

City of New Haven, Indiana



Title VI Program

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Compliance with Title VI, Environmental Justice, and Limited English Proficiency Requirements

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Introduction

As a recipient of federal assistance, the City of New Haven is required to comply with various nondiscrimination laws and regulations, including Title VI of the Civil Rights Act of 1964. Additionally, the Civil Rights Restoration Act of 1987 defined the word “program” to make clear that discrimination is prohibited throughout an entire agency if any part of the agency receives Federal assistance. Title VI of the Civil Rights Act of 1964 prohibits discrimination on Federal and Federally assisted projects and programs based upon race, color, and national origin. Since 1964, additional Title VI-like statutes have prohibited discrimination based upon sex (Federal-aid Highway Act of 1973), age (The Age Discrimination Act of 1975), and disability (Section 504 of the Rehabilitation Act of 1973 and Americans with Disabilities Act of 1990). Additionally, there are two Executive Orders that place further emphasis upon the Title VI protections of race and national origin. These are Executive Order 12898 (“Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations”) and Executive Order 13166 (“Improving Access to Services for Persons with Limited English Proficiency”). The Federal Highway Administration (FHWA) requires recipients of federal assistance to prepare a plan to clarify roles, responsibilities, and procedures to ensure compliance with Title VI. The Title VI Program and Implementation Plan is intended to communicate how the City of New Haven implements Title VI /Nondiscrimination requirements, including Environmental Justice (EJ) and Limited English Proficiency (LEP). The City of New Haven expects every department head, supervisor, employee, and contractor and subcontractor (hereinafter referred to as the sub-recipient) of federal assistance administered by the City of New Haven to be aware of and apply the intent of Title VI in performing assigned duties.

Authorities

The authorities applicable to the City of New Haven’s Title VI Program are included below:

- **Title VI of the Civil Rights Act of 1964** (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- **Federal-Aid Highway Act of 1973** (23 U.S.C. §324 et seq.), (prohibits discrimination on the basis of sex);
- **The Age Discrimination Act of 1975**, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- **Section 504 of the Rehabilitation Act of 1973**, (29 U.S.C. §794 et seq.), as amended, (prohibits discrimination on the basis of disability);
- **Americans with Disabilities Act of 1990** (ADA), as amended, (42 U.S.C. §12101 et seq.), (prohibits discrimination on the basis of disability);
- **The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act)**, as amended, 42 U.S.C. §4601; 4 Title VI/Nondiscrimination Plan
- **The National Environmental Policy Act of 1969**, 42 U.S.C. § 4321;
- **49 C.F.R. Part 21** (entitled Nondiscrimination in Federally-Assisted Programs of the Department Of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964);
- **49 C.F.R. Part 27** (entitled Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance);
- **49 C.F.R. Part 28** (entitled Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities Conducted by the Department of Transportation);
- **49 C.F.R. Part 37** (entitled Transportation Services for Individuals with Disabilities (ADA));

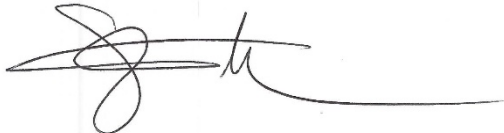
- **23 C.F.R. Part 200** (FHWA's Title VI/Nondiscrimination Regulation);
- **28 C.F.R. Part 35** (entitled Discrimination on the Basis of Disability in State and Local Government Services);
- **28 C.F.R. Part 50.3** (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);
- **Executive Order 12898**, 3 C.F.R. 859 (1995), entitled "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," emphasizes that Federal agencies should use existing laws to achieve Environmental Justice, in particular Title VI, to ensure nondiscrimination against minority populations. Recipients should be aware that certain Title VI matters raise Environmental Justice concerns and FHWA intends that all Recipients evaluate and revise existing procedures (as appropriate) to address and implement Environmental Justice considerations; and
- **Executive Order 13166**, 3 C.F.R. 289 (2001) on Limited-English-Proficiency, according to the U.S. Department of Justice in its Policy Guidance Document dated August 16, 2000 (65 Fed. Reg. at 50123), clarifies the responsibilities associated with the "application of Title VI's prohibition on national origin discrimination when information is provided only in English to persons with limited English proficiency." When receiving Federal funds. Recipients are expected to conduct a four-factor analysis to prevent discrimination based on National Origin. (See also U.S. Department of Transportation's "Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons," dated December 14, 2005, (70 Fed. Reg. at 74087 to 74100); the Guidance is a useful resource when performing a Four-Factor Analysis).

Title VI Policy Statement

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, national origin, disability, sex, 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 religion, race, color, national origin, disability, gender, 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).

The City of New Haven, Indiana is committed to ensuring that no person is excluded from participation in, or denied the benefits of its services on the basis of religion, race, color, national origin, sex, sexual orientation, gender identity, age, disability/handicap, low income status or limited English proficiency as protected with Title VI.

This plan was developed to guide the City of New Haven, Indiana in its administration and management of Title VI-related activities.

A handwritten signature in black ink, consisting of a stylized 'S' followed by a horizontal line and a small 'h'.

09/09/2021

Date

Organization and Staffing

This section identifies who is responsible for the Title VI Program oversight at the City of New Haven. It demonstrates how Title VI is integrated in the City's day-to-day operations and clearly identifies the general responsibilities of key players within the City.

Mayor Steven S. McMichael of the City of New Haven, Indiana is responsible for ensuring the implementation of the City's Title VI Program.

The Director of Human Resources, M. Elizabeth Hoffman serves as the Title VI Coordinator, on behalf of Mayor Terry McDonald, and is responsible for the overall management of the Title VI Program to ensure compliance with provisions of the City'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 is as follows:

M. Elizabeth Hoffman
Title VI Coordinator
815 Lincoln Hwy E.
New Haven, Indiana 46774
ehoffman@newhaven.in.gov
(260) 748-7019

Title VI Liaisons, under supervision of the Title VI Coordinator, are responsible for day-to-day administration of the Title VI Program, including implementation of the plan and Title VI compliance.

All employees and sub-recipients of the City of New Haven are expected to consider, respect and observe this policy in their daily work and duties.

Title VI Coordinator Responsibilities

The Title VI Coordinator is responsible for implementing, monitoring, and ensuring the City's compliance with Title VI regulations and the overall administration of the Title VI Program and Standard U.S. Title VI Assurances (Exhibit 1). 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 Mayor.
- **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 on Title VI current and new regulations for City employees; and facilitate Title VI training for Title VI Liaison. During New Employee Orientation, new employees shall be informed of the provisions of Title VI, and the city's expectations to perform their duties accordingly. A summary of training conducted will be reported in the annual update to INDOT. Sub-recipients will receive a copy of the City's Title VI Program and will be required to sign a Contractor and Subcontractor Title VI Acknowledgement (Exhibit 10).
- **Annual Title VI Report** – 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. Present the updated plan to the Mayor for approval; submit amended Plan to INDOT as required.
- **Annual Review of Title VI Program** – The Title VI Coordinator may conduct reviews of the City'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.
- **Public Dissemination** – Work with the Title VI Liaisons to develop and disseminate Title VI Program information to the City employees and sub-recipients, which includes contractors, subcontractors, consultants, sub-consultant and the general public. Public dissemination may include postings of official statements, inclusions of Title VI language in contracts or other agreements, Contractor website postings, and an annual publication of the City'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 2 for the City's Title VI Notice to the Public).
- **Resolution of Complaints** – The Title VI Coordinator will ensure the Complaint Procedure for filing, review and investigating Title VI complaints received by the City of New Haven will following procedural guidelines. Ensure every effort is made to resolve complaints and properly documented 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 City's processes.
- **Limited English Proficiency (LEP)** – Provide training to the Department Heads and the employees working with the public on procedure to follow when a person requests an interpreter.
- **Sub-recipient Compliance** – Review and monitor contracts and the Title VI Program with the sub-recipients. Ensure all contracts include the Title VI Assurances. All sub-recipients will receive the City's Title VI Program and be required to sign the Contractors and Subcontractors Title VI Acknowledgement.
- **Environmental Justice (EJ)** – Obtain and provide adequate training to ensure projects and day-to-day operations support environmental justice principles, and services.
- Attend Title VI Training as required by INDOT.

Department Head (Title VI Liaison) Responsibilities

The Department Heads are as follows:

Name	Title	Contact Number	Email Address
Natalie Strock	Clerk Treasurer	260-748-7012	nstrock@newhaven.in.gov
Josh Hale	Fire Chief	260-493-7500	jhale@newhaven.in.gov
Mike Clendenen	Park Superintendent	260-749-2212	mclendenen@newhaven.in.gov
Doug Call	Deputy Chief of EMS	260-749-1235	dcall@newhaven.in.gov
Dave Jones	Public Works Superintendent	260-748-7056	djones@newhaven.in.gov
Jeff McCracken	Police Chief	260-748-7097	jmccracken@newhaven.in.gov
Rob Gutierrez	Director of Planning	260-748-7042	rgutierrez@newhaven.in.gov
Pone Vongphachanh	Director of Economic and Community Development	260-748-7041	pone@newhaven.in.gov

Each Department Head within the City of New Haven are responsible for the following under Title VI:

- Promote Title VI awareness of requirements, policies, and processes;
- Ensure Title VI compliance in their respective department through policy, development, procedures, and monitoring;
- Ensuring all City contract documents contain the appropriate Title VI provisions;
- Consulting with the Mayor 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, gender, age, low income status or limited English proficiency;
- 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, gender, 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 Statement reference; and
- Provide information in the appropriate language or interpreters as needed for individuals with disabilities and LEP persons. Notifying the Title VI Coordinator immediately if there is a need for LEP assistance.

Department Head (Title VI Liaisons) Reporting

The Department Heads must submit the Title VI Compliance Review Form (Exhibit 6) 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 the City of New Haven's Title VI Program requirements. The Department Heads should prepare the report and submit it annually on or around February 28th 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/hearings 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 Program and procedures set in place for the City?
- Statistical data collected on ethnicity, race, gender and disability for all right-of-way relocates.
- Proof of public dissemination of the Title VI Program and 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;

Data Collection, Analysis & Reporting

The City collects various types of data to ensure compliance with Title VI. Some information is collected for a period with the objective of determining what data needs to be collected.

The following types of data are currently being collected by the City:

- Public Involvement Surveys
- Records of Employee Title VI required training
- Contracts with sub-recipients and the Contractor and Subcontractor Title VI Acknowledgement
- Records related to real estate transactions
- Records related to the installation of accessible pedestrian signals and other improvements related to improving the accessibility of the City's assets (City's ADA inventory)
- Environmental Justice analysis, studies and reports
- Complaints received, logged, processed and investigated by the City
- Limited English Proficiency requests
- Records of meeting minutes and discussions related to Title VI
- Newspaper advertisements for bids

Additional data being collected related to specific tasks and objectives if identified in the City's Goals and Accomplishments Reporting. It is within this report that the above information is summarized and published. This report is posted on the City's website each year after it has been submitted to INDOT for approval.

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 8). 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.

Environmental Justice (EJ)

It is the policy of the City of New Haven to consider whether any City decision, service, programs, policies and activities have an impact on minority and low-income populations to achieve an equitable distribution of benefits and burdens. This includes the full and fair participation by all potentially affected communities in the decision-making process. Environmental justice must be considered in all phases of planning.

Environmental justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, activities, and policies.

To support Title VI and environmental justice, the City must do the following:

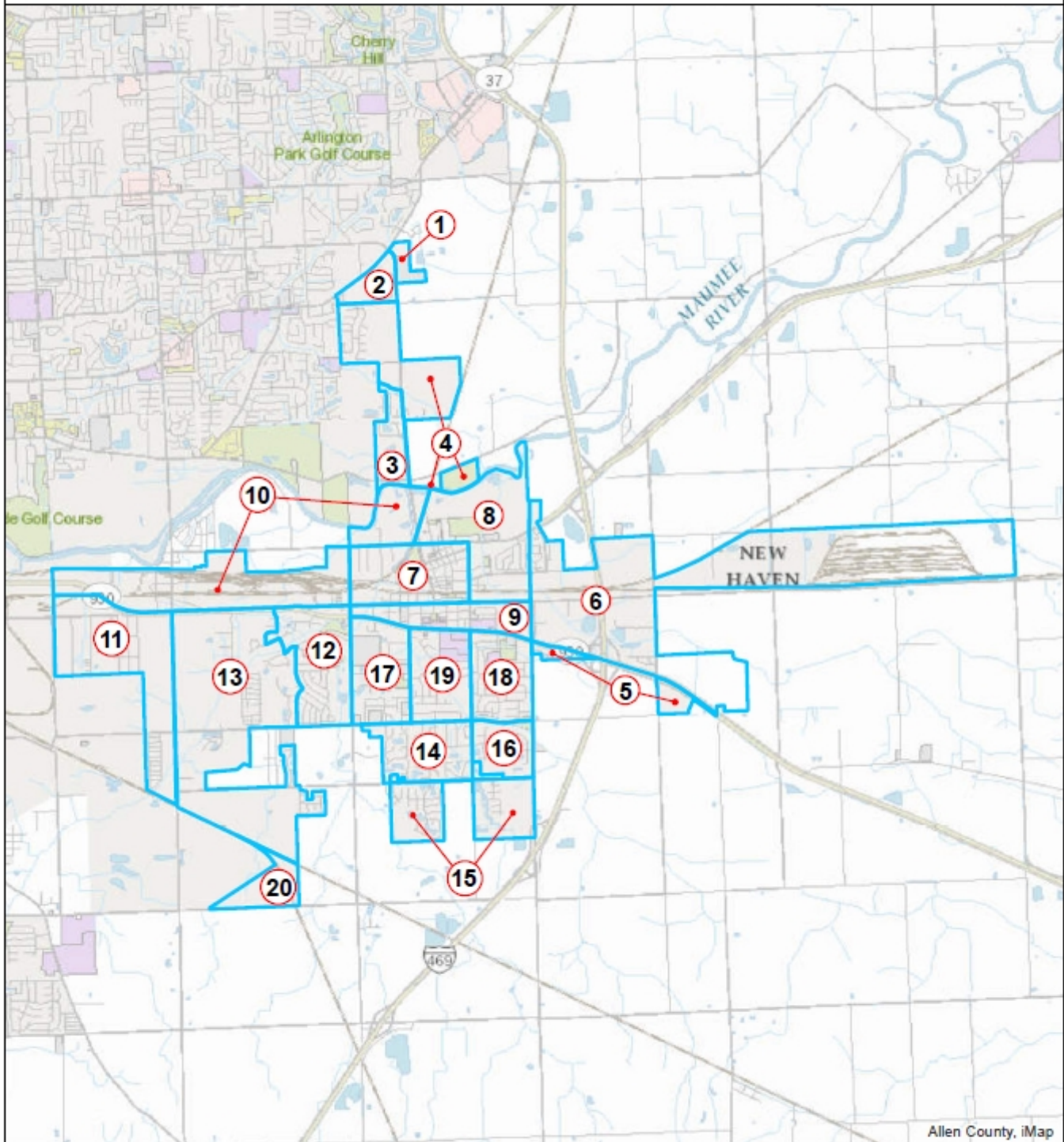
- Enhance their analytical capabilities to ensure that policies and long-range plans and improvement programs comply with Title VI;
- Identify residential, employment, low-income and minority populations so that their needs can be identified and addressed, and the benefits and burdens can be fairly distributed;
- Evaluate and – where necessary – improve their public involvement processes to eliminate participation barriers and engage minority and low-income populations in decision making.

Environmental Justice Analysis

The City of New Haven has a population of 15,583. The Demographic Analysis information was obtained from the 2018 American Community Survey (ACS). Populations evaluated include those living below the poverty level and minorities. ACS has broken the City of New Haven down into twenty blocks. Some of the block statistics include areas outside of the City's boundaries because of the way ACS has designated the areas within the blocks.

Refer to the EJ Analysis Map below:

Environmental Justice Analysis



City of New Haven
GIS Dept.
NHGIS
7/6/2020

0 2,000 4,000 8,000 Feet

NOTICE: © 2004 Government of Allen County, Indiana. Although strict accuracy standards have been employed in the completion of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.



In some of the blocks within the City's planning area, percentages of the protected populations are higher than other sections. Below is the demographic analysis for each block:

ACS Block Groups	Total Population	Median Household Income	Households Below Poverty Level	White	Black or African American	Hispanic or Latino	Asian	American Indian & Alaska Native	Native Hawaiian & Pacific Islander	Other or Two or More Race	Limited English Speaking Household	Median Age	Male	Female
1	2,010	\$50,000	131	1,475	354	130	82	16	0	0	13-Asian	43.5	826	1,184
2	1,525	\$62,759	28	1,377	119	63	9	0	0	0		46.2	690	835
3	2,732	\$63,920	51	2,659	61	73	0	0	0	0		40.6	1,287	1,445
4	1,714	\$62,763	19	1,613	0	14	101	0	0	0	10-Other	41.2	756	958
5	1,259	\$67,500	13	1,238	0	21	0	21	0	0		35.1	704	555
6	828	\$46,786	22	828	0	6	0	0	0	0		56.9	387	441
7	1,332	\$46,250	19	1,307	1	1	0	23	0	0		32.6	603	729
8	1,070	\$50,114	30	1,064	0	0	0	0	0	0		34.9	551	519
9	604	\$61,447	22	604	0	0	0	0	0	0		47	317	287
10	739	\$25,048	92	658	35	39	0	0	0	0		39.8	399	340
11	1,482	\$35,865	86	1,359	13	158	0	0	0	19		31	737	745
12	1,226	\$44,583	73	1,880	7	104	0	18	0	0		32.6	1,086	828
13	1,914	\$50,694	52	1,184	15	176	0	0	0	10	8-Spanish	37.4	556	670
14	1,035	\$59,597	8	1,013	0	32	17	0	5	0	8-Asian	61.1	485	550
15	1,031	\$71,739	0	949	46	77	0	0	0	31		28.1	496	535
16	1,145	\$54,643	7	827	214	136	35	0	0	6	11-Asian	28.7	591	554
17	1,218	\$60,313	22	1,192	12	20	0	0	0	0		49.8	564	654
18	1,564	\$54,732	44	1,503	0	87	0	0	0	0		37.1	626	938
19	705	\$51,786	19	678	0	0	0	0	0	0		45.1	416	289
20	742	\$45,815	42	447	197	80	38	0	0	0	19-Asian	48.1	386	356

Environmental Justice Projects/Operation Evaluation

Evaluations have been conducted to assess the benefits and adverse effects of projects and operations within the City among different population groups and use that capability to develop appropriate procedures, goals, and performance measures in all aspects of their mission. The Environmental Justice Evaluation Form (Exhibit 9) may be used to evaluate projects and day-to-day operations.

Snow and Ice Removal Operation: The Street Department maintains the roads in the City during the winter months. The City has been divided into three major snow and ice removal sections, with four drivers assigned to each of these sections. The main roadways are a priority one, with the secondary streets and residential areas a priority two. Each driver has been instructed to alternate their assigned section to ensure a fair process for everyone.

Fall Leaf Pick-up Operation: The Street Department is responsible for the fall leaf pick-up in the residential areas. The City has been divided into two sections. The leaf pick-up schedule is sent to each resident with the September billing cycle and is posted on the City's website. Each driver has been instructed to alternate their assigned section to ensure a fair process for everyone.

Right-of-Way and Construction Projects: Project plans and updates are posted on the City's Website. Road construction and closures are put in the local newspapers and posted on the City's Website. Each year the Engineering Department goes through a process to determine what projects need to be completed in the upcoming year for the betterment of the City. They look at the scope of the project, costs, the environmental impacts, severity of the need, benefits the project will provide and then the projects are ranked and prioritized.

Complaint Process

The City will promptly investigate all properly submitted complaints of alleged discrimination. The City 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 City will submit its final investigative report to INDOT. The City's complaint process provides a procedure for appeal of all unsubstantiated claims of discrimination.

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 calendar days of its receipt. The City will determine whether the person or entity purportedly engaged in the alleged discriminatory act is a City sub-recipient (the legal entity to which the City 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 City sub-recipient, the City 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 Right Act of 1964 and its related statutes, 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 City will make every effort to facilitate a voluntary early resolution of complaints at the lowest level possible. The City 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 City 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 City service, program or activity whether federally funded or not, based on their religion, race, color, national origin, sex, sexual orientation, gender identity, age, disability/handicap, 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 City or a sub-recipient to be considered timely, it must be filed within 180 calendar days after the alleged incident has occurred. The city may waive the 180-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 City.

The City 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 City 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 180-day time limit. The complainant must file his or her complaint within 60 days of becoming knowledgeable of the violation.

- **Incapacitation**

The City 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 City 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 City'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 City will acknowledge complaints received by fax or email and will process them once the City establishes the identity of the Complainant. Complainants must mail a signed, original copy of the fax or email transmittal to the City to begin the complaint process. The City does not require a Complainant to use the City's complaint form for submitting his or her complaint.

Direct Title VI complaints to:
M. Elizabeth Hoffman
Title VI Coordinator
815 Lincoln Highway E
New Haven, IN 46774
Ehoffman@newhaven.in.gov
(260) 748-7019 (Phone)

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 City's website at: <http://www.newhaven.in.gov>. Additionally, a complete complaint is filed within 180 calendar days of the alleged discriminatory act(s) and includes at minimum the following information:

- The full name and address of the Complainant;
- The full name and address of the Respondent, the individual, agency, department or program that allegedly discriminated against Complainant; 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 religion, race, color,

national origin, sex, sexual orientation, gender identity, age, disability/handicap, 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 City 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 4) by sequential case number based on the year, month and order in which the City received the complaint. For example, if the City received its first complaint on March 4, 2015, the case number would be 2015-03-01.
- 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 City'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 City 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 City to investigate all complete complaints; however, the City 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 City's Title VI jurisdiction;
- Untimely complaints filed more than 180 days after the alleged discriminatory acts;
- Complaints voluntarily withdrawn by the Complainant;
- Complaints in which the investigation has been impaired by the City'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 City;
- Complaints containing the same allegations and issues that have been addressed in a recently closed complaint or compliance review conducted by the City;
- Complaints containing allegations that are foreclosed by previous decisions by the Federal courts, Department of Justice or the City 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 City 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 City 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 City'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 City will forward the appeal and the record within seven 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 City Mayor.

Confidentiality

In accordance with DOT Order 1000.12, the City 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 City 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 years after the completion of the investigation.

Summary of Complaints Received

- As of December 31st, 2020 there have been no complaints received.

Communication and Notification to the Public

All members of the public are ensured protections against discrimination which are afforded to them by Title VI, and the Environmental Justice and Limited English Proficiency Executive Orders. To ensure open communication with the public, the City will adhere to the following requirements:

- The City will disseminate agenda and public meeting information to members of the public via accessible printed and electronic media, including postings on the City's website and in the Fort Wayne Journal Gazette.
- Public notices of meetings will be posted at the location of the meeting site.
- In appropriate documents, the City will include a statement that the agency complies with Title VI by assuring that no person shall on the grounds of race, color, national origin, gender, age, or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity under any City program, activity, or service.

Public Participation and Outreach

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

The City of New Haven, Indiana will make available a Voluntary Title VI Public Involvement Survey (Exhibit 5) 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 years from the date of the meeting or hearing.

Title VI Civil Rights Compliance Reviews

The City of New Haven, Indiana performs annual reviews to determine overall compliance with Title VI of the Civil Rights Act of 1964, which prohibits discrimination against person(s) based on race, color, national origin, disability, sex, age, low income status or limited English proficiency in programs or activities, receiving Federal financial assistance. The City of New Haven performs annual reviews through interviews and document reviews within each department. (See Exhibit 6 Compliance Review Form).

Limited English Proficiency (LEP) Plan

This Limited English Proficiency Plan has been prepared to address the City of New Haven, 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, sex, 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 City of New Haven departments and divisions receiving federal grand funds.

In developing the plan while determining the City of New Haven's extent of obligation to provide LEP services, the City of New Haven 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 City program, activity, or service.**

The City of New Haven has a population of 14,794 based on the 2010 U.S. Census. The total population for the City of New Haven 5 years of age and older is 13,979 based on the 2009-2013 5 Year Community Survey. The 2009-2013 5 Year Community Survey determined that 262 (1.8% of the City's population) persons in New Haven 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 2009-2013 5 Year Community Survey there were 236 (1.6% of the City'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 City program, activity, or service.**

The City of New Haven implemented the LEP Plan on August 1, 2015 therefore the City will assess the frequency at which employees have or could have contact with LEP persons over the next six months. Timeframe assessed was August 1, 2015 through February 29, 2016 and there were no contacts reported.

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

The majority of the population, 98.2% in the City of New Haven speak only English. Based on the 2009-2013 5 Year Community Survey the largest geographic concentration of any one type of LEP individuals within the City of New Haven's service area is Spanish or Spanish Creole.

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

The City of New Haven reviewed its available resources that could be used for providing LEP assistance and determined the best resource available is an interpreting and document translation service called SpanicUS. SpanicUS provides on-demand or by appointment service and has been made available to all the City Departments if the need should arise. The cost is \$55.00 per hour plus mileage if travel is required. Language assistance services are available at no cost to the LEP person.

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 the City of New Haven'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 of a message from one language into another language. The City of New Haven will determine when interpretation and/or translation are needed and are reasonable. How the City of New Haven 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.
- Have Language Identification Flashcards (see Exhibit 7) available at City 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 the City of New Haven of LEP individuals, that is, persons who speak English "not well" or "not at all", the City of New Haven will strive to offer language assistance using the following measures:

- If an individual, ask for language assistance and the City of New Haven determines that the individual is an LEP person and if language assistance is necessary to provide meaningful access. The City of New Haven 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.

- The City of New Haven will periodically assess the need for language assistance based on requests for interpreters and/or translation.

Summary of Language Services requests 2020

- As of December 31, 2020, there have been zero (0) requests for language services.

Exhibit 1

City of New Haven, Indiana

Standard U.S. DOT Title VI Assurances

The City of New Haven, 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, 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 be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from the Department of Transportation, including the Indiana Department of Transportation, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by Title 49 of Federal Regulations, subsection 21.7(a) (1) and Title 23 Code of Federal Regulations, section 200.9(a) (1) of the Regulations, a copy of which is attached.

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


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

The City of New Haven, Indiana, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation and Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes, issued pursuant to such Acts, hereby notifies all bidders that it will affirmatively insure that in any contact entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of 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 Acts and the Regulations.
4. That the Recipient shall insert the clauses of Appendix B of this assurance, 'as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over or under such property.

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

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



Mayor Steven S. McMichael

09/10/2021

Date

APPENDIX A

The City of New Haven, Indiana will insert or add the following clauses into every contract subject to the Act and Regulations associated with the receipt of federal financial assistance:

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

- (1) Compliance with Regulations:** The contractor shall comply with the Regulation relative to nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, and the Federal Highway Administration (hereinafter "FHWA") Title 23, Code of Federal Regulations, Part 200 as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
- (2) Nondiscrimination:** The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of religion, race, color, national origin, sex, sexual orientation, gender identity, age, disability/handicap and low income in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by section 49 CFR, section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- (3) Solicitations for Subcontractors, Including Procurements of Materials and Equipment:**
In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of religion, race, color, or national origin, sex, sexual orientation, gender identity, age disability/handicap and low income.
- (4) Information and Reports:** The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the City of New Haven, Indiana or the Indiana Department of Transportation (hereinafter, "INDOT") or the Federal Highway Administration (FWHA) to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to the City of New Haven, Indiana, or 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 this contract, the City of New Haven, Indiana shall impose such contract sanctions as it or INDOT or FHWA may determine to be appropriate, including, but not limited to:
 - (a) withholding of payments to the contractor under the contract until the contractor complies, and/or
 - (b) cancellation, termination or suspension of the contract, in whole or in part.
- (6) Incorporation of Provisions:** The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto.

The contractor shall take such action with respect to any subcontractor procurement as the City of New Haven, Indiana or INDOT or FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the City of New Haven, Indiana to enter into such litigation to protect the interests of the City of New Haven, 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

When the City of New Haven, Indiana is the recipient of real property, structures or improvements thereon, or interest therein from the United States, the following clauses shall be included in any and all deeds affecting or recording the transfer of property:

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

(GRANTING CLAUSE)

NOW, THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that the City of New Haven, Indiana will accept Title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code of Federal Regulations, the Regulations for the Administration of Federal Aid Highway 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 (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 to 2000d-4), does hereby remise, release, quitclaim and convey unto the City of New Haven, Indiana all the right, Title and interest of the Department of Transportation in and to said lands described in Exhibit "A" attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto the City of New Haven, 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 the City of New Haven, Indiana, its successors and assigns.

The City of New Haven, Indiana, in consideration or 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, or national origin, sex, sexual orientation, gender identity, age , disability/handicap and low income be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on over or under such lands hereby conveyed [,] [and)* (2) that the City of New Haven, 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 Regulation, 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 reenter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.*

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

APPENDIX C

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by the City of New Haven, 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, the City of New Haven, 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, the City of New Haven, 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 the City of New Haven, Indiana and its assigns.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by the City of New Haven, 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.]*

* 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.

That in the event of breach of any of the above nondiscrimination covenants, the City of New Haven, Indiana shall have the right to terminate the [license, lease, permit, etc.] and to reenter and repossess said land and the facilities thereon, and hold the same as if said [license, lease, permit, etc.] had never been made or issued.

[Include in deeds]*

That in the event of breach of any of the above nondiscrimination covenants, the City of New Haven, Indiana shall have the right to reenter said land and facilities there-on, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the City of New Haven, Indiana and its assigns.

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

Exhibit 2

City of New Haven, Indiana Title VI Notice to the Public

The City of New Haven, Indiana hereby gives public notice that it is the City'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 statues and regulations in all programs and activities. Title VI requires that no person shall, on the grounds of race, color, national origin, disability, sex, 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 the City of New Haven, 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 the City of New Haven, Indiana. Any such complaint must be filed with the City of New Haven, Indiana's within one hundred, eighty (180) days following the date of the alleged discriminatory occurrence. Title VI Discrimination Complaint forms may be obtained from the City of New Haven, Indiana at no cost to the complainant by calling 260-748-7019 or emailing HR@newhaven.in.gov. The Title VI Discrimination Complaint forms may also be obtained on the City's official website at www.newhaven.in.gov.

Exhibit 3

TITLE VI COMPLAINT OF DISCRIMINATION

<p>M. Elizabeth Hoffman, Title VI Coordinator City of New Haven, Indiana 815 Lincoln Hwy E New Haven, IN 46774 Telephone number: 260-748-7019 Fax number: 260-748-7075 E-mail address: Ehoffman@newhaven.in.gov</p>

INSTRUCTIONS:

The purpose of this form is to help any person interested in filing a discrimination complaint with the City of New Haven, Indiana. If the complaint is against the City of New Haven, Indiana, the City's Title VI Coordinator will forward it to the appropriate federal agency for investigation.

You are not required to use this form. You may write a letter with the same information, sign it and return it to the address 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, sex, age, low income status or limited English proficiency 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 the City of New Haven, Indiana as a direct recipient of federal financial assistance and to its sub-recipients, consultants, and contractors, whether federally funded or not.

The City of New Haven, 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 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 the City of New Haven, Indiana. Additionally, you have a right to seek private counsel.

The City of New Haven, 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 180 days of the date of the alleged discriminatory act. If the alleged act of discrimination occurred more than 180 days ago, please explain your delay in filing this complaint.

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

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

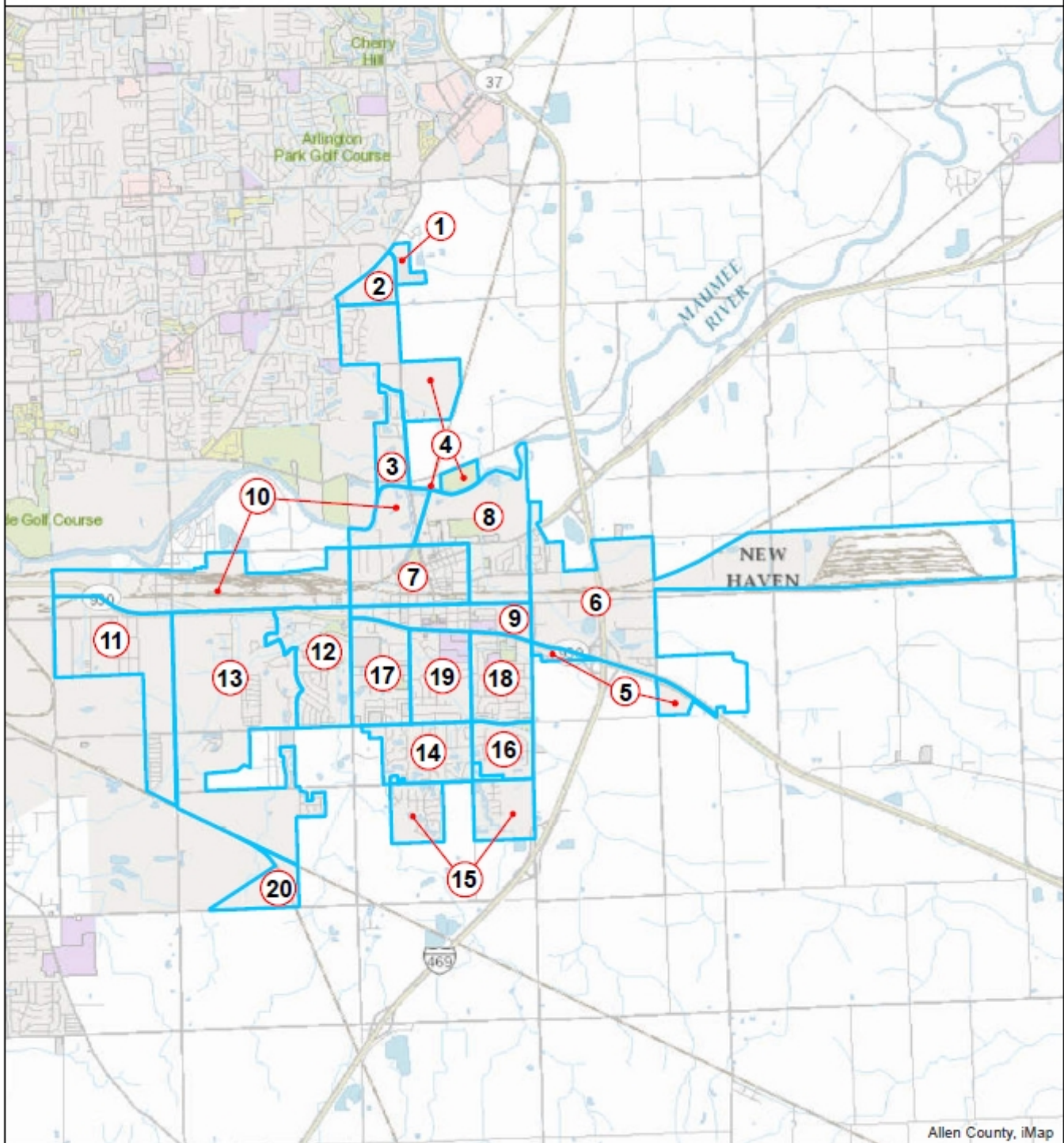
PERSON/AGENCY/COMPANY YOU BELIEVE DISCRIMINATED AGAINST YOU		
Name (first, middle, and last)	Title	
Name of company		
Address (number and street, city, state and ZIP code)		
Home telephone number () -	Work telephone number () -	Cellular telephone number () -
When was the last alleged discriminatory act?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

<p>Complaints of discrimination must be filed within 180 days of the date of the alleged discriminatory act. If the alleged act of discrimination occurred more than 180 days ago, please explain your delay in filing this complaint.</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
<p>The alleged discrimination was based on:</p> <p> <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> Age <input type="checkbox"/> Gender <input type="checkbox"/> National Origin <input type="checkbox"/> LEP <input checked="" type="checkbox"/> Disability <input type="checkbox"/> Ancestry <input type="checkbox"/> Retaliation <input type="checkbox"/> Religious Affiliation <input type="checkbox"/> Income Status </p>

.....		
Name of complainant		Date (month, day, year)
Provide the names of any individuals with additional information regarding your complaint:		
Name of witness 1 (first, middle, and last)		Title
Name of company		
Address (number and street, city state and ZIP code)		
Home telephone number () -	Work telephone number () -	Cellular telephone number () -
Include a brief description of the relevant information the witness may provide to support your complaint of discrimination.		
Name of witness 2 (first, middle, and last)		Title
Name of company		
Address (number and street, city state and ZIP code)		
Home telephone number () -	Work telephone number () -	Cellular telephone number () -
Include a brief description of the relevant information the witness may provide to support your complaint of discrimination.		
Name of witness 3 (first, middle, and last)		Title
Name of company		
Address (number and street, city state and ZIP code)		
Home telephone number () -	Work telephone number () -	Cellular telephone number () -
Include a brief description of the relevant information the witness may provide to support your complaint of discrimination.		

Have you filed a complaint alleging the same discrimination with another state or federal agency?

Environmental Justice Analysis



City of New Haven
GIS Dept.
NHGIS
7/6/2020

0 2,000 4,000 8,000 Feet

NOTICE: © 2004 Government of Allen County, Indiana. Although strict accuracy standards have been employed in the completion of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.



In some of the blocks within the City's planning area, percentages of the protected populations are higher than other sections. Below is the demographic analysis for each block:

ACS Block Groups	Total Population	Median Household Income	Households Below Poverty Level	White	Black or African American	Hispanic or Latino	Asian	American Indian & Alaska Native	Native Hawaiian & Pacific Islander	Other or Two or More Race	Limited English Speaking Household	Median Age	Male	Female
1	2,010	\$50,000	131	1,475	354	130	82	16	0	0	13-Asian	43.5	826	1,184
2	1,525	\$62,759	28	1,377	119	63	9	0	0	0		46.2	690	835
3	2,732	\$63,920	51	2,659	61	73	0	0	0	0		40.6	1,287	1,445
4	1,714	\$62,763	19	1,613	0	14	101	0	0	0	10-Other	41.2	756	958
5	1,259	\$67,500	13	1,238	0	21	0	21	0	0		35.1	704	555
6	828	\$46,786	22	828	0	6	0	0	0	0		56.9	387	441
7	1,332	\$46,250	19	1,307	1	1	0	23	0	0		32.6	603	729
8	1,070	\$50,114	30	1,064	0	0	0	0	0	0		34.9	551	519
9	604	\$61,447	22	604	0	0	0	0	0	0		47	317	287
10	739	\$25,048	92	658	35	39	0	0	0	0		39.8	399	340
11	1,482	\$35,865	86	1,359	13	158	0	0	0	19		31	737	745
12	1,226	\$44,583	73	1,880	7	104	0	18	0	0		32.6	1,086	828
13	1,914	\$50,694	52	1,184	15	176	0	0	0	10	8-Spanish	37.4	556	670
14	1,035	\$59,597	8	1,013	0	32	17	0	5	0	8-Asian	61.1	485	550
15	1,031	\$71,739	0	949	46	77	0	0	0	31		28.1	496	535
16	1,145	\$54,643	7	827	214	136	35	0	0	6	11-Asian	28.7	591	554
17	1,218	\$60,313	22	1,192	12	20	0	0	0	0		49.8	564	654
18	1,564	\$54,732	44	1,503	0	87	0	0	0	0		37.1	626	938
19	705	\$51,786	19	678	0	0	0	0	0	0		45.1	416	289
20	742	\$45,815	42	447	197	80	38	0	0	0	19-Asian	48.1	386	356

Environmental Justice Projects/Operation Evaluation

Evaluations have been conducted to assess the benefits and adverse effects of projects and operations within the City among different population groups and use that capability to develop appropriate procedures, goals, and performance measures in all aspects of their mission. The Environmental Justice Evaluation Form (Exhibit 9) may be used to evaluate projects and day-to-day operations.

Snow and Ice Removal Operation: The Street Department maintains the roads in the City during the winter months. The City has been divided into three major snow and ice removal sections, with four drivers assigned to each of these sections. The main roadways are a priority one, with the secondary streets and residential areas a priority two. Each driver has been instructed to alternate their assigned section to ensure a fair process for everyone.

Fall Leaf Pick-up Operation: The Street Department is responsible for the fall leaf pick-up in the residential areas. The City has been divided into two sections. The leaf pick-up schedule is sent to each resident with the September billing cycle and is posted on the City's website. Each driver has been instructed to alternate their assigned section to ensure a fair process for everyone.

Right-of-Way and Construction Projects: Project plans and updates are posted on the City's Website. Road construction and closures are put in the local newspapers and posted on the City's Website. Each year the Engineering Department goes through a process to determine what projects need to be completed in the upcoming year for the betterment of the City. They look at the scope of the project, costs, the environmental impacts, severity of the need, benefits the project will provide and then the projects are ranked and prioritized.

Complaint Process

The City will promptly investigate all properly submitted complaints of alleged discrimination. The City 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 City will submit its final investigative report to INDOT. The City's complaint process provides a procedure for appeal of all unsubstantiated claims of discrimination.

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 calendar days of its receipt. The City will determine whether the person or entity purportedly engaged in the alleged discriminatory act is a City sub-recipient (the legal entity to which the City 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 City sub-recipient, the City 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 Right Act of 1964 and its related statutes, 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 City will make every effort to facilitate a voluntary early resolution of complaints at the lowest level possible. The City 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 City 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 City service, program or activity whether federally funded or not, based on their religion, race, color, national origin, sex, sexual orientation, gender identity, age, disability/handicap, 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 City or a sub-recipient to be considered timely, it must be filed within 180 calendar days after the alleged incident has occurred. The city may waive the 180-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 City.

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The City 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 City 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 180-day time limit. The complainant must file his or her complaint within 60 days of becoming knowledgeable of the violation.

Incapacitation

The City 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 City 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 City'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 City will acknowledge complaints received by fax or email and will process them once the City establishes the identity of the Complainant. Complainants must mail a signed, original copy of the fax or email transmittal to the City to begin the complaint process. The City does not require a Complainant to use the City's complaint form for submitting his or her complaint.

Direct Title VI complaints to:
M. Elizabeth Hoffman
Title VI Coordinator
815 Lincoln Highway E
New Haven, IN 46774
Ehoffman@newhaven.in.gov
(260) 748-7019 (Phone)

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 City's website at: <http://www.newhaven.in.gov>. Additionally, a complete complaint is filed within 180 calendar days of the alleged discriminatory act(s) and includes at minimum the following information:

- The full name and address of the Complainant;
- The full name and address of the Respondent, the individual, agency, department or program that allegedly discriminated against Complainant; 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 religion, race, color,

national origin, sex, sexual orientation, gender identity, age, disability/handicap, 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 City 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 4) by sequential case number based on the year, month and order in which the City received the complaint. For example, if the City received its first complaint on March 4, 2015, the case number would be 2015-03-01.
- 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 City'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 City 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 City to investigate all complete complaints; however, the City 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 City's Title VI jurisdiction;
- Untimely complaints filed more than 180 days after the alleged discriminatory acts;
- Complaints voluntarily withdrawn by the Complainant;
- Complaints in which the investigation has been impaired by the City'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 City;
- Complaints containing the same allegations and issues that have been addressed in a recently closed complaint or compliance review conducted by the City;
- Complaints containing allegations that are foreclosed by previous decisions by the Federal courts, Department of Justice or the City 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 City 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 City 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 City'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 City will forward the appeal and the record within seven 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 City Mayor.

Confidentiality

In accordance with DOT Order 1000.12, the City 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 City 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 years after the completion of the investigation.

Summary of Complaints Received

As of December 31st, 2020 there have been no complaints received.

Communication and Notification to the Public

All members of the public are ensured protections against discrimination which are afforded to them by Title VI, and the Environmental Justice and Limited English Proficiency Executive Orders. To ensure open communication with the public, the City will adhere to the following requirements:

The City will disseminate agenda and public meeting information to members of the public via accessible printed and electronic media, including postings on the City's website and in the Fort Wayne Journal Gazette.

Public notices of meetings will be posted at the location of the meeting site.

In appropriate documents, the City will include a statement that the agency complies with Title VI by assuring that no person shall on the grounds of race, color, national origin, gender, age, or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity under any City program, activity, or service.

Public Participation and Outreach

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

The City of New Haven, Indiana will make available a Voluntary Title VI Public Involvement Survey (Exhibit 5) 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 years from the date of the meeting or hearing.

Title VI Civil Rights Compliance Reviews

The City of New Haven, Indiana performs annual reviews to determine overall compliance with Title VI of the Civil Rights Act of 1964, which prohibits discrimination against person(s) based on race, color, national origin, disability, sex, age, low income status or limited English proficiency in programs or activities, receiving Federal financial assistance. The City of New Haven performs annual reviews through interviews and document reviews within each department. (See Exhibit 6 Compliance Review Form).

Limited English Proficiency (LEP) Plan

This Limited English Proficiency Plan has been prepared to address the City of New Haven, 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, sex, 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 City of New Haven departments and divisions receiving federal grand funds.

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

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

The City of New Haven has a population of 14,794 based on the 2010 U.S. Census. The total population for the City of New Haven 5 years of age and older is 13,979 based on the 2009-2013 5 Year Community Survey. The 2009-2013 5 Year Community Survey determined that 262 (1.8% of the City's population) persons in New Haven 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 2009-2013 5 Year Community Survey there were 236 (1.6% of the City'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".

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

The City of New Haven implemented the LEP Plan on August 1, 2015 therefore the City will assess the frequency at which employees have or could have contact with LEP persons over the next six months. Timeframe assessed was August 1, 2015 through February 29, 2016 and there were no contacts reported.

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

The majority of the population, 98.2% in the City of New Haven speak only English. Based on the 2009-2013 5 Year Community Survey the largest geographic concentration of any one type of LEP individuals within the City of New Haven's service area is Spanish or Spanish Creole.

The resources available to the City and overall cost to provide LEP assistance.

The City of New Haven reviewed its available resources that could be used for providing LEP assistance and determined the best resource available is an interpreting and document translation service called SpanicUS. SpanicUS provides on-demand or by appointment service and has been made available to all the City Departments if the need should arise. The cost is \$55.00 per hour plus mileage if travel is required. Language assistance services are available at no cost to the LEP person.

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 the City of New Haven'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 of a message from one language into another language. The City of New Haven will determine when interpretation and/or translation are needed and are reasonable. How the City of New Haven 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.

Have Language Identification Flashcards (see Exhibit 7) available at City 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 the City of New Haven of LEP individuals, that is, persons who speak English "not well" or "not at all", the City of New Haven will strive to offer language assistance using the following measures:

If an individual, ask for language assistance and the City of New Haven determines that the individual is an LEP person and if language assistance is necessary to provide meaningful access. The City of New Haven 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.

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The City of New Haven will periodically assess the need for language assistance based on requests for interpreters and/or translation.

Summary of Language Services requests 2020

As of December 31, 2020, there have been zero (0) requests for language services.

Exhibit 1

City of New Haven, Indiana

Standard U.S. DOT Title VI Assurances

The City of New Haven, 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, 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 be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from the Department of Transportation, including the Indiana Department of Transportation, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by Title 49 of Federal Regulations, subsection 21.7(a) (1) and Title 23 Code of Federal Regulations, section 200.9(a) (1) of the Regulations, a copy of which is attached.

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

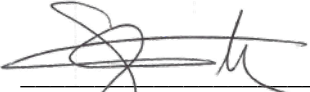
1. That the Recipient agrees that each "program" and each "facility as defined in subsections 21.23(e) and (b) and 23 CFR 200.5(k) and (g) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed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

The City of New Haven, Indiana, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation and Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes, issued pursuant to such Acts, hereby notifies all bidders that it will affirmatively insure that in any contact entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of 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 Acts and the Regulations.
4. That the Recipient shall insert the clauses of Appendix B of this assurance, 'as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over or under such property.

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

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



Mayor Steven S. McMichael

09/10/2021

Date

APPENDIX A

The City of New Haven, Indiana will insert or add the following clauses into every contract subject to the Act and Regulations associated with the receipt of federal financial assistance:

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:

Compliance with Regulations: The contractor shall comply with the Regulation relative to nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, and the Federal Highway Administration (hereinafter "FHWA") Title 23, Code of Federal Regulations, Part 200 as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

Nondiscrimination: The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of religion, race, color, national origin, sex, sexual orientation, gender identity, age, disability/handicap and low income in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by section 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.

Solicitations for Subcontractors, Including Procurements of Materials and Equipment:

In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of religion, race, color, or national origin, sex, sexual orientation, gender identity, age disability/handicap and low income.

Information and Reports: The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the City of New Haven, Indiana or the Indiana Department of Transportation (hereinafter, "INDOT") or the Federal Highway Administration (FWHA) to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to the City of New Haven, Indiana, or 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.

Sanctions for Noncompliance: In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the City of New Haven, Indiana shall impose such contract sanctions as it or INDOT or FHWA may determine to be appropriate, including, but not limited to:

withholding of payments to the contractor under the contract until the contractor complies, and/or

cancellation, termination or suspension of the contract, in whole or in part.

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 procurement as the City of New Haven, Indiana or INDOT or FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the City of New Haven, Indiana to enter into such litigation to protect the interests of the City of New Haven, 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

When the City of New Haven, Indiana is the recipient of real property, structures or improvements thereon, or interest therein from the United States, the following clauses shall be included in any and all deeds affecting or recording the transfer of property:

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

(GRANTING CLAUSE)

NOW, THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that the City of New Haven, Indiana will accept Title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code of Federal Regulations, the Regulations for the Administration of Federal Aid Highway 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 (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 to 2000d-4), does hereby remise, release, quitclaim and convey unto the City of New Haven, Indiana all the right, Title and interest of the Department of Transportation in and to said lands described in Exhibit "A" attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto the City of New Haven, 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 the City of New Haven, Indiana, its successors and assigns.

The City of New Haven, Indiana, in consideration or 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, or national origin, sex, sexual orientation, gender identity, age , disability/handicap and low income be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on over or under such lands hereby conveyed [,] [and)* (2) that the City of New Haven, 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 Regulation, 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 reenter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.*

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

APPENDIX C

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by the City of New Haven, 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, the City of New Haven, 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, the City of New Haven, 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 the City of New Haven, Indiana and its assigns.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by the City of New Haven, 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.]*

* 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.

That in the event of breach of any of the above nondiscrimination covenants, the City of New Haven, Indiana shall have the right to terminate the [license, lease, permit, etc.] and to reenter and repossess said land and the facilities thereon, and hold the same as if said [license, lease, permit, etc.] had never been made or issued.

[Include in deeds]*

That in the event of breach of any of the above nondiscrimination covenants, the City of New Haven, Indiana shall have the right to reenter said land and facilities there-on, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the City of New Haven, Indiana and its assigns.

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

Exhibit 2

City of New Haven, Indiana Title VI Notice to the Public

The City of New Haven, Indiana hereby gives public notice that it is the City'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 statues and regulations in all programs and activities. Title VI requires that no person shall, on the grounds of race, color, national origin, disability, sex, 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 the City of New Haven, 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 the City of New Haven, Indiana. Any such complaint must be filed with the City of New Haven, Indiana's within one hundred, eighty (180) days following the date of the alleged discriminatory occurrence. Title VI Discrimination Complaint forms may be obtained from the City of New Haven, Indiana at no cost to the complainant by calling 260-748-7019 or emailing HR@newhaven.in.gov. The Title VI Discrimination Complaint forms may also be obtained on the City's official website at www.newhaven.in.gov.

Exhibit 3

TITLE VI COMPLAINT OF DISCRIMINATION

<p>M. Elizabeth Hoffman, Title VI Coordinator City of New Haven, Indiana 815 Lincoln Hwy E New Haven, IN 46774 Telephone number: 260-748-7019 Fax number: 260-748-7075 E-mail address: Ehoffman@newhaven.in.gov</p>

INSTRUCTIONS:

The purpose of this form is to help any person interested in filing a discrimination complaint with the City of New Haven, Indiana. If the complaint is against the City of New Haven, Indiana, the City's Title VI Coordinator will forward it to the appropriate federal agency for investigation.

You are not required to use this form. You may write a letter with the same information, sign it and return it to the address 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, sex, age, low income status or limited English proficiency 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 the City of New Haven, Indiana as a direct recipient of federal financial assistance and to its sub-recipients, consultants, and contractors, whether federally funded or not.

The City of New Haven, 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 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 the City of New Haven, Indiana. Additionally, you have a right to seek private counsel.

The City of New Haven, 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 180 days of the date of the alleged discriminatory act. If the alleged act of discrimination occurred more than 180 days ago, please explain your delay in filing this complaint.

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

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

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

Complaints of discrimination must be filed within 180 days of the date of the alleged discriminatory act. If the alleged act of discrimination occurred more than 180 days ago, please explain your delay in filing this complaint.	
.....	
.....	
.....	
.....	
.....	
.....	
The alleged discrimination was based on:	
<input type="checkbox"/> Race	<input type="checkbox"/> Color
<input type="checkbox"/> Age	<input type="checkbox"/> Gender
<input type="checkbox"/> National Origin	<input type="checkbox"/> LEP
<input checked="" type="checkbox"/> Disability	<input type="checkbox"/> Ancestry
<input type="checkbox"/> Retaliation	<input type="checkbox"/> Religious Affiliation
<input type="checkbox"/> Income Status	

.....		
Name of complainant		Date (month, day, year)
Provide the names of any individuals with additional information regarding your complaint:		
Name of witness 1 (first, middle, and last)		Title
Name of company		
Address (number and street, city state and ZIP code)		
Home telephone number () -	Work telephone number () -	Cellular telephone number () -
Include a brief description of the relevant information the witness may provide to support your complaint of discrimination.		
Name of witness 2 (first, middle, and last)		Title
Name of company		
Address (number and street, city state and ZIP code)		
Home telephone number () -	Work telephone number () -	Cellular telephone number () -
Include a brief description of the relevant information the witness may provide to support your complaint of discrimination.		
Name of witness 3 (first, middle, and last)		Title
Name of company		
Address (number and street, city state and ZIP code)		
Home telephone number () -	Work telephone number () -	Cellular telephone number () -
Include a brief description of the relevant information the witness may provide to support your complaint of discrimination.		

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? <input type="checkbox"/> Yes <input type="checkbox"/> No	
<i>If yes, please provide the following information for each agency:</i>	
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 the City of New Haven, Indiana?	
Signature	Date signed (month, day, year)

Exhibit 4

City of New Haven, Indiana							
TITLE VI COMPLAINT LOG					YEAR:		
Case No.	Investigator(s)	Complainant	Sub-recipient	Basis of Complaint (race, color, national origin, etc.)	Date Filed	Date of Final Report	Action Taken

Exhibit 5

Voluntary Title VI Public Involvement Survey

As an obligation for receiving federal highway funds, the Indiana Department of Transportation requires the City of New Haven, Indiana to gather statistical data on participants and beneficiaries of the agency’s federal aid highway programs and activities. Accordingly, the City of New Haven collects information on race, color, national origin, and sex of the attendees of this public meeting to ensure the inclusion of all segments of the population affected by a proposed project.

The City of New Haven wishes to clarify that this information gathering process is **completely voluntary** and that you are not required to disclose the statistical data requested in order to participate in this meeting. This form is a public document.

The completed forms will be held on file in the Title VI Coordinator’s Office of the City of New Haven at:

New Haven City Hall
815 Lincoln Hwy E.
New Haven, IN 46774

Phone: 260-748-7019

Project Name:	Date:
Meeting location:	
<input type="checkbox"/> Male <input type="checkbox"/> Female	
General ethnic identification categories	
<div><input type="checkbox"/> Caucasian <input type="checkbox"/> Hispanic or Latino <input type="checkbox"/> American Indian/Alaskan Native</div> <div><input type="checkbox"/> Black or African American <input type="checkbox"/> Asian <input type="checkbox"/> Hawaiian/ Pacific Islander</div> <div><input type="checkbox"/> Other _____</div>	

After you complete this form, please fold it and place it on the sign-in table.

Exhibit 6

City of New Haven, Indiana Title VI Compliance Review Form

Name of Preparer:	Date:
Department:	Phone No.:
Data Collection - Do you have a process to collect the following:	
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:

<p>Do you have a Limited English Proficiency (LEP) procedure in place?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, provide the number of LEP persons requesting service below:</p> <p>If no, explain why below:</p>	
<p>Policies, Procedures and Processes:</p> <p>Do you and your staff understand the Title VI Program and procedure guidelines set in place for the City?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If no, explain why below:</p>	
<p>Statistical data collected on ethnicity, race, gender and disability for all right-of-way relocates.</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, provide the data collected below for the past year:</p> <p>If no, explain why below:</p>	
<p>Do you have proof of public dissemination of the Title VI Program and Policy Statement?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, provide dates and/or copies of the dissemination (i.e. newspaper, website, etc.).</p> <p>If no, explain why below:</p>	
<p>Name of Preparer:</p>	<p>Date:</p>
<p>Training:</p> <p>Have you and your staff received Title VI training (formal or Informal)?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If no, explain why below:</p>	
<p>Name of Preparer:</p>	<p>Date:</p>

Do you understand what a Subrecipient is?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
Are you familiar with the Environmental Justice concept and how it relates to Title VI?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

Exhibit 7



U.S. DEPARTMENT OF COMMERCE
Economics and Statistics Administration
U.S. CENSUS BUREAU

LANGUAGE IDENTIFICATION FLASHCARD

Hello, I'm from the U.S. Census Bureau. Is someone here now who speaks English and can help us?
If not, please write your phone number and someone will contact you in English.

01. English

Buenos días (Buenas tardes), soy de la Oficina del Censo de los Estados Unidos. ¿Se encuentra alguien que hable inglés y pueda ayudarnos? Si no, por favor, anote su número de teléfono y alguien se comunicará con usted en español.

02. Español/
Spanish

Përshëndetje, unë vij nga Zyra e Regjistrimit të Popullsisë së Sh.B.A-së. A ndodhet dikush tani këtu që flet anglisht dhe mund të na ndihmojë? Nëse jo, ju lutemi shkruani numrin e telefonit tuaj dhe dikush do t'ju kontaktojë në gjuhën shqipe.

03. Shqip/
Albanian

እንደምንት ፤ ከአሜሪካ የሕዝብ ቆጠራ ቢሮ ነኝ ። አሁን እንግሊዝኛ ቋንቋ የሚናገር እና ሊረዳን የሚችል ሰው አለ? ከሌለ እባክትን የሰልክ ቁጥርን ይጻፉልንና በአማርኛ የሚያናግርት ይናግሩልን።

04. ቁጥር/ጽሑፍ/
Amharic

مرحبًا، أنا من مكتب الإحصاء الأمريكي. هل يوجد هنا الآن شخص يتحدث الإنجليزية ويمكنه مساعدتنا؟ إذا كان لا يوجد، فلأرجاء آتية رقم هاتفكم وسيتصل بكم أحد الأشخاص باللغة العربية.

05. العربية/
Arabic

Բարև Ձեզ, ես ԱՄՆ-ի Մարդահամարի Բյուրոյից եմ: Ներկա՞ է արդյոք մեկը, որը խոսում է Ամերիկյան կարող է մեզ օմնեն: Եթե ոչ, մերեք Ձեր հեռախոսի համարը և Ձեզ հետ կկապվեն Յայերենով:

06. Յայերեն/
Armenian

হ্যালো, আমি ইউ.এস. সেন্সাস বিউরো থেকে এসেছি। এখানে এখন এমন কেউ আছেন কি যিনি ইংরেজি বলতে পারেন এবং আমাদের সাহায্য করতে পারেন যদি তেমন কেউ না থাকে, আপনার ফোন নম্বর লিখে দিন এবং আপনার সঙ্গে একজন বাংলায় যোগাযোগ করবেন।

07. বাংলা/
Bengali

Разрешете да ви се представя, аз съм служител на Бюрото по преброяване на населението на САЩ. Има ли тук някой, който говори английски и би могъл да ни помогне? Ако няма, моля, напишете своя телефонен номер, за да може някой от нашите служители да ви се обади на български.

08. български/
Bulgarian

سلام. من یک کارمند اداره سرشماری ایالات متحده هستم. آیا کسی حالا اینجا هست که به زبان انگلیسی صحبت میکند و میتواند به ما کمک کند؟ اگر کسی نیست، لطفاً شماره تلفنتان را بنویسید، و یک نفر به زبان فارسی با شما تماس خواهد گرفت.	18. فارسی/ Farsi
Bonjour, je travaille pour le Bureau de Recensement des États-Unis. Y a-t-il quelqu'un ici qui parle anglais et puisse nous aider ? Sinon, notez votre numéro de téléphone pour que quelqu'un puisse vous contacter en Français.	19. Français/ French
Guten Tag, ich komme im Auftrag des Bundesbüro zu Durchführung von Volkszählungen. Kann ich mit jemandem sprechen, der Englisch spricht und der uns helfen kann? Wenn nicht, schreiben Sie bitte Ihre Telefonnummer auf und es wird sich jemand in deutscher Sprache mit Ihnen in Verbindung setzen.	20. Deutsch/ German
Γειά σας. Είμαστε από την Υπηρεσία Απογραφής των ΗΠΑ. Είναι κανείς εδώ αυτή τη στιγμή που μιλάει Αγγλικά να μας εξυπηρετήσει; Αν όχι, παρακαλώ σημειώστε το τηλέφωνό σας και θα επικοινωνήσει κάποιος μαζί σας στα ΕΛΛΗΝΙΚΑ.	21. Ελληνικά/ Greek
Bonjou, mwen se anpwlaye biwo resansman ameriken. Èske m ka pale ak yon moun nan kay la ki konn pale anglè ? Si pa gen moun nan kay la ki pale anglè, tanpri ekri nimewo telefòn ou pou yon moun kki pale kreyòl ayisyen rele w.	22. kreyòl ayisyen/ Haitian Creole
שלום, אני ממושרד מפקד האוכלוסין של ארצות הברית. האם יש כאן מישהו ברגע זה שמדבר אנגלית ויכול לעזור לנו? במידה ולא, אנא כתבו את מספר הטלפון שלכם ומישהו ייצור קשר אתכם בשפה העברית.	23. עברית/ Hebrew
हैलो, मैं यू.एस. जनगणना ब्यूरो से हूँ। क्या अभी यहाँ ऐसा कोई व्यक्ति है जो अंग्रेजी बोलता हो और हमारी मदद कर सकता हो? यदि नहीं, तो कृपया अपना फोन नंबर लिखें और कोई व्यक्ति आपसे हिन्दी में संपर्क करेगा।	24. हिन्दी/ Hindi
Nyob zoo. Kuv tuaj hauv Teb Chaws Asmeskas Chaw Suav Pej Xeem tuaj. Puas muaj leej twg nyob hauv tsev uas txawj lus Askiv thiab pab tau peb? Yog tsis muaj, thov sau koj tus xov tooj tseg, mam li muaj ib tug neeg hais lus Hmoob hu tuaj rau koj.	25. Hmoob/ Hmong
Jó napot kívánok, az Egyesült Államok Népszámlálási Hivatalától vagyok. Van a közelben valaki, aki beszél angolul, és segíteni tud nekünk? Ha nem, kérem, írja le a telefonszámát, és kapcsolatba fogunk lépni Önnel magyarul.	26. Magyar/ Hungarian

<p>Hello, taga Census Bureau ako ng U.S. Adda kadi kadakayo nga makapagsarita ti English ken mabalin nga tumulong kaniami? Nu awan paki surat yo iti numero iti telepono yo ta adda iti tumawag kaniayo nga ag Ilocano.</p>	<p>27. Ilocano/ Ilocano</p>
<p>Salve, chiamo da parte del Census Bureau degli Stati Uniti. C'è qualcuno che parla inglese ed è in grado di aiutarci? In caso negativo, scriva il numero di telefono e sarà contattato da qualcuno che parla Italiano.</p>	<p>28. Italiano/ Italian</p>
<p>こんにちは。私は米国勢調査局の係員です。こちらには英語を理解できこの調査にご協力いただける方がいらっしゃいますか？もしない場合は、あなたのお電話番号をお書きいただければ、日本語を話す係員が連絡をいたします。</p>	<p>29. 日本語/ Japanese</p>
<p>안녕하세요. 저는 미국 인구조사국에서 일하고 있습니다. 영어를 사용하시는 분 중에 저희를 도와 주실 수 있는 분이 여기 계십니까? 없으신 경우, 전화번호를 적어주시면 한국어를 할 수 있는 직원이 연락을 드릴 것입니다.</p>	<p>30. 한국어/ Korean</p>
<p>ສະບາຍດີ, ຂ້າພະເຈົ້າ ມາຈາກສຳນັກງານສຳຫຼວດພົນລະເມືອງ ແຫ່ງສະຫະລັດອາເມລິກາ. ມີໃຜຢູ່ທີ່ນີ້ ສາມາດເວົ້າພາສາອັງກິດ ແລະ ຊ່ວຍເຫຼືອພວກເຮົາໄດ້ບໍ່? ຖ້າບໍ່ມີ, ກະລຸນາຂຽນເລກ ໂທລະສັບຂອງທ່ານ ແລະ ພວກເຮົາ ຈະຕິດຕໍ່ທ່ານ ເປັນພາສາລາວ.</p>	<p>31. ພາສາລາວ/ Laotian</p>
<p>Sveiki, aš esu iš JAV Gyventojų surašymo biuro. Ar čia dabar yra kas nors, kas kalba angliškai ir galėtų mums padėti? Jei ne, prašome užrašyti savo telefono numerį ir su jumis susisieks lietuvių kalba.</p>	<p>32. Lietuvių/ Lithuanian</p>
<p>ഹലോ, ഞാൻ യു എസ് സെൻസസ് ബ്യൂറോയിൽ നിന്നാണ്. ഇംഗ്ലീഷ് സംസാരിക്കുന്ന ആരെങ്കിലും ഇപ്പോൾ ഇവിടെയുണ്ടോ ഞങ്ങളെ സഹായിക്കാൻ? ഇല്ലെങ്കിൽ, നിങ്ങളുടെ ടെലിഫോൺ നമ്പർ എഴുതി നൽകുക. മലയാളത്തിൽ സംസാരിക്കുന്ന ആരെങ്കിലും താങ്കളെ ബന്ധപ്പെടും.</p>	<p>33. മലയാളം/ Malayalam</p>
<p>Yá'át'ééh, Neeznáá nináháháágo Bíla'ashdla'ii náóltah bił haz'á bá naashnish. Háidaaish kóó Bilagáanaa biq zaad yee yáhti'ígíí hóíó? 'Ádingo 'éí nibéesh bee hane'é nihá 'ádííłíít dóó t'áá háida t'áá Diné Bizaad yee yáhti'ígíí nich'í' náhodoonih.</p>	<p>34. Diné Bizaad/ Navajo</p>
<p>नमस्ते, म अमेरिकाको जनगनना अफिसबाट आएको । यहाँ अंग्रेजी बोल्न जान्ने अन्त हामीलाई मदत गर्नसक्ने कोहि मान्छे छन ? नभा, तपाईंको फोन नम्बर लेखिदिनु अनि कसैले तपाईंसित नेपाली भाषामा कुरा गर्नेछन् ।</p>	<p>35. नेपाली/ Nepali</p>

ਹੈਲੋ, ਮੈਂ ਯੂ.ਐੱਸ. ਜਨਗਣਨਾ ਬਿਊਰੋ ਵਲੋਂ ਆਇਆ/ਆਈ ਹਾਂ। ਕੀ ਇਥੇ ਕੋਈ ਅੰਗਰੇਜ਼ੀ ਬੋਲ ਸਕਦਾ ਹੈ ਅਤੇ ਸਾਡੀ ਮਦਦ ਕਰ ਸਕਦਾ ਹੈ? ਜੇ ਨਹੀਂ, ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਆਪਣਾ ਟੈਲੀਫੋਨ ਨੰਬਰ ਲਿਖ ਦਿਉ ਅਤੇ ਕੋਈ ਤੁਹਾਨੂੰ ਪੰਜਾਬੀ ਵਿੱਚ ਸੰਪਰਕ ਕਰੇਗਾ।	36. ਪੰਜਾਬੀ/ Panjabi
Dzień dobry. Jestem z Amerykańskiego Biura Spisu Ludności. Czy ktoś tutaj mówi po angielsku i mógłby nam pomóc? Jeżeli nie, proszę napisać swój numer telefonu, a ktoś skontaktuje się z Państwem po polsku.	37. Polski/ Polish
Olá, sou do Serviço de censo dos Estados Unidos. Alguém aqui fala inglês e pode nos ajudar? Caso contrário, escreva seu telefone e alguém vai entrar em contato com você em português.	38. Português/ Portuguese
Bună ziua, sunt de la Biroul de Recensământ al S.U.A. Este cineva aici, în acest moment, care vorbește engleză și ne poate ajuta? Dacă nu, vă rog scrieți-vă numărul de telefon și cineva vă va contacta telefonic în română.	39. Română/ Romanian
Здравствуйте! Я представляю Бюро переписи населения Соединенных Штатов. Присутствует здесь кто-нибудь, кто говорит по-английски и мог бы помочь нам? Если нет, то, пожалуйста, напишите свой телефонный номер, чтобы наши сотрудники могли побеседовать с вами по-русски.	40. русский/ Russian
Добар дан, ја сам из Америчког бироа за попис становништва. Да ли овде има некога ко говори енглески и може да нам помогне? Ако нема, молим Вас да напишете свој број телефона, па ћемо контактирати с Вама на српском језику.	41. српски/ Serbian
Hallo, Waxaan anigu ka tirsanahay Xafiiska Tirakoobka Mareykanka. Halkan ciddi ma Joogta hadda oo ku hadasha Ingiriisiga oo na caawin karta? Haddi kalese, fadlan qor lambarka talafoonkaaga markaasna qof ayaa kugulasoo xidhiidhi doona adiga Soomaalliga.	42. Soomaali/ Somali
Halo, nimetoka Shirika la Sensa la Merika Je, kuna mtu hapa sasa anayezungumza Kiingereza na anaweza kutusaidia? Ikiwa hakuna, tafadhali andika nambari yako ya simu na mtu atawasiliana na wewe kwa Kiswahili.	43. Kiswahili/ Swahili
Hello, Ako'y galing sa U.S. Census Bureau. Mayroon ba ditong marunong magsalita ng Ingles at makakatulong sa amin ngayon? Kung wala, pakisulat ang telepono ninyo at may tatawag sa inyo sa Tagalog.	44. Tagalog/ Tagalog

Exhibit 8

TRAINING LOG

[illegible]

Exhibit 9

Environmental Justice Evaluation Form

[illegible]

Exhibit 10

Contractor and Subcontractor Title VI Acknowledgement

The City of New Haven is responsible for ensuring that contactors are in compliance with Title VI requirements to fulfil their contracts in a nondiscriminatory manner. Contractors may not discriminate in the selection and retention of any subcontractors. Subcontractors also may not discriminate in the selection and retention of any subcontractors. The contractors and subcontractors may not discriminate in their employment practices in connection with any project. Regardless of the funding mechanism the City of New Haven requires all contractors and subcontractors to meet the Title VI requirements.

During the performance of a contract, the contractor, for itself, its assignees and successors in interest shall comply with the Regulations relative to their contract with the City of New Haven.

The Contractor has read and is familiar with the City of New Haven’s Title VI Program requirements:

<hr/>	<hr/>
Company Name	Designation Number
<hr/>	<hr/>
Signature	Title
<hr/>	
Date	
<hr/>	<hr/>
Title VI Coordinator Signature	Date