

**RESOLUTION 2016 R-5**  
A Resolution of the County Commissioners  
of the County of DeKalb, Indiana  
Adopting the Americans with Disabilities Act (ADA)  
ADA Coordinator and Procedures

**WHEREAS**, the Federal government enacted the Americans with Disabilities Act of 1990 (ADA) to prevent discrimination of the physically and mentally disabled relating to employment and access to public facilities; and

**WHEREAS**, in compliance with Title II of the ADA the County of DeKalb shall name an ADA Coordinator; and

**WHEREAS**, in compliance with Title II of the ADA the County of DeKalb shall adopt a grievance procedure for resolving complaints alleging violation of Title II of the ADA; and

**WHEREAS**, in compliance with Title II of the ADA the County of DeKalb shall publish notice to the public regarding the ADA;

**WHEREAS**, in compliance with Title II of the ADA the County of DeKalb shall post the ADA coordinator's name, office address, and telephone number along with the ADA Notice and ADA grievance procedure on its website.

**NOW, THEREFORE, BE IT RESOLVED** by the **County Commissioners of the County of DeKalb, Indiana:**

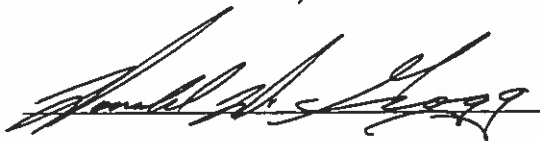
**Dotty Miller**, of the Human Resource Office, is designated as the ADA Coordinator for the County.

The Notice under the Americans with Disabilities Act, a copy of which is posted to the County's website, is adopted as the County of DeKalb Notice under the Americans with Disabilities Act.

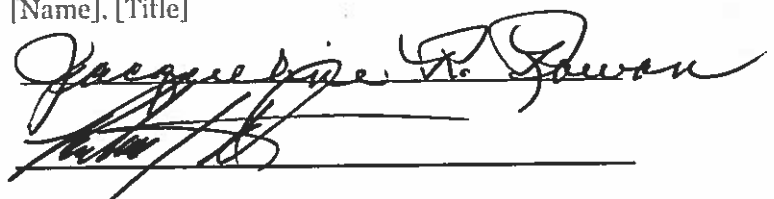
The County of DeKalb ADA Grievance Procedure under the Americans with Disabilities Act, a copy of which is attached hereto, is adopted as the grievance procedure for addressing complaints alleging discrimination on the basis of disability in the provision of services, activities, programs or benefits by the County of DeKalb.

In compliance with Federal and State laws as set forth above, the County Commissioners of the County of DeKalb, Indiana resolves to post the required information regarding the ADA coordinator, Notice under the Americans with Disabilities Act, and the Grievance Procedure under the Americans with Disabilities Act on its website and at such other locations as may be determined from time to time.

**PASSED, APPROVED AND ADOPTED** this 16th day of May, 2016.



[Name]. [Title]



## Non-discrimination Notice

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

**Employment:** County of DeKalb 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:** County of DeKalb will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in County of DeKalb 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:** County of DeKalb 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 County of DeKalb 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 County of DeKalb, should contact the office of the **ADA Coordinator, Dotty Miller 260-333-0701 ext 4100**, as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the County of DeKalb 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 County of DeKalb is not accessible to persons with disabilities should be directed to **Dotty Miller 260-333-0701 ext 4100**.

County of DeKalb 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.

## **Grievance Procedure under The Americans with Disabilities Act County of DeKalb, Indiana**

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 the County of DeKalb. The County of DeKalb'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:

Dotty Miller  
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

Within 15 calendar days after receipt of the complaint, the ADA Coordinator designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, the ADA Coordinator or 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 the County of DeKalb and offer options for substantive resolution of the complaint.

If the response by the ADA Coordinator or 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 County Commissioner or designee.

Within 15 calendar days after receipt of the appeal, the County Commissioner or designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the County Commissioner or 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 ADA Coordinator or designee, appeals to the County Commissioner or designee, and responses from these two offices will be retained by the County of DeKalb for at least three years.

RESOLUTION 2016 – R-7

A RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF THE COUNTY OF DEKALB, INDIANA  
APPOINTING THE TITLE VI COORDINATOR

**WHEREAS** the Federal government enacted Title VI of the Civil Rights Act of 1964 (Title VI) to prevent discrimination under any program or activity receiving Federal financial assistance;

**WHEREAS** in compliance with Title VI, DeKalb County will name a Title VI Coordinator;

**WHEREAS** DeKalb County will publish notice of its Title VI Coordinator's name, office address, and telephone number along with its Title VI Nondiscrimination Policy on its website;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the County of DeKalb, Indiana as follows:

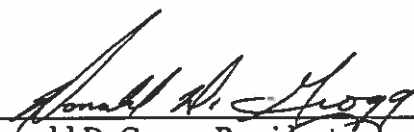
Dotty Miller, Director of Human Resources, is designated as the Title VI Coordinator for DeKalb County.

The DeKalb County Grievance Procedure is adopted for addressing complaints alleging discrimination under Title VI in the provision of services, activities, programs or benefits by DeKalb County with complaints to be directed to the Title VI Coordinator.


For notice purposes, DeKalb County will post the contact information regarding the Title VI Coordinator and DeKalb County's Title VI Nondiscrimination Policy on its website and at such other locations as may be determined from time to time.

**RESOLVED AND ADOPTED** this 16<sup>th</sup> day of May, 2016.

**Commissioners of DeKalb County:**

  
\_\_\_\_\_  
Donald D. Grogg, President

5.16.16  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Randall J. Deetz, Vice President

5/16/16  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Jacqueline R. Rowan, Member

\_\_\_\_\_  
Date

# 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 "Recipient"), HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the Department of Transportation it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 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 to its Federal Aid Transportation Program:

1. That the Recipient agrees that each "program" and each "facility as defined in subsections 21.23(e) and (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:

**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 it 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.

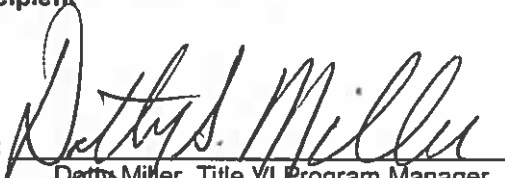
3. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to the Act and the Regulations.
4. That the Recipient shall insert the clauses of Appendix B of this assurance, as a covenant running with the land, in any deed from the United States effecting a 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.

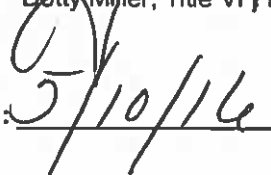
THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Recipient under the Federal-Aid Transportation Program and is binding on it, other 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.in.us

**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 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 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**, with 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**, 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 INDOT 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 its 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 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 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 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, **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 to and vest in and become the absolute property of **DeKalb County, Indiana** and its assigns.

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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.