was possible due to language service provided by interpreter or translator retained by DeKalb County or the forum in which the services were required	
Number of people requiring language services:			
Language for which LEP services were required:	<b>How was this determined:</b> <input type="checkbox"/> I speak Cards <input type="checkbox"/> Self-identified <input type="checkbox"/> Other (describe)	<b>Type of services needed: (check all that apply)</b> <input type="checkbox"/> In person interpretation <input type="checkbox"/> Telephone interpretation <input type="checkbox"/> Written material translation <input type="checkbox"/> Other	

**EXHIBIT 11**

2004 Census Test Language Identification Flashcard

- |                          |  |                        |
|--------------------------|--|------------------------|
| <input type="checkbox"/> | اگر می‌توانید این زبان را بخوانید یا بنویسید، این مربع را علامت بزنید.                 | 1. Arabic              |
| <input type="checkbox"/> | Խոսողո՞ւմ ե՞նք ՚նչո՞ւմ կատարե՞ք այս քանակազանում, եթե ինտուն՞ կամ կարդո՞ւմ եք հայերեն: | 2. Armenian            |
| <input type="checkbox"/> | যদি আপনি বাংলা পড়েন বা বলেন তা হলে এই বাক্সে দাগ দিন।                                 | 3. Bengali             |
| <input type="checkbox"/> |  | 4. Cambodian           |
| <input type="checkbox"/> |  | 5. Chamorro            |
| <input type="checkbox"/> | 如果你能读中文或讲中文，请选择此框。   | 6. Simplified Chinese  |
| <input type="checkbox"/> | 如果你能讀中文或講中文，請選擇此框。   | 7. Traditional Chinese |
| <input type="checkbox"/> |  | 8. Croatian            |
| <input type="checkbox"/> |  | 9. Czech               |
| <input type="checkbox"/> |  | 10. Dutch              |
| <input type="checkbox"/> |  | 11. English            |
| <input type="checkbox"/> | اگر خواندن و نوشتن فارسی بلد هستید، این مربع را علامت بزنید.                           | 12. Farsi              |

- |                          |  |                    |
|--------------------------|--|--------------------|
| <input type="checkbox"/> |  | 13. French         |
| <input type="checkbox"/> |  | 14. German         |
| <input type="checkbox"/> | Σημειώστε αυτό το πλαίσιο αν διαβάζετε ή μιλάτε Ελληνικά.      | 15. Greek          |
| <input type="checkbox"/> |  | 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"/> |  | 18. Hmong          |
| <input type="checkbox"/> |  | 19. Hungarian      |
| <input type="checkbox"/> |  | 20. Ilocano        |
| <input type="checkbox"/> |  | 21. Italian        |
| <input type="checkbox"/> | 日本語を読んだり、話せる場合はここに印を付けてください。                                   | 22. Japanese       |
| <input type="checkbox"/> | 한국어를 읽거나 말할 수 있으면 이 칸에 표시하십시오.                                 | 23. Korean         |
| <input type="checkbox"/> | ໃ້ໝາຍໃສ່ຊ່ອງນີ້ ຖ້າທ່ານອ່ານຊື່ປາກພາສາລາວ.                      | 24. Laotian        |
| <input type="checkbox"/> |  | 25. Polish         |

26. Portuguese
- Însemnați această casuță dacă citiți sau vorbiți românește. 27. Romanian
28. Russian
- Обележите овај квадратић уколико читате или говорите српски језик. 29. Serbian
30. Slovak
31. Spanish
32. Tagalog
- ให้ทำเครื่องหมายลงในช่องว่างที่ว่างหรือพูดภาษาไทย. 33. Thai
34. Tongan
35. Ukranian
- اگر آپ اردو پڑھتے یا بولتے ہیں تو اس خانے میں نشان لگائیں۔ 36. Urdu
37. Vietnamese
- באצייכנט דעם קעסטל אויב איר לייענט אדער רעדט אידיש. 38. Yiddish