

**FINAL  
CITY OF HUNTINGTON**

**TITLE VI NON-DISCRIMINATION PLAN**

Prepared for:

City of Huntington  
300 Cherry St.  
Huntington, Indiana 46750

**Title VI Coordinator:**

Ronda Smelser  
Director of Human Resources and  
Compliance  
Phone: (260) 356-1400 x 2026  
Fax: (260) 358-2330  
Ronda.Smelser@huntington.in.us

Prepared by:



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## Table of Contents

1.0	INTRODUCTION .....	1
	I. Discrimination under Title VI .....	3
2.0	NON-DISCRIMINATION POLICY STATEMENT .....	4
3.0	STANDARD TITLE VI ASSURANCE .....	5
4.0	AUTHORITIES .....	7
5.0	DEFINITIONS .....	8
6.0	ADMINISTRATION .....	10
	I. Title VI Coordinator and Responsibilities .....	10
	II. Title VI Liaisons .....	11
	III. Complaints .....	11
	IV. Data Collection.....	11
	V. Program Reviews .....	11
	VI. Title VI Reviews on Sub-Recipients .....	13
	VII. Annual Reporting Form.....	13
	VIII. Training .....	13
	IX. Public Dissemination.....	13
	X. Remedial Action.....	13
7.0	LIMITED ENGLISH PROFICIENCY (LEP) .....	14
	Language Assistance.....	15
	Language Assistance Measures .....	15
8.0	ENVIRONMENTAL JUSTICE .....	16
9.0	FILING A TITLE VI COMPLAINT .....	19
	I. Introduction .....	19
	II. Purpose.....	19
	III. Roles and Responsibilities.....	19
	IV. Procedure for Filing a Complaint .....	19
	V. Investigation .....	20
	VI. Appeals, Recordkeeping, and Reporting Requirements .....	21
10.0	PUBLIC INVOLVEMENT AND OUTREACH .....	22
11.0	TITLE VI PROGRAM GOALS FOR 2017.....	23

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INNOVATIVE IDEAS  
EXCEPTIONAL DESIGN  
UNMATCHED CLIENT SERVICE

APPENDIX A – FEDERAL-AID CONTRACT LANGUAGE

APPENDIX B – TRANSFER OF PROPERTY

APPENDIX C – PERMITS, LEASES, AND LICENSES

APPENDIX D – DETERMINE/DISTINGUISH SIGNIFICANT/NON-SIGNIFICANT EFFECTS

APPENDIX E – LEP AND ENVIRONMENTAL JUSTICE INFORMATION

APPENDIX F – FORMS

CITY OF HUNTINGTON NON-DISCRIMINATION POLICY STATEMENT

CITY OF HUNTINGTON TITLE VI ASSURANCE

CITY OF HUNTINGTON TITLE VI COMPLAINT FORM

COMPLAINANT CONSENT/RELEASE FORM

VOLUNTARY TITLE VI PUBLIC PARTICIPATION SURVEY

CITY OF HUNTINGTON TITLE VI COMPLAINT LOG

CITY OF HUNTINGTON TITLE VI TRAINING ATTENDANCE LOG

LANGUAGE IDENTIFICATION FLASHCARDS

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## 1.0 INTRODUCTION

The City of Huntington (City) has maintained a steady population for several years, with very little change during the period between the 2000 and 2010 Censuses. Located in the center of Huntington County, the City is the county seat and is located only 30 miles southwest of Fort Wayne and less than 10 miles from I-69. The area economy is diverse and includes one of the top rated Christian universities in the Midwest (Huntington University), Parkview Huntington Hospital, rated one of the top 100 hospitals of its size nationally, and an extensive network of outdoor recreation areas and parks. The City serves all people, including minority populations, low-income populations, the elderly, persons with disabilities, and those who traverse the City. The City recognizes its responsibility to provide fairness and equity in all of its programs, services, and activities, and that it must abide by and enforce federal and state civil rights legislation.

Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color, or national origin, in any program, service or activity that receives federal assistance. Specifically, Title VI assures that, *“No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefit of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance (42 U.S.C. Section 2000d).”* The use of the word “person” is important, as the protections afforded under Title VI apply to anyone, regardless of whether the individual is lawfully present in the United States or a citizen of a state within the United States. In addition to Title VI, there are other non-discrimination statutes that afford legal protection, including:

- Section 162(a) of the Federal-Aid Highway Act of 1973 prohibits discrimination based on sex (23 USC 324) and is the enabling legislation of the Federal Highway Administration (FHWA)
- Age Discrimination Act of 1975 prohibits discrimination based on age
- Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 prohibit discrimination based on disability

Taken together, these requirements define an over-arching Title VI/Non-Discrimination Program. It is important to also understand that Title VI and the additional non-discrimination requirements are applicable to federal programs in addition to programs receiving federal financial assistance due to the Civil Rights Restoration Act of 1987. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 prohibits unfair and inequitable treatment of persons displaced or whose property has been acquired as a result of projects which are undertaken with federal financial assistance.

In addition to statutory authorities, there are two Presidential Executive Orders (EO) that place further emphasis upon the Title VI protections of race and national origin. These are EO #12898 (*“Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations”*) and EO #13166 (*“Improving Access to Services for Persons with Limited English Proficiency”*). EO #12898 (Environmental Justice) directs federal agencies to develop strategies to address disproportionately high and adverse human health or environmental effects of their programs on minority and low-income populations. Environmental Justice initiatives are accomplished by involving the potentially affected public in the development of transportation projects that fit within their communities without sacrificing safety or mobility. In 1997, the U.S. Department of Transportation (USDOT) issued its DOT Order to Address Environmental Justice in Minority Populations and Low-Income Populations to summarize and expand upon the requirements of EO 12898. EO #13166 (Limited English Proficiency) directs federal agencies to evaluate services provided and implement a system that ensures that Limited English Proficiency (LEP) persons are able to meaningfully

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access the services provided consistent with, and without unduly burdening, the fundamental mission of each federal agency. Additionally, each federal agency shall ensure that recipients of federal financial assistance provide meaningful access to their LEP applicants and beneficiaries.

As a recipient of federal financial assistance, the City must provide access to individuals with limited ability to speak, write, or understand the English language. The City will not restrict an individual in any way from the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under its programs or projects. Individuals may not be subjected to criteria or methods of administration which cause adverse impact because of their race, color, national origin, age, sex, or disability or have the effect of defeating or substantially impairing accomplishment of the objectives of the program because of race, color, age, sex, disability, or national origin. Therefore, the primary goals and objectives of the City of Huntington's Title VI Program are:

1. To assign roles, responsibilities, and procedures for ensuring compliance with Title VI of the Civil Rights Act of 1964 and related regulations and directives;
2. To ensure that people affected by the City's programs and projects receive the services, benefits, and opportunities to which they are entitled without regard to race, color, national origin, age, sex, or disability;
3. To prevent discrimination in the City of Huntington's programs and activities, whether those programs and activities are federally funded or not;
4. To establish procedures for identifying impacts in any program, service, or activity that may create illegal adverse discrimination on any person because of race, color, national origin, age, sex, or disability; or on minority populations, low-income populations, the elderly, and all interested persons and affected Title VI populations;
5. To establish procedures to annually review Title VI compliance within specific program areas within the City;
6. To set forth procedures for filing and processing complaints by persons who believe they have been subjected to illegal discrimination under Title VI in the City's services, programs, or activities.

As the sub-recipient of federal transportation funds, the City must comply with federal and state laws, and related statutes, to ensure equal access and opportunity to all persons, with respect to transportation services, facilities, activities, and programs, without regard to race, color, religion, national origin, sex, socio-economic status, or geographical location. Every effort will be made to prevent discrimination in any program or activity, whether those programs and activities are federally funded or not, as guaranteed by the Civil Rights Restoration Act of 1987.

The City shall also ensure that their sub-recipients adhere to state and federal law, and include in all written agreements or contracts assurances that the sub-recipient must comply with Title VI and other related statutes. The City, as a sub-recipient who distributes federal transportation funds, shall monitor their sub-recipients for voluntary compliance with Title VI. In the event that non-compliance is discovered, the City will make a good faith effort to ensure that the sub-recipient corrects any deficiencies arising out of complaints related to Title VI; and that sub-recipients will proactively gauge the impacts of any program or activity on minority populations and low-income populations, the elderly, persons with disabilities, all interested persons and affected Title VI populations.

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## I. DISCRIMINATION UNDER TITLE VI

There are two types of discrimination prohibited under Title VI and its related statutes. One type of discrimination, which may or may not be intentional, is “disparate treatment”. Disparate treatment is defined as treating similarly situated persons differently because of their race, color, national origin, sex, disability, or age. The second type of discrimination is “disparate impact”. Disparate impact discrimination occurs when a “neutral procedure or practice” results in fewer services or benefits, or inferior services or benefits, to members of a protected group. With disparate impact, the focus is on the consequences of a decision, policy, or practice rather than the intent.

The City’s efforts to prevent such discrimination must address, but not be limited to, a program’s impacts, access, benefits, participation, treatment, services, contracting opportunities, training, investigation of complaints, allocation of funds, prioritization of projects, and the overarching functions of planning, project development and delivery, right-of-way, construction, and research.

The City has developed this Title VI Plan to assure that services, programs, and activities of the City are offered, conducted, and administered fairly, without regard to race, color, national origin, sex, age, or disability of the participants or beneficiaries of federally funded programs, services, or activities (see Title VI Assurances).

## 2.0 NON-DISCRIMINATION POLICY STATEMENT

The City reaffirms its policy to allow all individuals the opportunity to participate in federal financially assisted services and adopts the following provision:

*“No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”*

In applying this policy, the City, and its sub-recipients of federal funds, shall not:

1. Deny any individual with any services, opportunity, or other benefit for which such individual is otherwise qualified;
2. Provide any individual with any service or other benefit which is inferior (in quantity or quality) to, or which is provided in a different manner from, that which is provided to others;
3. Subject any individual to segregated or disparate treatment in any manner related to such individual's receipt of services or benefits;
4. Restrict an individual in any way from the enjoyment of services, facilities, or any other advantage, privilege, or other benefit provided to others;
5. Adopt or use methods of administration which would limit participation by any group of recipients or subject any individual to discrimination;
6. Address any individual in a manner that denotes inferiority because of race, color, or national origin;
7. Permit discriminatory activity in a facility built in whole or in part with federal funds;
8. Deny any segment of the population the opportunity to participate in the operations of a planning or advisory body that is an integral part of a federally funded program;
9. Fail to provide information in a language other than English to potential or actual beneficiaries who are of limited English speaking ability, when requested and as appropriate;
10. Subject an individual to discriminatory employment practices under any federally funded program whose objective is to provide employment;
11. Locate a facility in any way which would limit or impede access to a federally funded service or benefit.

The City will actively pursue the prevention of any Title VI deficiencies or violations and will take the necessary steps to ensure compliance. If irregularities occur in the administration of the program's operation, procedures will be promptly implemented to resolve Title VI issues within a period not to exceed 90 days.

The City designates Ronda Smelser, City of Huntington Director of Human Resources and Compliance, as the City's Title VI Coordinator. Ms. Smelser will be responsible for initiating and monitoring Title VI activities and other required matters, ensuring that the City complies with the Title VI regulations, and pursue prevention of Title VI deficiencies or violations. Inquiries concerning the City of Huntington and Title VI may be directed to the Title VI Coordinator at: 300 Cherry Street, Huntington, IN 46750, Phone: (260) 356-1400 extension 2026, Fax: (260) 358-2330, E-mail: [Ronda.Smelser@huntington.in.us](mailto:Ronda.Smelser@huntington.in.us).

NOTE: A copy of the signed statement can be found in Appendix F.

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### 3.0 STANDARD TITLE VI ASSURANCE

The City of Huntington, Indiana (hereinafter referred to as the “Recipient”), by its Common Council and chief executive, HEREBY AGREES that as a condition to receiving any federal financial assistance from the U.S. Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d-42 USC 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, Non-Discrimination in Federally Assisted Programs for the Department of Transportation — Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the “Regulations”) and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of gender, race, color, or national origin, 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 received federal financial assistance from the Department of Transportation, including the Indiana Department of Transportation, and HEREBY GIVES ASSURANCES that it will promptly take any measures necessary to effectuate this assurance. This assurance is required by subsection 21.7 of the Regulations.

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

1. That the Recipient agrees that each "program" and each "facility" as defined in subsections 21.23(e) and 21.23(b) 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 Huntington, Indiana, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office the Secretary, Part 21, Non-Discrimination in Federally-Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.”

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

This assurance is given in consideration of and for the purpose of obtaining any and all federal grants, loans, contracts, property, discounts or other federal financial assistance extended after the date hereof to the Recipient under the Federal Aid Highway Program and is binding on it, other recipients, sub-grantees, contractors, sub-contractors, transferees, successors in interest and other participants in the Federal Aid Highway Program.

NOTE: A copy of the signed assurance can be found in Appendix F.

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## 4.0 AUTHORITIES

**Title VI of the Civil Rights Act of 1964, 42 USC 2000d to 2000d-4; 42 USC 4601 to 4655; 23 USC 109(h):** provides that no person in the United States shall, on the grounds of race, color, or national origin (including Limited English Proficiency), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance (please refer to 23 CFR 200.9 and 49 CFR 21). Related statutes have broadened the grounds to include age, sex, low income, and disability.

The Civil Rights Restoration Act of 1987 also broadened the scope of Title VI coverage by expanding the definition of terms “programs or activities” to include all programs or activities of Federal Aid recipients, sub-recipients, and contractors, whether such programs and activities are federally assisted or not (Public Law 100-259 [S. 557] March 22, 1988).

**Federal Aid Highway Act of 1973, 23 USC 324:** No person shall on the grounds of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance under this title or carried on under this title.

**Age Discrimination Act of 1975, 42 USC 6101:** No person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

**Americans with Disabilities Act of 1990 PL 101-336:** No qualified individual with a disability shall, by reason of his/her disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination by a department, agency, special purpose district, or other instrumentality of a state or local government.

**Section 504 of the Rehabilitation Act of 1973:** No qualified individual with a disability shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity that receives or benefits from federal financial assistance.

**USDOT Order 1050.2:** Standard Title VI Assurances.

**Executive Order 12250:** Department of Justice Leadership and coordination of Non-Discrimination Laws.

**Executive Order 12898:** Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.

**28 CFR 50.3:** Guidelines for the enforcement of Title VI of the Civil Rights Act of 1964.

**Executive Order 13166:** Improving Access to Services for Persons with Limited English Proficiency.

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## 5.0 DEFINITIONS

**Adverse Effects** – the totality of significant (see Appendix D for additional discussion of “significant”) individual or cumulative human health or environmental effects, including interrelated social and economic effects, which may include, but are not limited to:

- Bodily impairment, infirmity, illness or, death
- Air, noise, and water pollution and soil contamination
- Destruction or disruption of man-made or natural resources
- Destruction or diminution of aesthetic values
- Destruction or disruption of community cohesion or community’s economic vitality
- Destruction or disruption of the availability of public and private facilities and services
- Adverse employment effects
- Displacement of person’s businesses, farms, or non-profit organizations
- Increased traffic congestion, isolation, exclusion, or separation of minority or low-income individuals within a given community or from the broader community
- Denial of, reduction in, or significant delay in the receipt of benefits of the City’s programs, policies, and activities

**Federal Assistance** — includes grants and loans of federal funds; the grant or donation of federal property and interests in property; the detail of federal personnel, federal property, or any interest in such property without consideration or at a nominal consideration, or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient; and any federal agreement, arrangement, or other contract which has, as one of its purposes, the provision of assistance.

**Limited English Proficiency** – individuals with a primary or home language other than English who must, due to limited fluency in English, communicate in that primary or home language if the individuals are to have an equal opportunity to participate effectively in or benefit from any aid, service, or benefit provided by the City. Persons will be considered as being Limited English Proficient if identified in census information as having the ability to speak English “not well” or “not at all”.

**Low-Income** – a person whose median household income is at or below the Department of Health and Human Service Poverty guidelines (see <https://aspe.hhs.gov/poverty-guidelines>).

**Low-Income Population** – any readily identifiable group of low-income persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed City program, policy, or activity.

**Minority** – A person who is:

- Black – person having origins in any of the black racial groups of Africa;
  - Hispanic — person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race;
  - Asian American — person having origins in any of the original people of the Far East, Southeast Asia, the Indian sub-continent, or the Pacific Islands; or
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- American Indian and Alaskan Native — person having origins in any of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition.
- Two or More Races – person that is multi-racial and included in one of the above categories.

**Minority Population** — any readily identifiable groups of minority persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed City program, policy, or activity.

**Non-Compliance** — recipient has failed to meet prescribed requirements and has shown an apparent lack of good faith effort in implementing all the requirements of Title VI and related statutes.

**Persons** — where designation of persons by race, color, or national origin is required, the following designation ordinarily may be used; “White not of Hispanic origin”, “Black not of Hispanic origin”, “Hispanic”, “Asian or Pacific Islander”, and “American Indian or Alaskan Native”. Additional sub-categories based on national origin of primary language spoken may be used, where appropriate, on either a national or a regional basis.

**Program** — includes any road or park project including planning or any activity for the provision of services financial aid or other benefits to individuals. This includes education or training, work opportunities, health welfare, rehabilitation, or other services, whether provided directly by the recipient of federal financial assistance or provided by others through contracts or other arrangements with the recipient.

**Recipient** — any state, territory, possession, the District of Columbia, Puerto Rico, or any political subdivision, or instrumentality thereof, or any public or private agency, institution, or organization, or other entity, or any individual, in any state, territory, possession, the District of Columbia, or Puerto Rico, to whom federal assistance is extended, either directly or through another recipient, for any program. Recipient includes any successor, assignee, or transferee thereof, but does not include any ultimate beneficiary under any such program.

**Significant Adverse effects on Minority and Low-Income Populations** — an adverse effect that:

- is predominantly borne by a minority population and/or a low-income population; or
- will be suffered by the minority population and/or low-income population and is shown to be appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority population and/or non-low-income population.

**Sub-Recipient** — any agency, such as a council of governments, regional planning agency, or educational institution, for example, that received Federal Highway Administration (FHWA) funds through the State DOT and not directly from the FHWA. Other agencies, local governments, contractors, and consultants that receive these funds are all considered sub-recipients.

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## 6.0 ADMINISTRATION

### I. TITLE VI COORDINATOR AND RESPONSIBILITIES

The City of Huntington designates Ronda Smelser, City of Huntington Director of Human Resources and Compliance, as the Title VI Coordinator (hereinafter referred to as the “Title VI Coordinator”). Ms. Smelser shall have lead responsibility for coordinating the administration of Title VI and related statutes, programs, plans, and assurances. The City’s Title VI Coordinator’s responsibilities include:

- **Program Administration** – Administer and implement the City of Huntington’s Title VI plan and policy, ensuring compliance with the assurances, policy, and program objectives.
  - **Internal Coordination** – Develop and maintain a Title VI liaison team, comprised of Department Heads or their designee, to ensure departments are implementing, monitoring, and complying with the City of Huntington’s Title VI plan and policy.
  - **Program Monitoring** – Conduct Title VI yearly reviews with liaisons in an effort to assist with identifying, addressing, and eliminating discrimination concerns in every department.
  - **Training and Continuing Education** – Conduct or facilitate Title VI training programs with Department Heads for dissemination to employees and maintain a copy of training attendance logs. The Title VI Coordinator is also to receive the necessary training to stay current on Title VI and INDOT requirements.
  - **Communication of Requirements** – Work with liaisons to develop and disseminate Title VI information to contractors, subcontractors, vendors, and consultants.
  - **Public Outreach** – Work with elected officials and department liaisons to ensure community involvement and outreach is in compliance with Title VI and provides equitable opportunities for participation.
  - **Contract Compliance** – Ensure Title VI language is included in City of Huntington contracts as required. Establish procedures for reviewing contracts with sub-recipients, special interest programs, and activities to include Title VI Assurances.
  - **Data Collection** – Collect, review, and preserve statistical data (race, color, national origin, language, gender, etc.) of participants in activities and programs to ensure the City of Huntington’s continued compliance with Title VI. This will be done by providing the voluntary Title VI Public Participation Survey found in Appendix F at all public meetings.
  - **LEP Plan** – Develop and implement the City’s Limited English Proficiency (LEP) Plan. Train department heads on the procedures and resources available when a person requests an interpreter. Identify sources for foreign language translators. Provide Language Identification Flashcards to all liaisons.
  - **Records Maintenance** – Collect, review, and preserve data regarding the number of federally funded projects awarded or ongoing for the past three (3) years. Maintain all Title VI records and correspondence, including, but not limited to, signed employee acknowledgements, complaints and all correspondence regarding such, requests for language services, demographic statistics, department compliance reviews, and all Title VI federal agency correspondence and records.
  - **Administer the Complaint Procedure** – Address all Title VI discrimination complaints, including ensuring compliance with complaint procedures and review and investigation of complaints. A complete record of all complaints will be maintained, including the complaint form, all written records resulting from the investigation, and how the complaint was resolved.
  - **Plan Updates** – Review and update the Title VI plan and policy as needed or required.
  - **Reporting** – Prepare and submit Title VI program updates to INDOT as necessary.
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## **II. TITLE VI LIAISONS**

This interdisciplinary team is comprised of Department Heads, or their designee, from each department in the City of Huntington. The Title VI Coordinator shall maintain a list of department liaisons. They are responsible for the following:

- Ensure compliance with Title VI and related non-discrimination laws.
- Consult with the Title VI Coordinator when complaints are received or issues arise.
- Ensure all business pertaining to the selection, negotiation, and administration of applicable consultant contracts and agreements is accomplished without discrimination.
- Remove programmatic and architectural barriers from programs and activities in accordance with relevant non-discrimination laws.
- Ensure meaningful access to City services and programs to minorities, persons with limited English proficiencies, and low-income persons.
- Provide information in the appropriate language or interpreters as needed for individuals with disabilities and LEP.
- Provide input in the development and review of the Title VI and ADA implementation plans.

An organizational chart of the City of Huntington government and departments is on the next page.

## **III. COMPLAINTS**

If any individual believes that he/she or any other program beneficiaries have been the object of unequal treatment or discrimination as to the receipt of benefits and/or service, or on the grounds of race, color, national origin (including Limited English Proficiency), sex, age, or disability, he/she may exercise his/her right to file a complaint with the City. The complaint process is included in Section 9.0 and the Complaint Form is included in Appendix F. Complaints shall be filed with the Title VI Coordinator. Every effort will be made to resolve complaints informally at the lowest level.

## **IV. DATA COLLECTION**

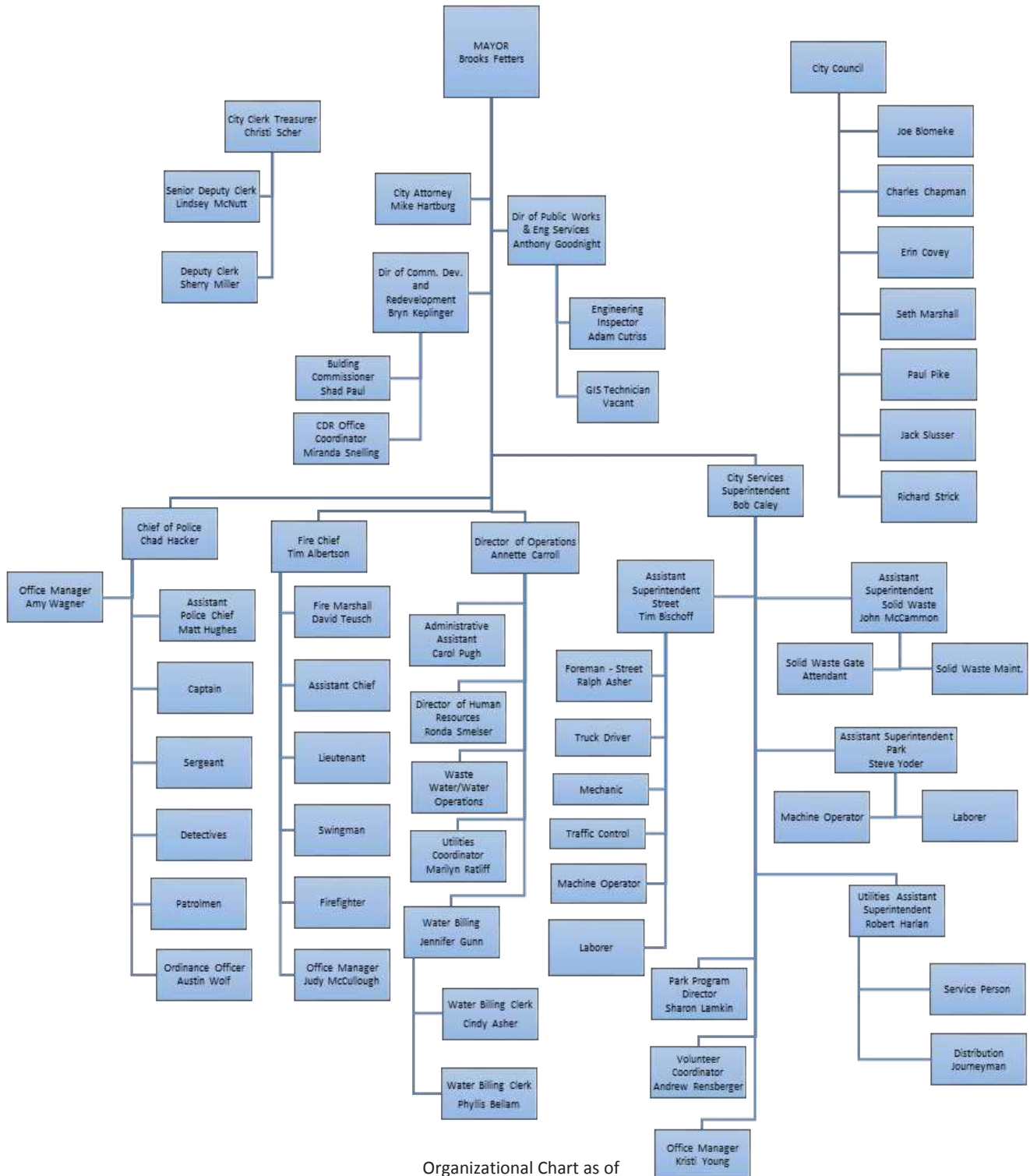
Statistical data on race, color, national origin, English language ability, and sex of participants in and beneficiaries of the City programs (e.g., impacted citizens and affected communities) will be gathered and maintained using the voluntary Title VI Public Participation Survey found in Appendix F at all public meetings. The gathering procedures will be reviewed annually to ensure sufficiency of the data in meeting the requirements of the Title VI program.

## **V. PROGRAM REVIEWS**

Special emphasis program reviews will be conducted based on the annual summary of Title VI activities, accomplishments, and problems. The reviews will be conducted by the Title VI Coordinator to assure effectiveness in their compliance with Title VI provisions and compliance with the requirements of INDOT. The Title VI Coordinator will coordinate efforts to ensure the equal participation in all their programs and activities at all levels. The City does not have any special emphasis programs at this time.

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# Huntington City Government Organizational Chart



Organizational Chart as of April 1, 2017.

## **VI. TITLE VI REVIEWS ON SUB-RECIPIENTS**

Title VI compliance reviews of sub-recipients will be conducted annually by the Title VI Coordinator. Priority for conducting reviews will be given to those sub-recipients of federal funds with the greatest potential of impact to those groups covered. The reviews will entail examination of the sub-recipients' adherence to all Title VI requirements. The status of each review will be reported in the annual update and reported to INDOT upon request. Examples of sub-recipients would include applicants awarded funding through the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) administered by the City and contractors and consultants that receive funding provided to the City by a Federal agency or through a recipient of monies from a Federal agency (e.g., INDOT through FHWA).

## **VII. ANNUAL REPORTING FORM**

The Title VI Coordinator will be responsible for coordination, compilation, and submission of the annual reporting form data to INDOT via the LPA Pre-Award Certification & Assurance, accessible online at <http://itap.indot.in.gov>, by 11:59 p.m. on September 1 or as otherwise mandated by INDOT.

Annual updates to the Title VI Implementation Plan shall include goals for the new reporting period and information related to tracking of complaints and training of City employees.

## **VIII. TRAINING**

The Title VI Coordinator is required to attend an INDOT training session annually, at which time information will be obtained about other training opportunities for the coordinator and other City staff, if applicable. The Title VI Coordinator will also monitor INDOT's annual directives related to information they require to be provided to prove the City is meeting their Title VI compliance obligations. Under the direction of the Title VI Coordinator, liaisons will be required to document the Title VI training that is provided to their staff and track attendance. Documentation should include the type of training, number and type of individuals trained, and materials. Identification of training goals and opportunities for the upcoming year should be planned annually. All training needs to be documented on the annual reporting form to INDOT and Annual Goals and Accomplishments form. Frequency of training of staff is to be determined by the City to meet INDOT requirements and ensure compliance with Title VI.

## **IX. PUBLIC DISSEMINATION**

The City will disseminate Title VI Program information to City employees and to the general public. Title VI Program information will be submitted to sub-recipients, contractors, and beneficiaries. Public dissemination will include inclusions of Title VI language in contracts and publishing the Title VI Plan on the City of Huntington's website, at <http://www.huntington.in.us/city/>.

## **X. REMEDIAL ACTION**

The City, through the Title VI Coordinator, will actively pursue the prevention of Title VI deficiencies and violations and will take the necessary steps to ensure compliance with all program administrative requirements. When deficiencies are found, procedures will be promptly implemented to correct the deficiencies and to put in writing the corrective action(s). The period to determine corrective action(s) and put it/them in writing to effect compliance may not exceed 90 days from the date the deficiencies are found.

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## 7.0 LIMITED ENGLISH PROFICIENCY (LEP)

On August 11, 2000, President William J. Clinton signed an executive order (Executive Order 13166: Improving Access to Service for Persons with Limited English Proficiency) to clarify Title VI of the Civil Rights Act of 1964. It had as its purpose, to ensure accessibility to programs and services to otherwise eligible persons who are not proficient in the English language.

This Executive Order stated that individuals who do not speak English well and who have a limited ability to read, write, speak, or understand English are entitled to language assistance under Title VI of the Civil Rights Act of 1964 with respect to a particular type of service, benefit, or encounter. These individuals are referred to as being limited in their ability to speak, read, write, or understand English, hence the designation, “LEP,” or Limited English Proficient. The Executive Order states that:

*“Each federal agency shall prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons. Each plan shall be consistent with the standards set forth in the LEP Guidance, and shall include the steps the agency will take to ensure that eligible LEP persons can meaningfully access the agency’s programs and activities.”*

Not only are all federal agencies required to develop LEP plans as a condition of receiving federal financial assistance, recipients have to comply with Title VI and LEP guidelines of the federal agency from which funds are provided as well.

Federal financial assistance includes grants, training, use of equipment, donations of surplus property, and other assistance. Recipients of federal funds range from state and local agencies to non-profits and organizations. Title VI covers a recipient’s entire program or activity. This means all parts of a recipient’s operations are covered, even if only one part of a recipient’s organization receives the federal assistance. Simply put, any organization that receives federal financial assistance is required to follow this Executive Order.

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 Huntington’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 Huntington will determine when interpretation and/or translation are needed and are reasonable.

According to 2010-2014 American Community Survey information obtained from the U.S. Census, the number of individuals age 5 and over that identified as having the ability to speak English less than “very well” is less than 1.4% percent overall for the City. Linguistically isolated households (households where no one 14 years of age or older speaks only English or speaks English “very well”) speak Spanish (26.9%), Asian-Pacific Island languages (73.1%), other Indo-European languages (0%), and other languages (0.0%). The table below includes information about LEP populations in the City.

Further detailed review using the U.S. EPA’s EJSCREEN is available by Census Tract Block Group. However, not all Block Groups are entirely within the City limits so the information cannot be solely relied upon to identify linguistically isolated populations. Census Tract 9616 Block Group 001 and Census Tract 9619 Block Group

002 are the only Block Groups that are at or exceed the state average of 2% for linguistically isolated population. See Appendix E for mapping and information by Block Group.

**Table 1. Limited English Proficiency population estimates within the City of Huntington, Indiana.**

	Total Population Age 5 Years and Over	Non-English Spoken at Home	Speak English "very well" or "well"	Speak English "not well"	Speak English "not at all"	Total % LEP
Totals	16,402	532	473	218	4	1.5%

Source: U.S. Census, American Community Survey (ACS) 2010-2014.

## LANGUAGE ASSISTANCE

The City of Huntington staff shall consider the following to identify if an interpreter and/or translator are needed or if an LEP person needs language assistance:

- a. 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.
- b. Have Language Identification Flashcards (see Appendix F) available at City Hall, Huntington Utilities, Parks & Recreation Department, Police Department, Human Resources, and other City Departments/facilities near 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 low percentage of LEP individuals in the City of Huntington (persons who speak English less than "well"), the City will strive to offer language assistance using the following measures:

- a. If an individual asks for language assistance, the City of Huntington will determine if the individual is an LEP person and language assistance is necessary to provide meaningful access. The City has the discretion to determine whether language assistance is needed and, if so, the type of language assistance necessary to provide meaningful access.
- b. 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 to be used.
- c. The City of Huntington will periodically assess the need for language assistance based on requests for interpreters and/or translators.

For more information regarding LEP, visit the City website at <http://www.huntington.in.us/city> or contact:

Ronda Smelser  
Title VI Coordinator  
300 Cherry Street  
Huntington, IN 46750  
Phone: (260) 356-1400 extension 2026  
Fax: (260) 358-2330  
*Ronda.Smelser@huntington.in.us*

## 8.0 ENVIRONMENTAL JUSTICE

Compliance with Title VI includes ensuring that no minority or low income population suffers “disproportionately high and adverse human health or environmental effect” due to any “programs, policies, and activities” undertaken by any agency receiving federal funds. This obligation will be met by the City of Huntington in the following ways:

- When planning specific programs or projects, identifying those populations that will be affected by a given program or project.
- If a disproportionate effect is anticipated, following mitigation procedures.
- If mitigation options do not sufficiently eliminate the disproportionate effect, discussing and, if necessary, implementing reasonable alternatives.

Disproportionate effects are those effects which are appreciably more severe for one group or predominantly borne by a single group. According to U.S. Census data, the City of Huntington has a total minority percentage of 6.00% and over 16% of the population has income below the poverty level. Data summarized below includes information on low income and minority populations.

**Table 2. City of Huntington, Indiana, Population by Race.**

	Total by Race	Percent	Tract 9614 (part)	Tract 9615 (part)	Tract 9616 (part)	Tract 9618 (part)	Tract 9619 (part)
Total Population	17,391	100.00%	3,144	4,871	2,668	2,678	4,030
White	16,768	96.42%	3,031	4,673	2,574	2,589	3,901
African American	99	0.57%	17	43	15	10	14
Asian	90	0.52%	20	28	13	12	17
American Indian/Alaska Native	77	0.44%	14	11	17	23	12
Pacific Islander	6	0.03%	1	4	0	1	0
Other Race	162	0.94%	24	54	17	25	42
Two or More Races	189	1.09%	37	58	32	18	44
<b>Total Hispanic Population</b>	<b>420</b>	<b>2.42%</b>	<b>75</b>	<b>133</b>	<b>63</b>	<b>63</b>	<b>86</b>
<b>Total Non-Hispanic Population</b>	<b>16,971</b>	<b>97.58%</b>	<b>3,069</b>	<b>4,738</b>	<b>2,605</b>	<b>2,615</b>	<b>3,944</b>
<b>Total Minority Population</b>	<b>1,043</b>	<b>6.00%</b>	<b>188 (6.0%)</b>	<b>331 (6.8%)</b>	<b>157 (5.9%)</b>	<b>152 (5.7%)</b>	<b>215 (5.3%)</b>

Source: U.S. Census Bureau, Census 2010. Note only parts of all tracts are within the City corporate limits.

**Table 3. City of Huntington, Indiana, Income and Low Income Population Data.**

	Total
Median Household Income	\$39,542
Percentage of Families with Income Below the Poverty Level	9.6%
Percentage of All People with Income Below the Poverty Level	16.0%

NOTE: 2010 Poverty Thresholds - \$11,137 for an individual, \$22,315 for four person household

Source: U.S. Census, American Community Survey (ACS) 2010-2014.

Further detailed review using the U.S. EPA’s EJSCREEN is available by Census Tract Block Group. However, not all Block Groups are entirely within the City limits so the information cannot be solely relied upon to identify

minority or low income populations. In addition, EJSCREEN is a tool for pre-decisional use only and cannot be relied upon solely to determine the presence/absence of Environmental Justice populations. Block Groups by Census Tract with minority and income population data are included on Table 4. High minority population (exceeds total City percentage of 6.00%) and/or high low income population (exceeds the City percentage of all people below the poverty line of 16.0%) Block Groups are highlighted.

**Table 4. City of Huntington, Indiana, Block Group Data.**

Census Tract, Block Group	Entirely with Corporation Limits?	Total Population	% Minority Population	% Low Income Population
Tract 9614, Block 001	Yes	507	2%	48%
Tract 9614, Block 002	Yes	618	1%	14%
Tract 9614, Block 003	No	1,510	2%	60%
Tract 9614, Block 004	No	1,037	0%	24%
Tract 9615, Block 001	Yes	1,259	5%	38%
Tract 9615, Block 002	Yes	1,297	8%	30%
Tract 9615, Block 003	Yes	1,307	0%	16%
Tract 9615, Block 004	Yes	1,261	4%	57%
Tract 9616, Block 001	No	1,040	11%	16%
Tract 9616, Block 002	No	670	0%	50%
Tract 9616, Block 003	Yes	1,796	10%	59%
Tract 9618, Block 001	Yes	648	8%	66%
Tract 9618, Block 002	Yes	1,213	9%	67%
Tract 9618, Block 003	Yes	747	15%	56%
Tract 9618, Block 004	No	901	7%	38%
Tract 9619, Block 001	Yes	1,031	7%	37%
Tract 9619, Block 002	Yes	1,413	4%	38%
Tract 9619, Block 003	No	1,109	10%	31%
Tract 9619, Block 004	No	1,001	0%	0%

Source: USEPA EJSCREEN Report (Version 2016)

NOTE: EJSCREEN is a screen tool for pre-decisional use. It can help identify areas that may warrant additional consideration, analysis, or outreach. Screening tools are subject to substantial uncertainty in data.

The data in the table above shows the limitations of some of the data from EJSCREEN. Only 16% of the population is below the poverty line according to the U.S. Census American Community Survey data, yet EJSCREEN shows all but four of the Block Groups having a low income population exceeding 16%. Imputing the EJSCREEN data would result in nearly 27% of the population being low income, which even with all of the population being low income outside of the City limits would be unlikely to account for this variance. Additional investigation and outreach should be completed for projects in the highlighted Block Group areas to ensure there is no disproportionate impact of projects. Statistics on EJSCREEN Census Tract and Block Groups are included in Appendix E. Where a project impacts a small number or area of low income or minority populations, the City will document that:

- Other reasonable alternatives were evaluated and were eliminated for reasons such as the alternatives impacted a far greater number of people or did greater harm to the environment, etc.;
- The project's impact is unavoidable;
- The benefits of the project far outweigh the overall impacts; and

- Mitigation measures are being taken to reduce the harm to low income or minority populations.

If it is concluded that no minority and/or low income population groups are present in the project area, the City will document how the conclusion was reached. If it is determined that one or more of these population groups are present in the area, the City will administer potential disproportionate effects test.

The following steps will be taken to assess the impact of a project on minority and/or low income population groups:

- **STEP ONE:** Determine if a minority or low income population is present within the project area. The means of making this determination may include a detailed review of census tract and/or block group information or other reliable sources. If the conclusion is that no minority and/or low income population is present within the project area, document how the conclusion was reached. If the conclusion is that there are minority population groups and/or low income population groups present, proceed to Step Two.
- **STEP TWO:** Determine whether project impacts associated with the identified low income and minority populations are disproportionately high and adverse. In doing so, refer to the list of potential impacts and questions contained in Appendix E. If it is determined that there are disproportionately high and adverse impacts to minority and low income populations, proceed to Step Three.
- **STEP THREE:** Propose measures that will avoid, minimize, and/or mitigate disproportionately high and disproportionate adverse impacts, and provide offsetting benefits and opportunities to enhance communities, neighborhoods, and individuals affected by the proposed project.
- **STEP FOUR:** If after mitigation, enhancements, and offsetting benefits to the affected populations, there remains a high and disproportionate adverse impact to minority or low income populations, then the following questions must be considered:
  - Question 1: Are there further mitigation measures that could be employed to avoid or reduce the adverse effect to the minority or low income population?
  - Question 2: Are there other additional alternatives to the proposed action that would avoid or reduce the impacts to the low income or minority populations?
  - Question 3: Considering the overall public interest, is there a substantial need for the project?
  - Question 4: Will the alternatives that would satisfy the need for the project and have less impact on protected populations
    - (a) have other social economic or environmental impacts that are more severe than those of the proposed action?
    - (b) have increased costs of extraordinary magnitude?
- **STEP FIVE:** Include all findings, determinations, or demonstrations in the environmental document prepared for the project.

## **9.0 FILING A TITLE VI COMPLAINT**

### **I. INTRODUCTION**

The Title VI complaint procedures are intended to provide aggrieved persons an avenue to raise complaints of discrimination regarding City programs, activities, and services as required by statute. Any person, who believes they have faced unequal treatment or discrimination as to the receipt of benefits and/or services based on their race, color, national origin, disability, sex, sexual orientation, gender identity, religion, age, low income status, or limited English proficiency, has the right to file a written complaint as described herein. Complaints should be filed with the City of Huntington's Title VI Coordinator.

These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Civil Rights Act of 1987, the Americans with Disabilities Act of 1990, and other relevant regulations, statutes, directives, and Executive Orders relating to any federally-funded contract or activity administered by the City. It also applies to sub-recipients, consultants, and contractors. Intimidation or retaliation of any kind is prohibited by law.

The procedures do not deny the right of the complainant to file formal complaints with other state and federal agencies, or to seek private counsel for complaints alleging discrimination. Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation meeting(s) between the affected parties, the Title VI Coordinator, and the Department Heads may be utilized for resolution. A copy of the complaint form can be found in Appendix F.

### **II. PURPOSE**

The purpose of the discrimination complaint procedures is to describe the process used by the City for processing complaints of discrimination under Title VI of the Civil Rights Act of 1964 and related statutes.

### **III. ROLES AND RESPONSIBILITIES**

The Title VI Coordinator has overall responsibility for the discrimination complaint process and procedures. The Title VI Coordinator may, at his/her discretion, assign a capable person to investigate the complaint. The designated investigator will conduct an impartial and objective investigation, collect factual information, and prepare a fact-finding report based upon information obtained from the investigation.

### **IV. PROCEDURE FOR FILING A COMPLAINT**

Any person, group of individuals, or entity that believes they have been excluded from participation in or denied benefits or services of any program or activity administered by the City or its sub-recipients, consultants, and contractors on the basis of race, color, national origin (including Limited English Proficiency), sex, age, or disability may bring forth a complaint of discrimination under Title VI. All complaints are to be filed with the City's Title VI Coordinator. The complainant(s) shall make themselves reasonably available to the designated investigator to ensure completion of the investigation within the timeframes set forth.

In all situations, employees of the City must contact the Title VI Coordinator immediately upon receipt of Title VI related complaints. Complaints must be filed within 180 days of the alleged discrimination. If the complainant could not reasonably be expected to know that the act was discriminatory within the 180 day

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period, he/she will have 60 additional days after becoming aware of the illegal discrimination to file the complaint.

Complaints must be in writing, and must be signed by the complainant and/or the complainant's representative. See Appendix F for the Title VI Complaint Form. The complaint must set forth, as fully as possible, the facts and circumstances surrounding the claimed discrimination. In cases where the complainant is unable or incapable of providing a written statement, the complainant will be assisted in converting the verbal complaint into a written complaint. All complaints, however, must be signed by the complainant and/or by the complainant's representative. Upon review of the information included in the complaint, the Title VI Coordinator shall decide the course of action and notify the complainant of the determination. All complaints will be logged into the Complaint Log (see Appendix F).

Items that should not be considered a formal complaint (unless the items contain a signed cover letter specifically alleging a violation of Title VI) include, but are not limited to:

- An anonymous complaint that is too vague to obtain required information
- Inquiries seeking advice or information
- Courtesy copies of court pleadings
- Newspaper articles
- Courtesy copies of internal grievances
- Oral complaints (unless provided by a Limited English Proficient person)

## **V. INVESTIGATION**

The Title VI Coordinator shall designate a Department Head to lead the investigation. In the event the complaint is against a Department Head, the Title VI Coordinator shall lead the investigation. The investigator shall prepare a written plan, which includes, but is not limited to the following:

- Names of the complainant(s) and respondent(s) basis for complaint
- Issues, events, or circumstances that caused the person to believe that he/she has been discriminated against
- Information needed to address the issue
- Criteria, sources necessary to obtain the information
- Identification of key people
- Estimated investigation timeline and remedy sought by the complainant(s)

In conducting the investigation, the following factors will be considered:

- The investigation will address only those issues relevant to the allegations in the complaint.
  - In accordance with DOT Order 1000.12, the City of Huntington 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 responder or a third party, the investigator must first obtain complainant's written permission. The Complainant Consent/Release form is including in Appendix F. Confidentiality will be maintained as much as possible.
  - Interviews will be conducted to obtain facts and evidence regarding the allegations in the complaint. The investigator will ask questions to elicit information about aspects of the case.
  - A chronological contact sheet is maintained in the case file throughout the investigation.
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- If a Title VI complaint is received on an INDOT-related contract against the City of Huntington, INDOT will be notified and provided the opportunity to participate in the investigation of the complaint. Upon receipt of a Title VI complaint filed against the City of Huntington, the complaint and any pertinent information should immediately be forwarded to INDOT's Title VI Program Manager.
- Complaints made against a City of Huntington's sub-recipient should be investigated by the City following the complaint process.
- Within 60 days of receiving the complaint, the investigator shall prepare an investigative report and submit the report and supporting documentation to the Title VI Coordinator for review.
- The Title VI Coordinator reviews the file and investigative report. Subsequent to the review, the Mayor makes a determination of "probable cause" or "no probable cause" and prepares the decision letter based on the facts of the investigation in consultation with the Title VI Coordinator. A copy of the decision letter will be provided to the complainant.
- The complainant may receive a copy of the investigative report and shall be notified in the decision letter of their appeal rights.
- The City may, at its discretion, extend any deadline above for a reasonable amount of time if needed to complete a thorough investigation.

The laws enforced by the City prohibit retaliation or intimidation against anyone because that individual has either taken action or participated in action to secure rights protected by these laws. If someone experiences retaliation or intimidation separate from the discrimination alleged in this complaint, they should contact the Title VI Coordinator.

## **VI. APPEALS, RECORDKEEPING, AND REPORTING REQUIREMENTS**

The complainant has the right to appeal the decision of the City to INDOT. The complainant must submit the appeal in writing to the City's Title VI Coordinator within 14 days of receipt of the City's decision letter. The appeal must cite the specific portion(s) of the findings that the complainant disagrees with and the reason(s) for the disagreement. The City will forward the appeal to INDOT's Title VI Program Manager within seven calendar days of receipt and cooperate fully in the appeal process as requested by INDOT.

All records and investigative working files are to be maintained in a confidential area. Records are to be kept for a minimum of three years or the amount of time dictated by the state's Record Retention Schedule, whichever is longer. All complaints shall be documented on the complaint log. A copy of the complaint, together with a copy of the investigation report and final decision letter, will be forwarded to the INDOT Title VI Program Manager following expiration of the appeal period.

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## 10.0 PUBLIC INVOLVEMENT AND OUTREACH

The City will provide information on Title VI responsibilities to the public and employees. Information will be available on postings in City facilities, City website, and employee handbooks. A review will be done of the City's website for compliance with applicable accessibility guidelines and suggested improvements considered to provide better access to users. A voluntary public participation survey will be available at all public meetings to collect information regarding persons affected by proposed projects. The voluntary survey will be anonymous and collect data regarding gender, ethnicity, race, ages, disability status, household income, and other information. The survey will be available at all public hearings and meetings on projects, and completed surveys shall be retained for a minimum of three years from the date of the meeting or completion of the related project, if applicable. A copy of the Public Participation Survey is included in Appendix F. The City will strive to modify the public involvement and outreach program based on input from respondents and INDOT as needed.

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## 11.0 TITLE VI PROGRAM GOALS FOR 2017

The City has identified the following Title VI Program goals for 2017. Updates to the program goals will be provided as part of the annual Title VI Implementation Plan to be prepared annually.

1. The City shall adopt the Non-Discrimination Policy Statement, Title VI Assurance, and Title VI Non-Discrimination Plan following a public hearing.
2. A copy of the City of Huntington's Title VI Non-Discrimination Plan will be provided to each City Department Head, who will review the plan with departmental employees.
3. Prepare a list of department liaisons and publish that list. A copy of the list should be provided to each department and made readily available to the public upon request.
4. The City of Huntington's Title VI Plan and all forms will be published on the City of Huntington's website.
5. The name and contact information of the City's Title VI Coordinator will be provided on all relevant publications and on the City website.
6. Ensure that the Federal-Aid Contract Language included in Appendix A is included in all City contracts as outlined in the Title VI Plan.
7. The language in Paragraph Number 2 of the City of Huntington's Title VI Assurance will be included in all solicitations for bids for work or material subject to the Regulations and in all proposals for negotiated agreements.
8. The procedure(s) for responding to individuals with Limited English Proficiency will be developed and implemented.
9. The Title VI Coordinator shall attend the mandatory training required by INDOT on Title VI.
10. The Title VI Coordinator shall provide Department Heads with Title VI training and document and maintain attendance records of all training sessions.
11. All City of Huntington employees will be trained or made aware of the requirements of Title VI, the LEP procedure, and the Title VI complaint procedure.
12. Provide copies of the voluntary Title VI Public Participation Survey found in Appendix F at all public meetings.
13. Provide copies of the Language Identification Flashcards found in Appendix F to all Department Heads and ensure that all employees are aware of their location when needed.
14. Identify local foreign language translators that can be contracted to assist LEP individuals.
15. The following data will be collected and reviewed by the Title VI Coordinator and documented as noted in the Title VI Plan:
  - a. Boards and Commissions: The number of vacancies, how vacancies are advertised and filled, the number of applicants, and the representation of minorities on City boards and commissions will be evaluated.
  - b. Public Meetings: Document the number of open meetings and how meeting dates and times were communicated to the general public and to individuals directly affected by the project will be documented.
  - c. Construction Projects: The number of construction projects, minority contractors bidding, and the number selected will be documented, along with verification that Title VI language was included in bids and contracts for each project.

- d. LEP Needs: The number of requests for language assistance that were requested or required and the outcome of these requests.
  - e. Complaints: The number of Title VI complaints received, nature of the complaints, and resolution of the complaints.
  - f. Timeliness of Services: The number of requests for services, amount of time from request to when service was delivered, and number of requests denied.
  - g. Right-of-Way/Eminent Domain: The number of such actions and diversity of individuals affected.
  - h. Program Participants: Racial data of program participants, where possible, based on information provided by attendees on the non-mandatory, anonymous Public Participation Survey.
16. Begin preparation of the 2018 Title VI Implementation Plan in November 2017.
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INNOVATIVE IDEAS  
EXCEPTIONAL DESIGN  
UNMATCHED CLIENT SERVICE

## APPENDICES

## APPENDIX A – FEDERAL-AID CONTRACT LANGUAGE

### Appendix A

The following language is to be inserted in all federal-aid contracts:

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 Regulations relative to non-discrimination in Federally-assisted programs of the Department of Transportation, Title 49, Code of Federal Regulations, Part 21, 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. Non-Discrimination: The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection, retention, and treatment of subcontractors, including procurements of materials in the discrimination prohibited by Section 21.5 of the Regulation, including employment practices when the contractor covers a program set for in Appendix B of the Regulations.
  3. Solicitation for Subcontracts, 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 the contract and the Regulations relative to non-discrimination on the grounds of race, color, or national origin.
  4. Information and Reports: The contractor shall provide all information and reports required by the Regulations, or directives issues pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the State Highway Department or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations or directives. 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 State Highway Department or the Federal Highway Administration, as appropriate, and shall set forth what efforts it has made to obtain the information.
  5. Sanctions for Non-Compliance: In the event the contractor’s non-compliance with the non-discrimination provisions of this contract, the State Highway Department shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
    - a. Withholding 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 provisions of paragraphs (1) through (6) in every subcontract, including procurement of material and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the State Highway
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INNOVATIVE IDEAS  
EXCEPTIONAL DESIGN  
UNMATCHED CLIENT SERVICE

Department or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for non-compliance: provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the State Highway Department to enter into such litigation to protect the interests of the State, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

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## APPENDIX B – 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 Huntington, Indiana, will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code, the Regulations for the Administration of the Department of Transportation 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, Non-Discrimination 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-4) does hereby remise, release, quitclaim and convey unto the City of Huntington, Indiana, all the right, title, and interest of the Department of Transportation in and to said lands described 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 Huntington, 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 Huntington, Indiana, its successors and assigns.

The City of Huntington, Indiana, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors, and assigns, that (1) no person shall on the grounds of race, color, sex, age, disability, income status, or national origin, 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 Huntington, Indiana, shall use the 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, Non-Discrimination in Federally-assisted programs of the Department of Transportation Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended (,) and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department shall have a right to re-enter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this deed.\*

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

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## APPENDIX C – PERMITS, LEASES, AND LICENSES

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by the City of Huntington, Indiana, pursuant to the provisions of Assurance 7(a).

The grantee, licensee, lessee, permittee, etc., (as appropriate) for himself, his heirs, personal representative, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases, add, “as a covenant running with the land”) that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) shall remain 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, Non-Discrimination in Federally-assisted programs of the Department of Transportation — Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

(Include in licenses, leases, permits, etc.)\*

That in the event of breach of any of the above non-discrimination covenants, the City of Huntington, Indiana, shall have the right to terminate the license, lease, permit, etc., and to re-enter and repossess said land and the facilities thereon, and hold the same as if said license, lease, permit, etc., had never been made or issued.

(Include in deeds)\*

That in the event of breach of any of the above non-discrimination covenants, the City of Huntington, Indiana, shall have the right to re-enter lands and facilities hereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the State of Indiana Department of Transportation 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 purpose of the Title VI of the Civil Rights Act of 1964 and the Civil Rights Act of 1987.

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## APPENDIX D – DETERMINE/DISTINGUISH SIGNIFICANT/NON-SIGNIFICANT EFFECTS

“Significant” requires considerations of both context and intensity:

- (a) Context. This means that the significance of an action must be analyzed in several contexts such as society as a whole (human, nation), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the local area rather than in the world as a whole. Both short-and long-term effects are relevant.
- (b) Intensity. This refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following should be considered in evaluating intensity:
  - (1) Impacts that may be both beneficial and adverse. A significant effect may exist even if, on balance, the effect would be beneficial.

“Non-significant effect” means no substantial change to an environmental component and this no material bearing on the decision-making process.

Scientific, technical, institutional, the public’s value, and the local economic conditions influence the meaning of significant effect.

If an alternative would provide a beneficial effect, then the alternative would cause no significant adverse effect. If an alternative would provide an adverse effect, the effect might be significant or the effect might be non-significant.

Determinations of “significant” and “non-significant” effects will be made by Department Heads, in consultation with the Title VI Coordinator.

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## APPENDIX E – LEP AND ENVIRONMENTAL JUSTICE INFORMATION

# Beacon™ Huntington County, IN

## City of Huntington Corporation Limits



### Overview



### Legend

- City/Town Limits
- Parcels
- Railroad
- Major Water Body

Date created: 9/29/2016

Developed by  
The Schneider Corporation



Location: User-specified polygonal location  
Ring (buffer): 0-mile radius  
Description: City of Huntington

	2010 - 2014 ACS Estimates	Percent	MOE (±)
<b>Population 25+ by Educational Attainment</b>			
Total	11,333	100%	195
Less than 9th Grade	328	3%	70
9th - 12th Grade, No Diploma	1,297	11%	100
High School Graduate	4,870	43%	139
Some College, No Degree	3,044	27%	102
Associate Degree	812	7%	66
Bachelor's Degree or more	1,795	16%	93
<b>Population Age 5+ Years by Ability to Speak English</b>			
Total	16,402	100%	264
Speak only English	15,870	97%	265
Non-English at Home <sup>1+2+3+4</sup>	532	3%	71
<sup>1</sup> Speak English "very well"	338	2%	50
<sup>2</sup> Speak English "well"	135	1%	35
<sup>3</sup> Speak English "not well"	55	0%	61
<sup>4</sup> Speak English "not at all"	4	0%	19
<sup>3+4</sup> Speak English "less than well"	59	0%	61
<sup>2+3+4</sup> Speak English "less than very well"	194	1%	66
<b>Linguistically Isolated Households*</b>			
Total	26	100%	32
Speak Spanish	7	27%	13
Speak Other Indo-European Languages	0	0%	11
Speak Asian-Pacific Island Languages	19	73%	30
Speak Other Languages	0	0%	11
<b>Linguistically Isolated Households*</b>			
Total	26	100%	32
Speak Spanish	7	27%	13
Speak Other Indo-European Languages	0	0%	11
Speak Asian-Pacific Island Languages	19	73%	30
Speak Other Languages	0	0%	11

Table 1 reference data.

# STATS INDIANA

Indiana's Public Data Utility

## Census 2010 CDBG Beneficiaries Data Extract

This special data extract was prepared by the Indiana Business Research Center at Indiana University's Kelley School of Business, April 2014.

### Huntington city

#### Total Population

	Place Total	Tract 9614 (part)	Tract 9615 (part)	Tract 9616 (part)	Tract 9618 (part)	Tract 9619 (part)	
<b>Number of Persons</b>	17,391	3,144	4,871	2,668	2,678	4,030	
<b>Single Race</b>	White	16,768	3,031	4,673	2,574	2,589	3,901
	Black/African American	99	17	43	15	10	14
	Asian	90	20	28	13	12	17
	American Indian/Alaska Native	77	14	11	17	23	12
	Native Hawaiian/Other Pacific Islander	6	1	4	0	1	0
<b>Multi Race</b>	American Indian/Alaska Native & White	70	10	14	14	11	21
	Asian & White	49	13	22	4	6	4
	Black/African American & White	66	14	21	14	0	17
	American Indian/Alaska Native & Black/African American	4	0	1	0	1	2
<b>Balance</b>	162	24	54	17	25	42	
<b>Number of Handicapped (2012 ACS)</b>	2,487	NA	NA	NA	NA	NA	
<b>Number of Elderly Persons (age 62 and over)</b>	2,779	578	708	353	386	754	
<b>Number of Female-Headed Households</b>	875	224	182	138	138	193	

Note: Adding the Balance row with the single and multi-race categories listed equals the total population.

Source: STATS Indiana, using data from Census 2010, Number of Handicapped from ACS 2012 5-year

#### Hispanic Population

	Place Total	Tract 9614 (part)	Tract 9615 (part)	Tract 9616 (part)	Tract 9618 (part)	Tract 9619 (part)	
<b>Number of Persons</b>	420	75	133	63	63	86	
<b>Single Race</b>	White	243	54	70	39	33	47
	Black/African American	4	0	2	1	1	0
	Asian	0	0	0	0	0	0
	American Indian/Alaska Native	11	1	1	6	2	1
	Native Hawaiian/Other Pacific Islander	2	0	1	0	1	0
<b>Multi Race</b>	American Indian/Alaska Native & White	10	0	4	2	0	4
	Asian & White	8	0	3	0	5	0
	Black/African American & White	1	0	1	0	0	0
	American Indian/Alaska Native & Black/African American	0	0	0	0	0	0
<b>Balance</b>	141	20	51	15	21	34	

Note: Adding the Balance row with the single and multi-race categories listed equals the Hispanic total.

Source: STATS Indiana, using data from Census 2010

Table 2 reference data.

U.S. Census Bureau

AMERICAN  
**FactFinder**



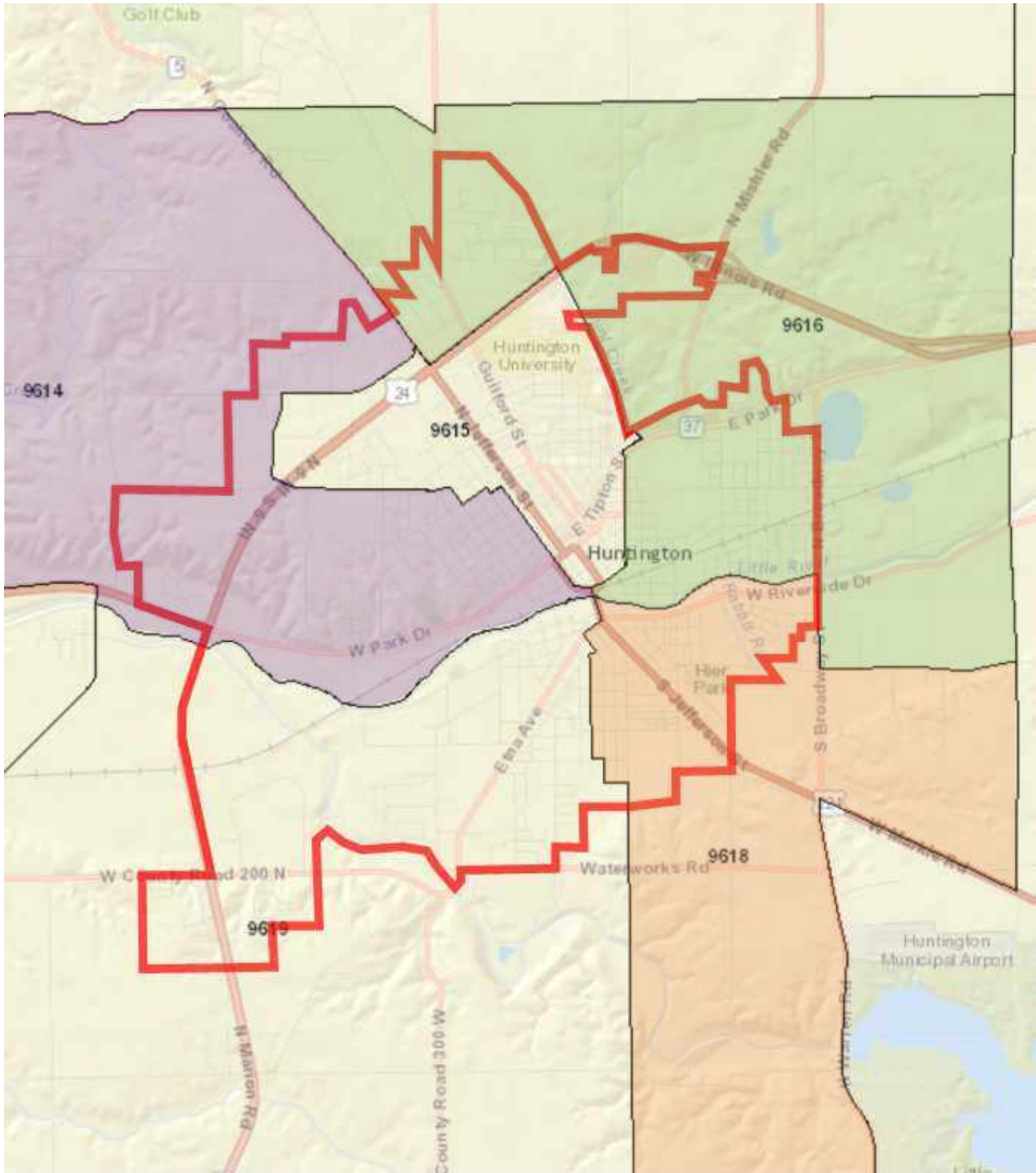
DP03

SELECTED ECONOMIC CHARACTERISTICS

2010-2014 American Community Survey 5-Year Estimates

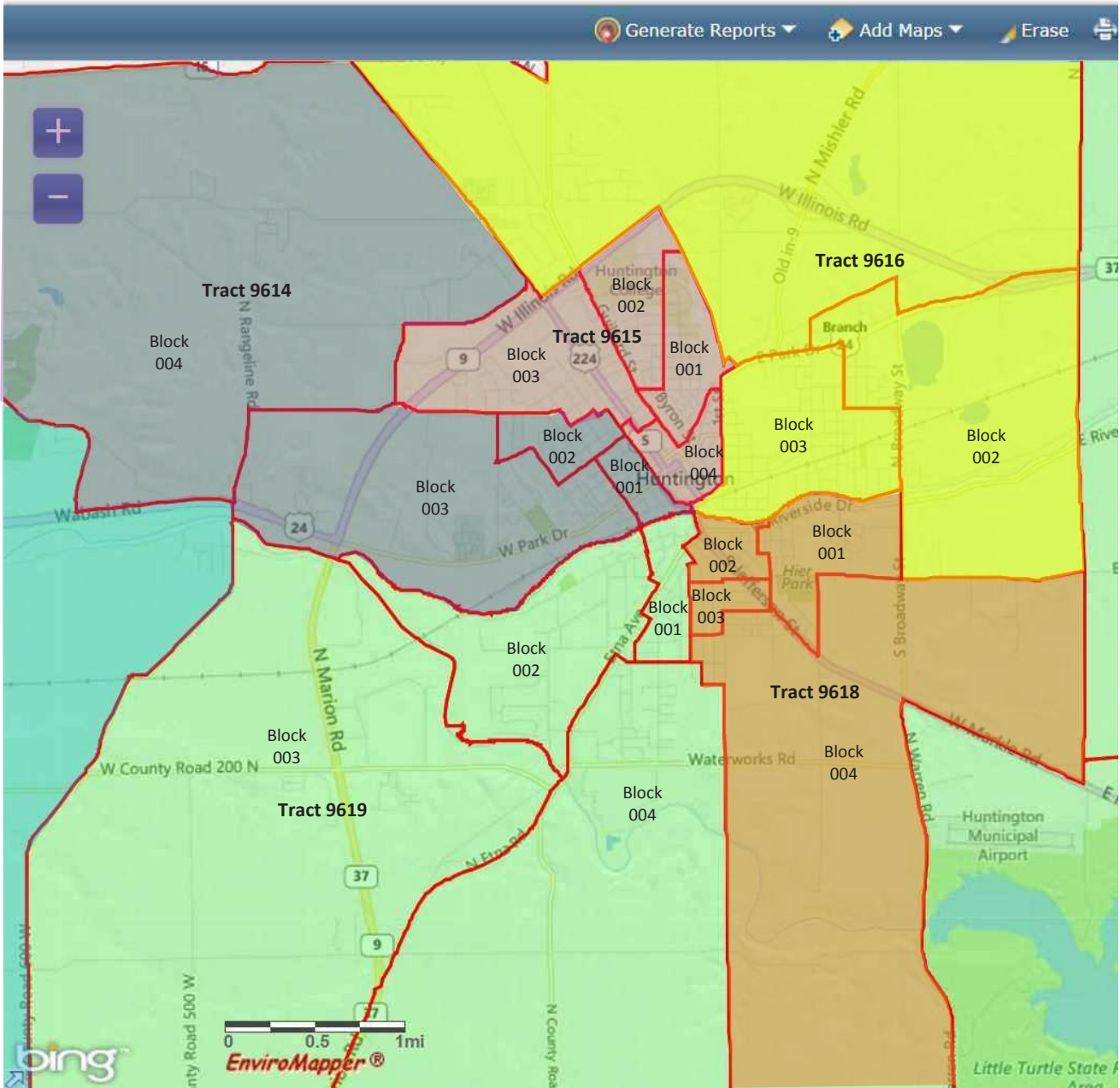
Subject	Huntington city, Indiana			
	Estimate	Margin of Error	Percent	Percent Margin of Error
<b>INCOME AND BENEFITS (IN 2014 INFLATION-ADJUSTED DOLLARS)</b>				
Total households	6,749	+/-269	6,749	(X)
Less than \$10,000	435	+/-119	6.4%	+/-1.7
\$10,000 to \$14,999	481	+/-124	7.1%	+/-1.8
\$15,000 to \$24,999	1,221	+/-198	18.1%	+/-2.6
\$25,000 to \$34,999	923	+/-185	13.7%	+/-2.6
\$35,000 to \$49,999	1,060	+/-137	15.7%	+/-2.0
\$50,000 to \$74,999	1,491	+/-172	22.1%	+/-2.6
\$75,000 to \$99,999	666	+/-136	9.9%	+/-2.0
\$100,000 to \$149,999	383	+/-103	5.7%	+/-1.5
\$150,000 to \$199,999	40	+/-29	0.6%	+/-0.4
\$200,000 or more	49	+/-31	0.7%	+/-0.5
Median household income (dollars)	39,542	+/-4,046	(X)	(X)
Mean household income (dollars)	48,150	+/-2,685	(X)	(X)
<b>PERCENTAGE OF FAMILIES AND PEOPLE WHOSE INCOME IN THE PAST 12 MONTHS IS BELOW THE POVERTY LEVEL</b>				
All families	(X)	(X)	9.6%	+/-3.0
With related children under 18 years	(X)	(X)	15.9%	+/-5.5
With related children under 5 years only	(X)	(X)	10.2%	+/-10.9
Married couple families	(X)	(X)	6.5%	+/-2.6
With related children under 18 years	(X)	(X)	10.9%	+/-5.5
With related children under 5 years only	(X)	(X)	3.2%	+/-5.8
Families with female householder, no husband present	(X)	(X)	22.0%	+/-9.1
With related children under 18 years	(X)	(X)	30.5%	+/-12.5
With related children under 5 years only	(X)	(X)	26.1%	+/-38.5
All people	(X)	(X)	16.0%	+/-3.1
Under 18 years	(X)	(X)	19.4%	+/-6.7
Related children under 18 years	(X)	(X)	18.7%	+/-6.8
Related children under 5 years	(X)	(X)	19.3%	+/-9.1
Related children 5 to 17 years	(X)	(X)	18.4%	+/-7.2
18 years and over	(X)	(X)	15.0%	+/-2.5
18 to 64 years	(X)	(X)	16.0%	+/-2.9
65 years and over	(X)	(X)	10.9%	+/-4.5
People in families	(X)	(X)	11.3%	+/-3.9
Unrelated individuals 15 years and over	(X)	(X)	30.7%	+/-5.2

Table 3 reference data.



2010 Census Tract Map with approximate corporation limits

**EPA EJSCREEN** EPA's Environmental Justice Screening and Mapping Tool (Version 2016)





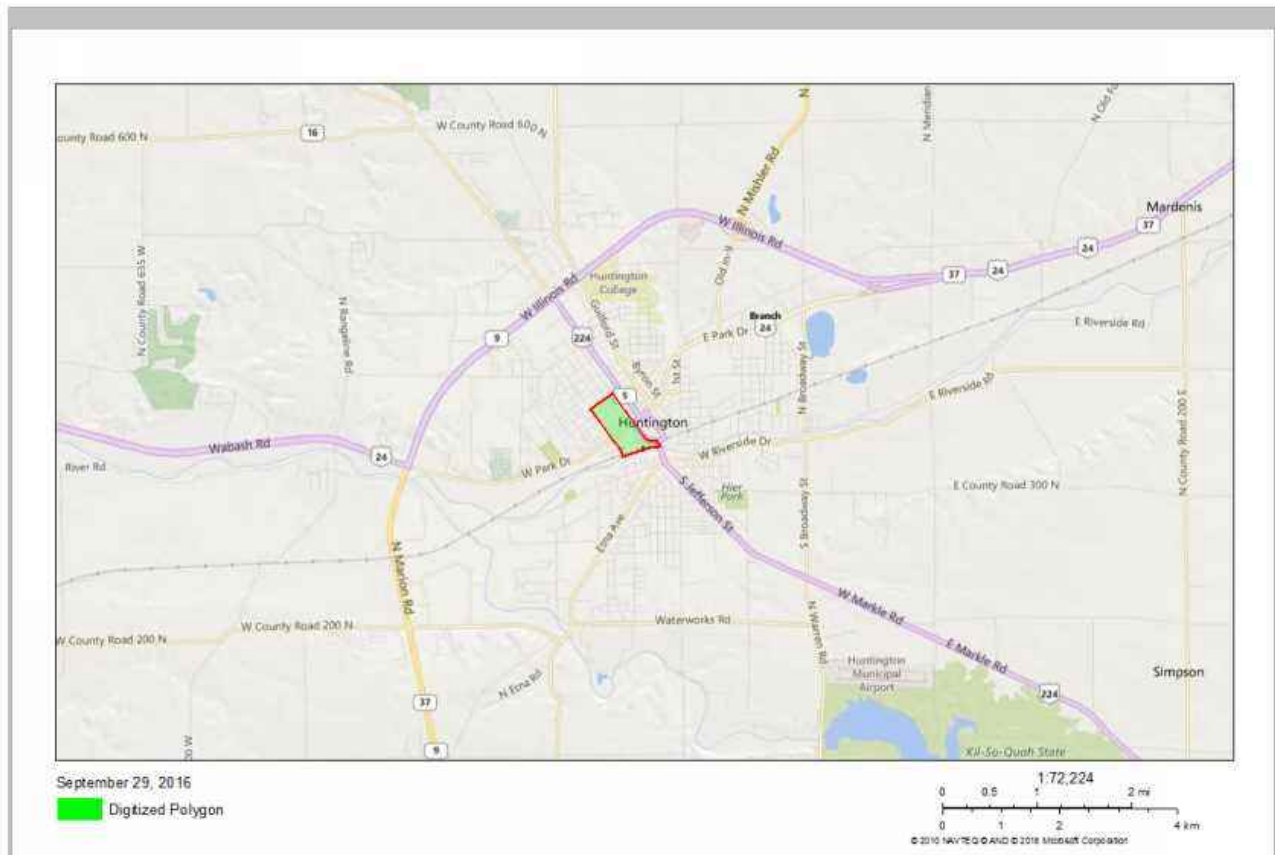
## EJSCREEN Report (Version 2016)

Blockgroup: 180699614001, INDIANA, EPA Region 5



Tract 9614, Block 001

Approximate Population: 507  
Input Area (sq. miles): 0.11



Selected Variables	Value	State Avg.	%ile in State	EPA Region Avg.	%ile in EPA Region	USA Avg.	%ile in USA
<b>Demographic Indicators</b>							
Demographic Index	25%	27%	58	29%	57	36%	41
Minority Population	2%	19%	16	24%	12	37%	6
Low Income Population	48%	35%	73	33%	76	35%	73
Linguistically Isolated Population	0%	2%	63	2%	58	5%	44
Population With Less Than High School Education	2%	12%	8	11%	12	14%	11
Population Under 5 years of age	4%	6%	23	6%	24	6%	24
Population over 64 years of age	15%	14%	62	14%	60	14%	63

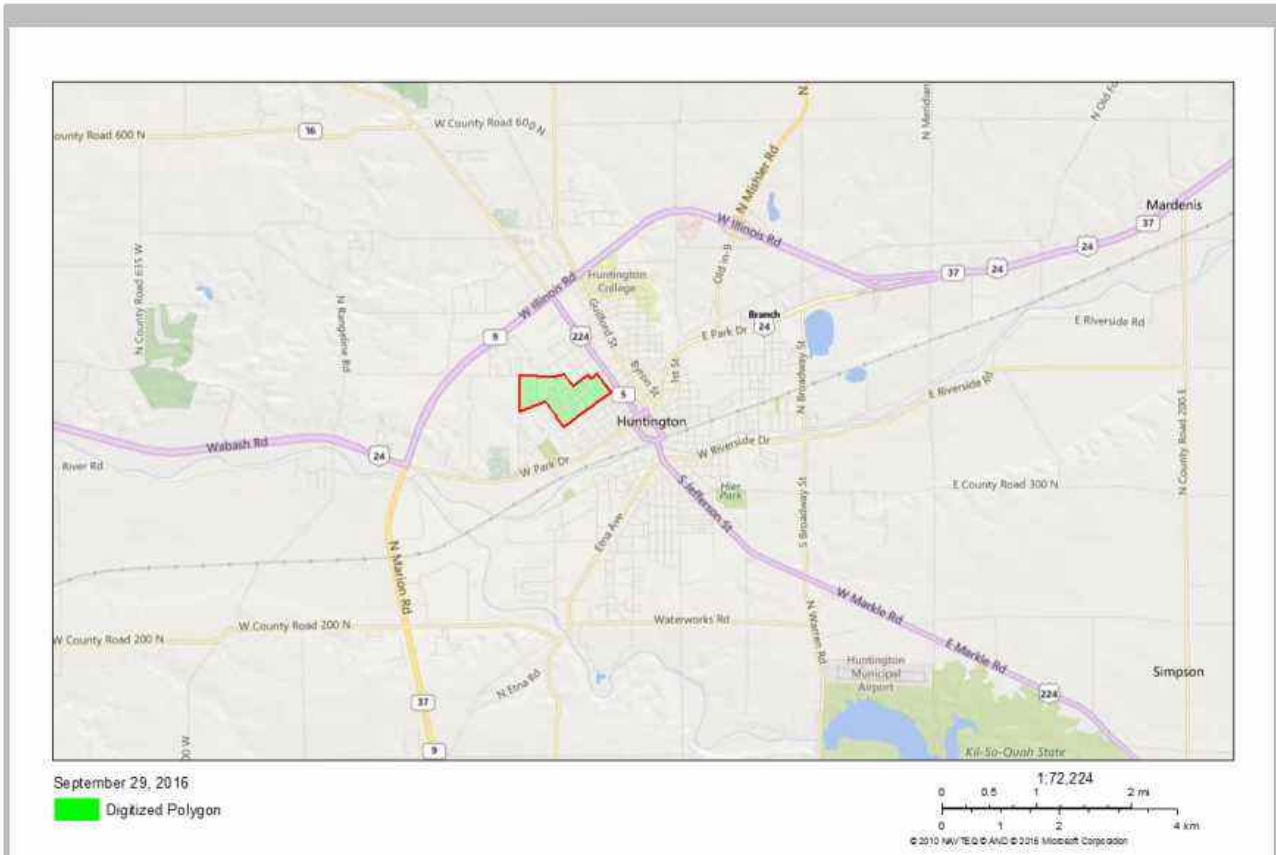
**EJSCREEN Report (Version 2016)**



**Blockgroup: 180699614002, INDIANA, EPA Region 5**

Tract 9614, Block 002

**Approximate Population: 618**  
**Input Area (sq. miles): 0.18**



Selected Variables	Value	State Avg.	%ile in State	EPA Region Avg.	%ile in EPA Region	USA Avg.	%ile in USA
<b>Demographic Indicators</b>							
Demographic Index	7%	27%	5	29%	6	36%	3
Minority Population	1%	19%	11	24%	7	37%	3
Low Income Population	14%	35%	14	33%	18	35%	18
Linguistically Isolated Population	0%	2%	63	2%	58	5%	44
Population With Less Than High School Education	10%	12%	47	11%	55	14%	47
Population Under 5 years of age	1%	6%	4	6%	4	6%	5
Population over 64 years of age	23%	14%	91	14%	89	14%	88



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EXCEPTIONAL DESIGN  
UNMATCHED CLIENT SERVICE



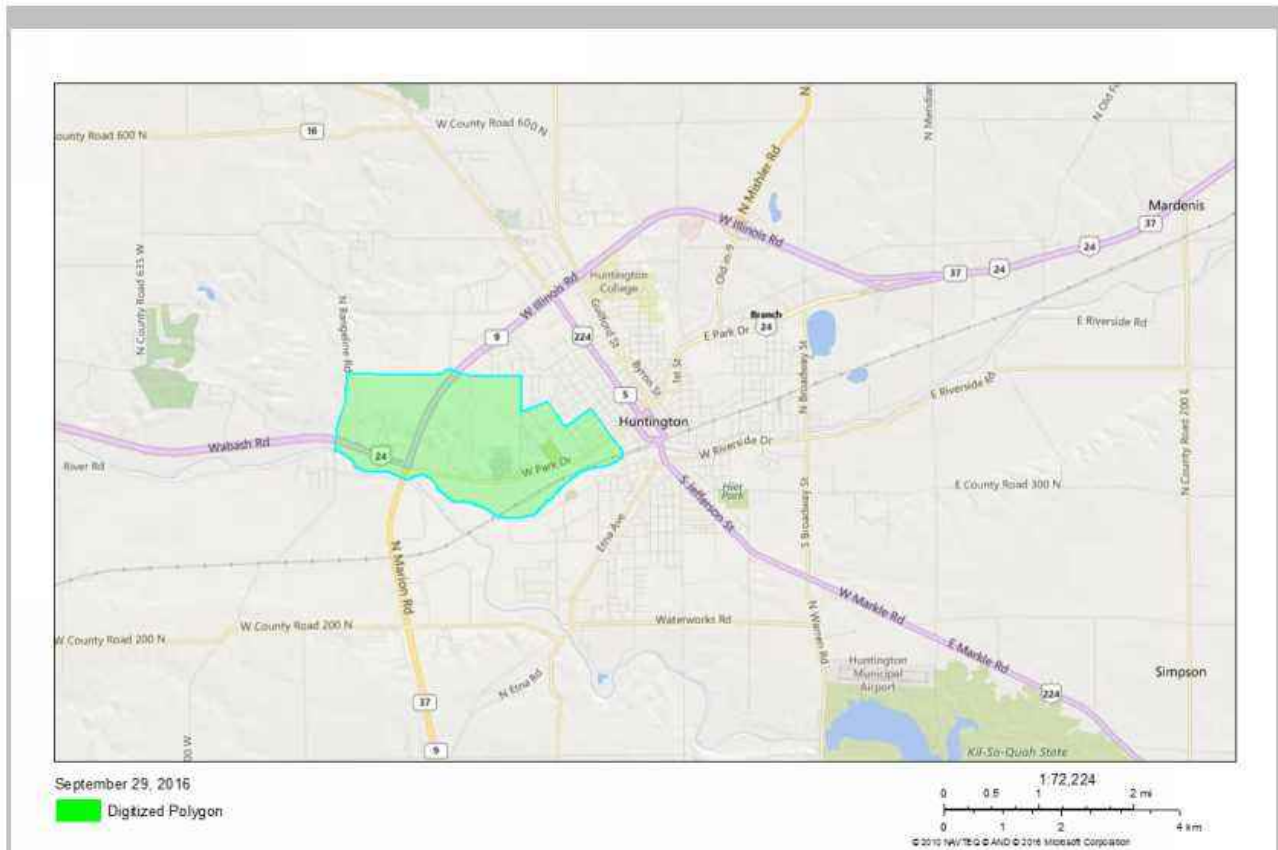
### EJSCREEN Report (Version 2016)

Blockgroup: 180699614003, INDIANA, EPA Region 5



Tract 9614, Block 003

Approximate Population: 1,510  
Input Area (sq. miles): 1.73



Selected Variables	Value	State Avg.	%ile in State	EPA Region Avg.	%ile in EPA Region	USA Avg.	%ile in USA
<b>Demographic Indicators</b>							
Demographic Index	31%	27%	69	29%	67	36%	51
Minority Population	2%	19%	12	24%	8	37%	4
Low Income Population	60%	35%	85	33%	87	35%	85
Linguistically Isolated Population	0%	2%	63	2%	58	5%	44
Population With Less Than High School Education	7%	12%	34	11%	41	14%	35
Population Under 5 years of age	6%	6%	50	6%	53	6%	51
Population over 64 years of age	21%	14%	86	14%	84	14%	84



INNOVATIVE IDEAS  
EXCEPTIONAL DESIGN  
UNMATCHED CLIENT SERVICE



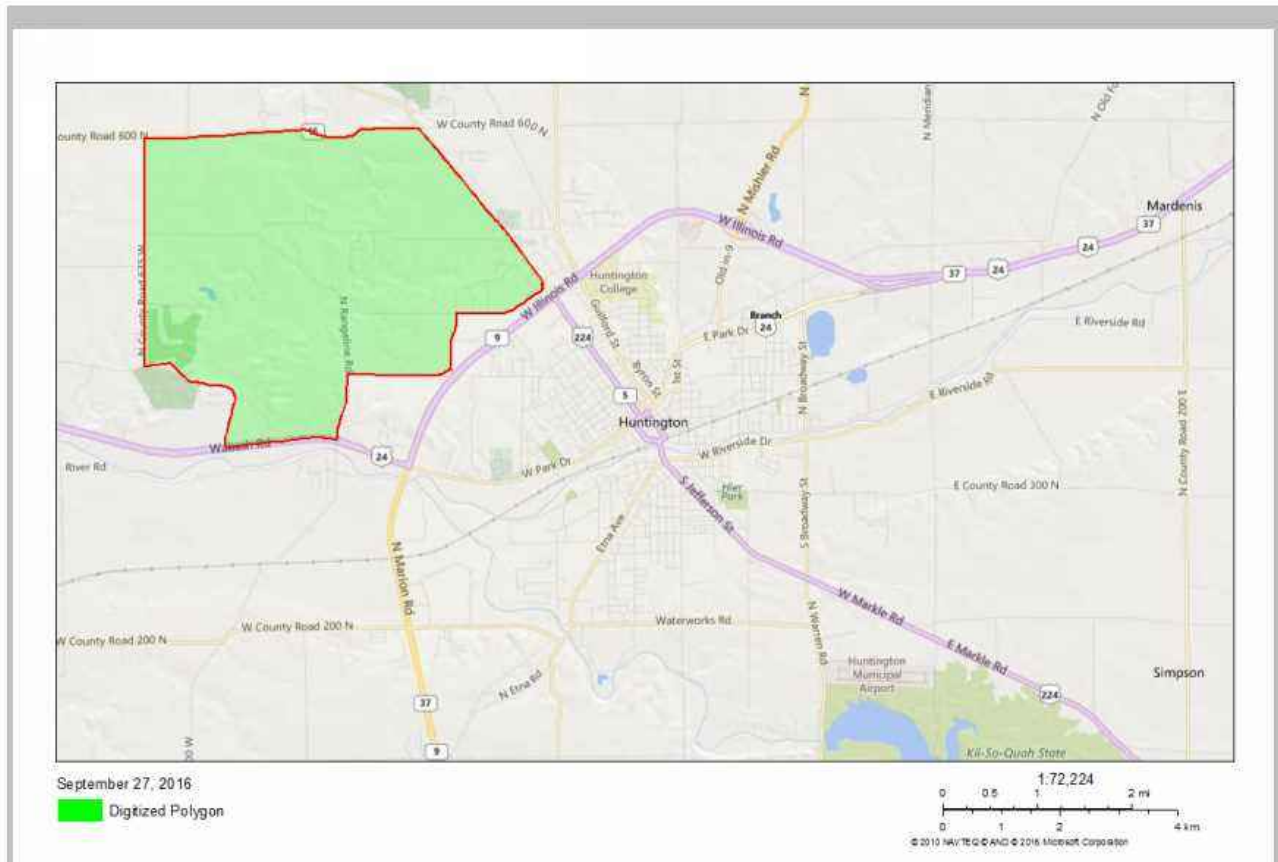
## EJSCREEN Report (Version 2016)



Blockgroup: 180699614004, INDIANA, EPA Region 5

Tract 9614, Block 004

Approximate Population: 1,037  
Input Area (sq. miles): 5.66



Selected Variables	Value	State Avg.	%ile in State	EPA Region Avg.	%ile in EPA Region	USA Avg.	%ile in USA
<b>Demographic Indicators</b>							
Demographic Index	12%	27%	18	29%	20	36%	12
Minority Population	0%	19%	5	24%	3	37%	1
Low Income Population	24%	35%	34	33%	40	35%	37
Linguistically Isolated Population	0%	2%	63	2%	58	5%	44
Population With Less Than High School Education	6%	12%	31	11%	38	14%	33
Population Under 5 years of age	2%	6%	7	6%	8	6%	8
Population over 64 years of age	18%	14%	78	14%	75	14%	77

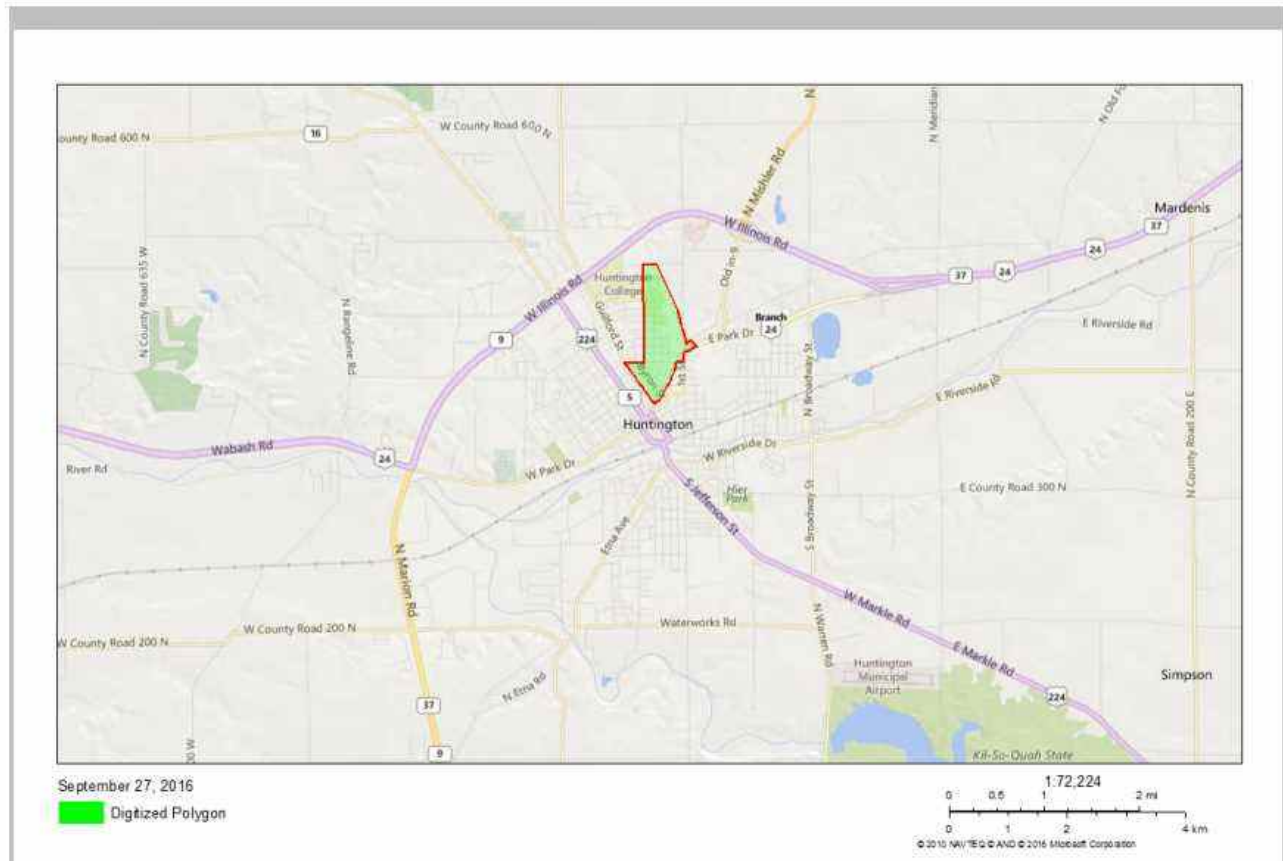
**EJSCREEN Report (Version 2016)**



Blockgroup: 180699615001, INDIANA, EPA Region 5

Tract 9615, Block 001

Approximate Population: 1,259  
Input Area (sq. miles): 0.27



Selected Variables	Value	State Avg.	%ile in State	EPA Region Avg.	%ile in EPA Region	USA Avg.	%ile in USA
<b>Demographic Indicators</b>							
Demographic Index	22%	27%	49	29%	49	36%	34
Minority Population	5%	19%	32	24%	27	37%	14
Low Income Population	38%	35%	59	33%	64	35%	60
Linguistically Isolated Population	0%	2%	63	2%	58	5%	44
Population With Less Than High School Education	6%	12%	27	11%	34	14%	29
Population Under 5 years of age	4%	6%	29	6%	32	6%	31
Population over 64 years of age	8%	14%	23	14%	23	14%	28



INNOVATIVE IDEAS  
EXCEPTIONAL DESIGN  
UNMATCHED CLIENT SERVICE



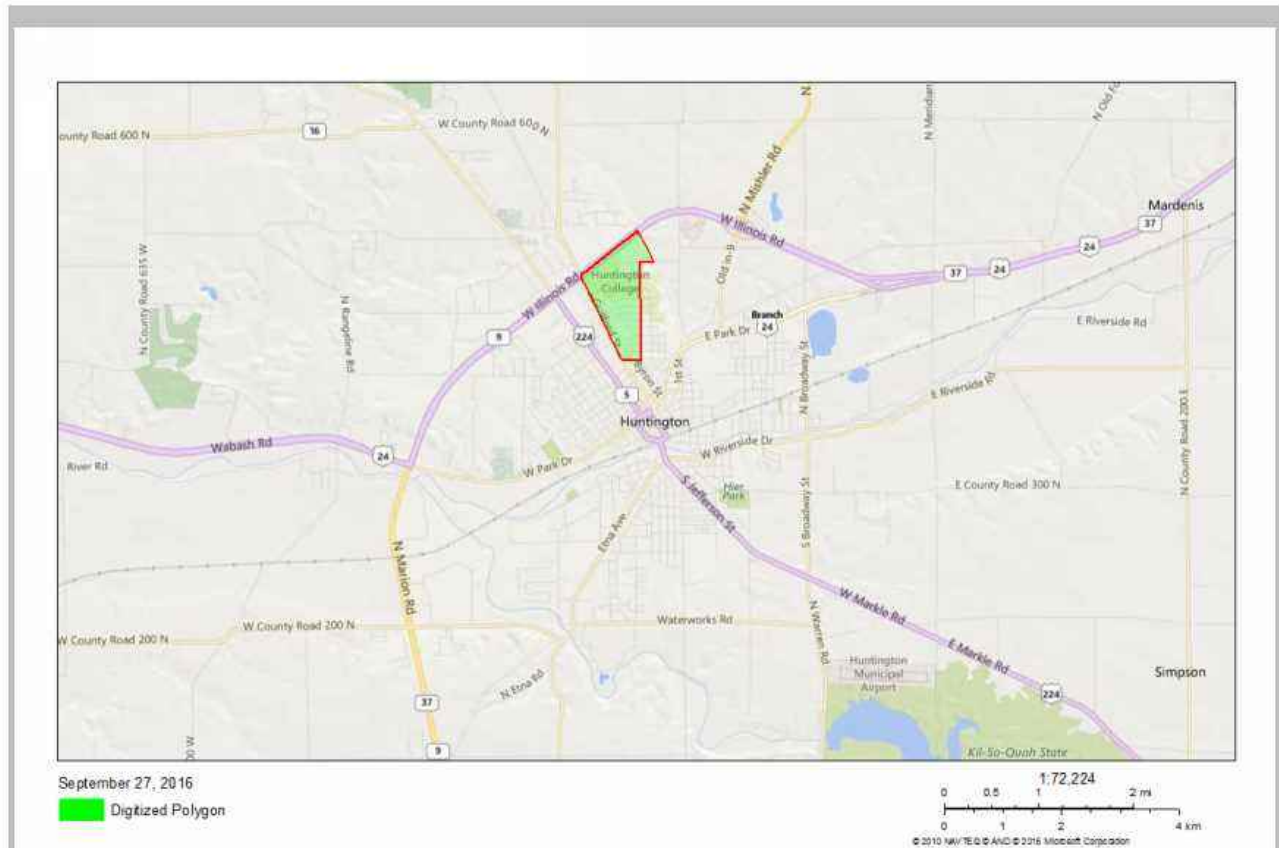
## EJSCREEN Report (Version 2016)

Blockgroup: 180699615002, INDIANA, EPA Region 5



Tract 9615, Block 002

Approximate Population: 1,297  
Input Area (sq. miles): 0.31



Selected Variables	Value	State Avg.	%ile in State	EPA Region Avg.	%ile in EPA Region	USA Avg.	%ile in USA
<b>Demographic Indicators</b>							
Demographic Index	19%	27%	41	29%	42	36%	28
Minority Population	8%	19%	42	24%	37	37%	20
Low Income Population	30%	35%	45	33%	51	35%	47
Linguistically Isolated Population	0%	2%	63	2%	58	5%	44
Population With Less Than High School Education	5%	12%	21	11%	27	14%	24
Population Under 5 years of age	3%	6%	21	6%	23	6%	23
Population over 64 years of age	6%	14%	10	14%	11	14%	14



INNOVATIVE IDEAS  
EXCEPTIONAL DESIGN  
UNMATCHED CLIENT SERVICE



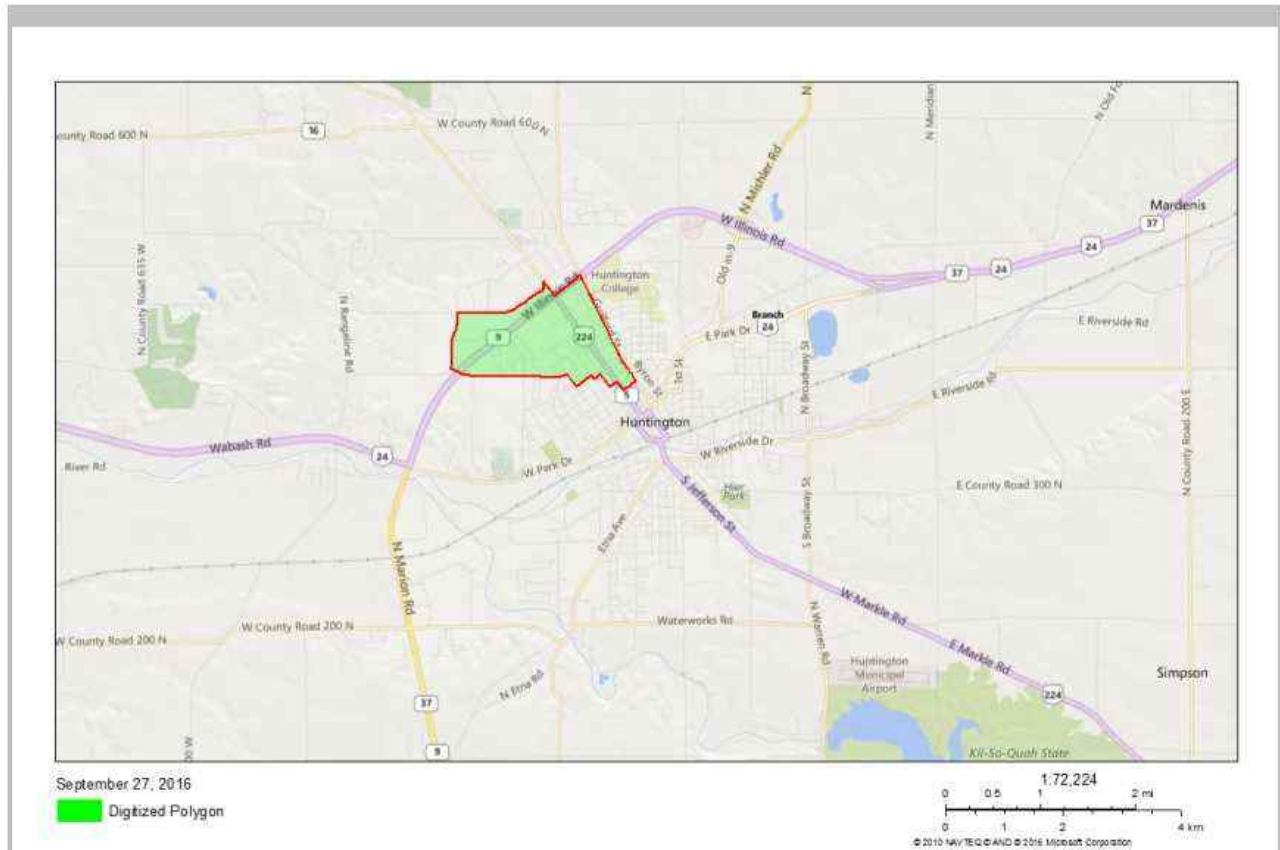
## EJSCREEN Report (Version 2016)



Blockgroup: 180699615003, INDIANA, EPA Region 5

Tract 9615, Block 003

Approximate Population: 1,307  
Input Area (sq. miles): 0.78



Selected Variables	Value	State Avg.	%ile in State	EPA Region Avg.	%ile in EPA Region	USA Avg.	%ile in USA
<b>Demographic Indicators</b>							
Demographic Index	8%	27%	7	29%	8	36%	4
Minority Population	0%	19%	5	24%	3	37%	1
Low Income Population	16%	35%	19	33%	24	35%	22
Linguistically Isolated Population	0%	2%	63	2%	58	5%	44
Population With Less Than High School Education	5%	12%	23	11%	29	14%	26
Population Under 5 years of age	7%	6%	61	6%	65	6%	62
Population over 64 years of age	16%	14%	68	14%	65	14%	68



INNOVATIVE IDEAS  
EXCEPTIONAL DESIGN  
UNMATCHED CLIENT SERVICE



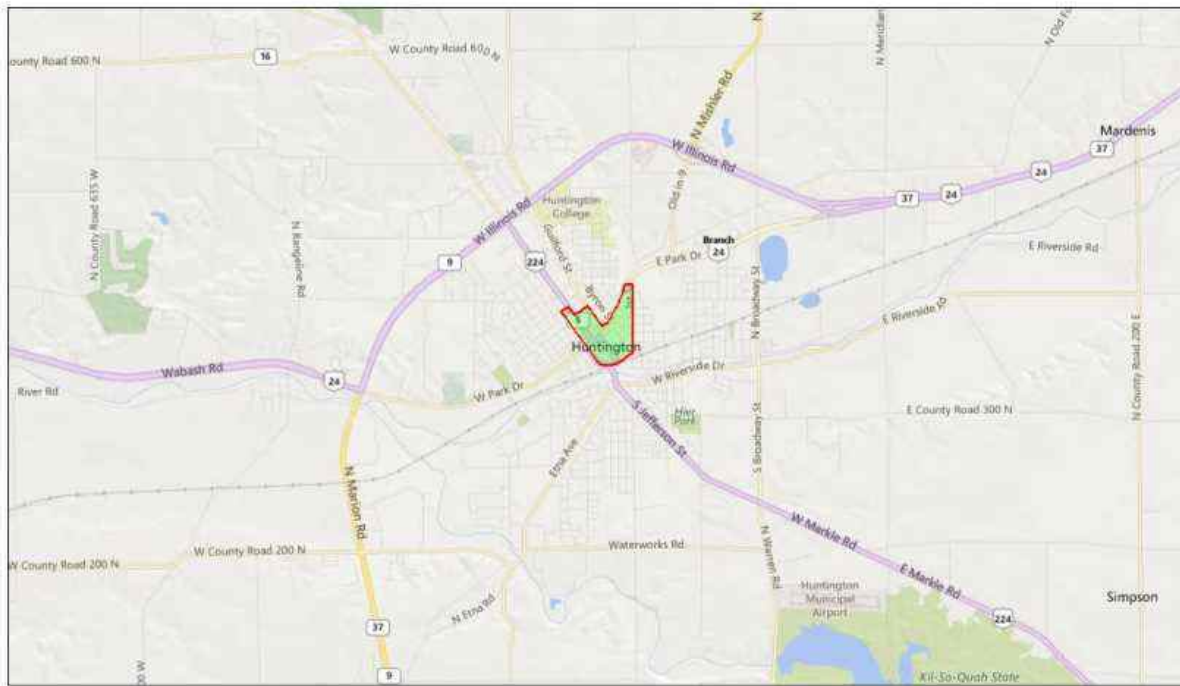
## EJSCREEN Report (Version 2016)



Blockgroup: 180699615004, INDIANA, EPA Region 5

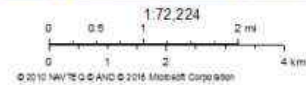
Tract 9615, Block 004

Approximate Population: 1,261  
Input Area (sq. miles): 0.19



September 27, 2016

Digitized Polygon



Selected Variables	Value	State Avg.	%ile in State	EPA Region Avg.	%ile in EPA Region	USA Avg.	%ile in USA
<b>Demographic Indicators</b>							
Demographic Index	30%	27%	68	29%	67	36%	50
Minority Population	4%	19%	24	24%	19	37%	10
Low Income Population	57%	35%	83	33%	85	35%	82
Linguistically Isolated Population	1%	2%	71	2%	66	5%	51
Population With Less Than High School Education	18%	12%	78	11%	81	14%	72
Population Under 5 years of age	14%	6%	95	6%	96	6%	95
Population over 64 years of age	12%	14%	45	14%	44	14%	48





INNOVATIVE IDEAS  
EXCEPTIONAL DESIGN  
UNMATCHED CLIENT SERVICE



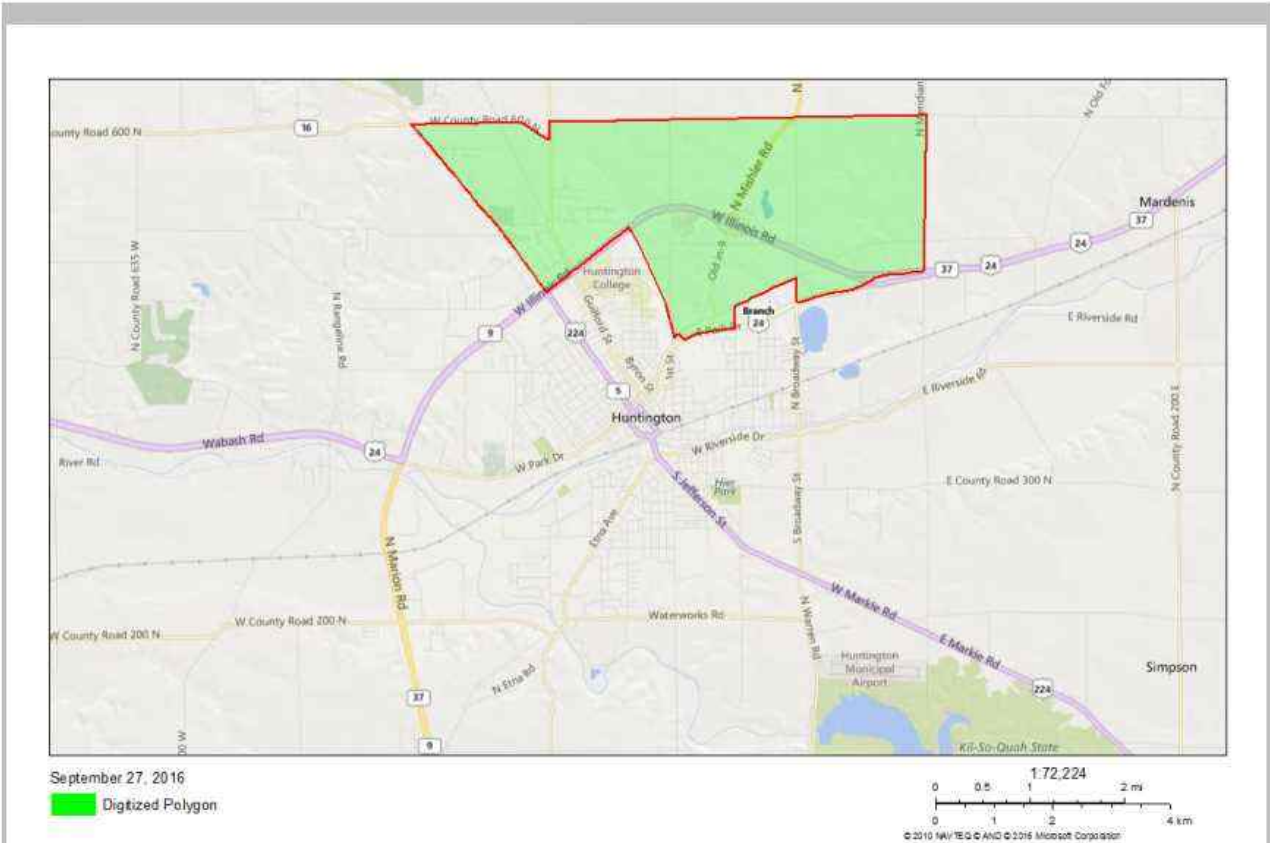
### EJSCREEN Report (Version 2016)

Blockgroup: 180699616001, INDIANA, EPA Region 5



Tract 9616, Block 001

Approximate Population: 1,040  
Input Area (sq. miles): 4.76



Selected Variables	Value	State Avg.	%ile in State	EPA Region Avg.	%ile in EPA Region	USA Avg.	%ile in USA
<b>Demographic Indicators</b>							
Demographic Index	14%	27%	23	29%	24	36%	15
Minority Population	11%	19%	50	24%	46	37%	26
Low Income Population	16%	35%	18	33%	23	35%	22
Linguistically Isolated Population	7%	2%	91	2%	87	5%	76
Population With Less Than High School Education	10%	12%	47	11%	56	14%	47
Population Under 5 years of age	5%	6%	37	6%	40	6%	38
Population over 64 years of age	23%	14%	90	14%	88	14%	88



INNOVATIVE IDEAS  
EXCEPTIONAL DESIGN  
UNMATCHED CLIENT SERVICE



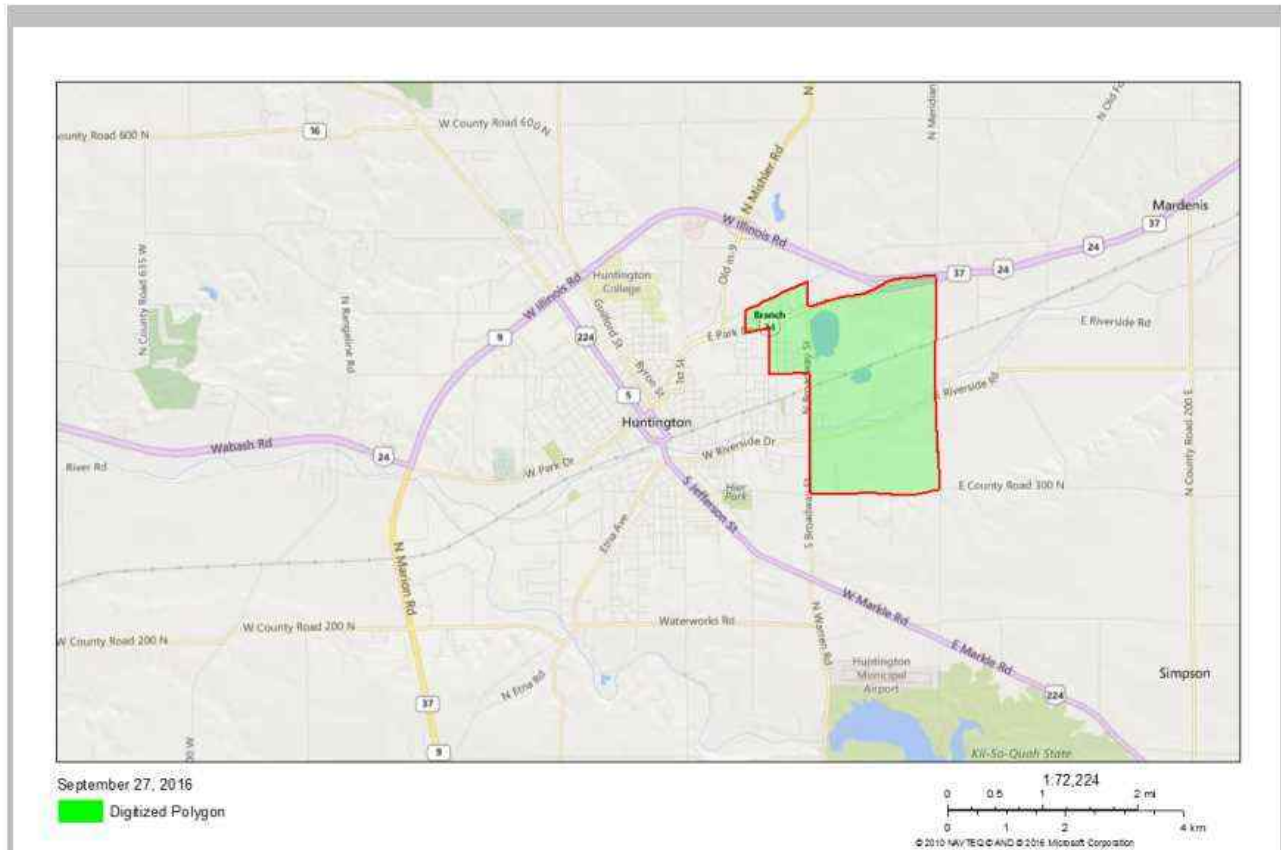
## EJSCREEN Report (Version 2016)

Blockgroup: 180699616002, INDIANA, EPA Region 5



Tract 9616, Block 002

Approximate Population: 670  
Input Area (sq. miles): 1.89



Selected Variables	Value	State Avg.	%ile in State	EPA Region Avg.	%ile in EPA Region	USA Avg.	%ile in USA
<b>Demographic Indicators</b>							
Demographic Index	25%	27%	58	29%	57	36%	41
Minority Population	0%	19%	5	24%	3	37%	1
Low Income Population	50%	35%	76	33%	79	35%	75
Linguistically Isolated Population	0%	2%	63	2%	58	5%	44
Population With Less Than High School Education	26%	12%	89	11%	91	14%	83
Population Under 5 years of age	0%	6%	3	6%	3	6%	3
Population over 64 years of age	27%	14%	95	14%	94	14%	93



INNOVATIVE IDEAS  
EXCEPTIONAL DESIGN  
UNMATCHED CLIENT SERVICE



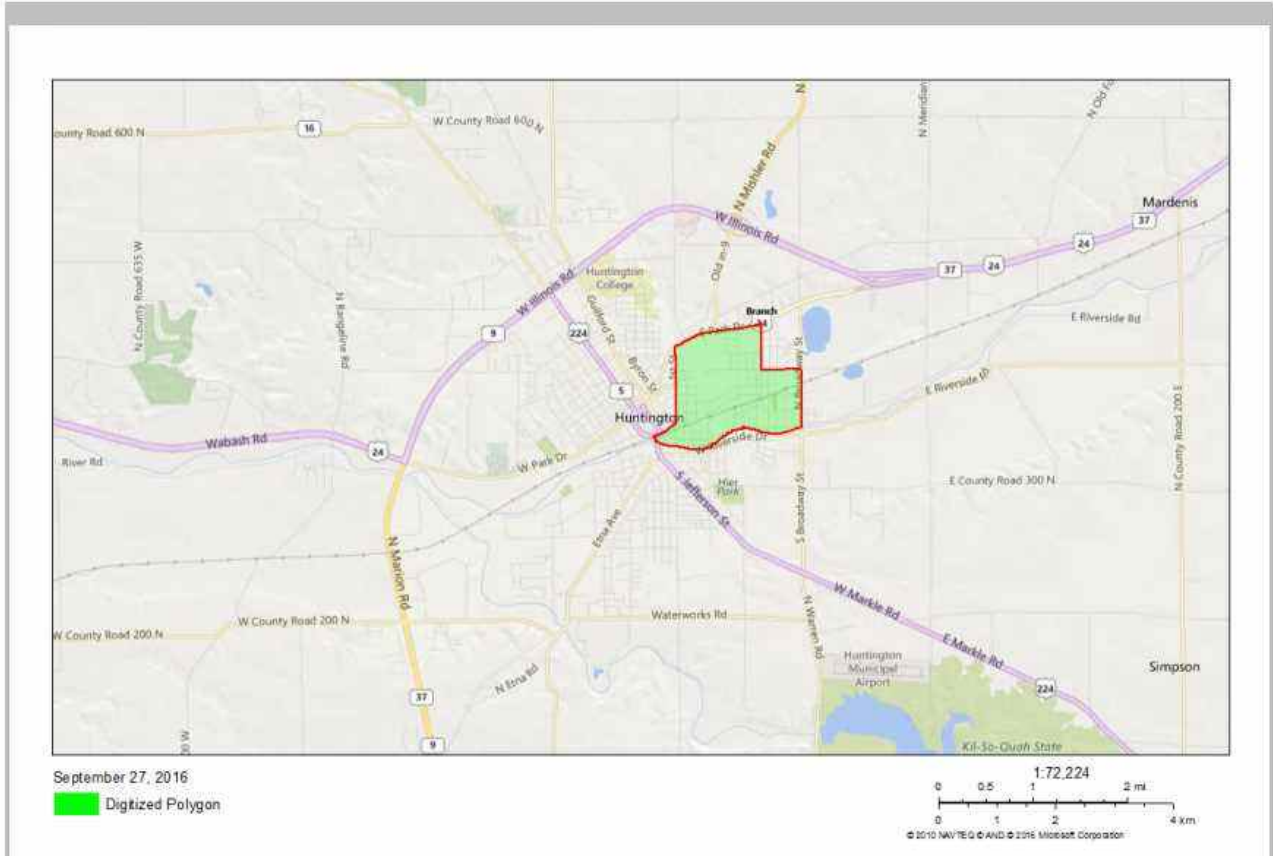
### EJSCREEN Report (Version 2016)

Blockgroup: 180699616003, INDIANA, EPA Region 5



Tract 9616, Block 003

Approximate Population: 1,796  
Input Area (sq. miles): 0.77



Selected Variables	Value	State Avg.	%ile in State	EPA Region Avg.	%ile in EPA Region	USA Avg.	%ile in USA
<b>Demographic Indicators</b>							
Demographic Index	35%	27%	74	29%	72	36%	57
Minority Population	10%	19%	49	24%	44	37%	25
Low Income Population	59%	35%	85	33%	86	35%	84
Linguistically Isolated Population	0%	2%	63	2%	58	5%	44
Population With Less Than High School Education	22%	12%	85	11%	87	14%	79
Population Under 5 years of age	6%	6%	47	6%	51	6%	49
Population over 64 years of age	10%	14%	33	14%	33	14%	38



INNOVATIVE IDEAS  
EXCEPTIONAL DESIGN  
UNMATCHED CLIENT SERVICE



## EJSCREEN Report (Version 2016)

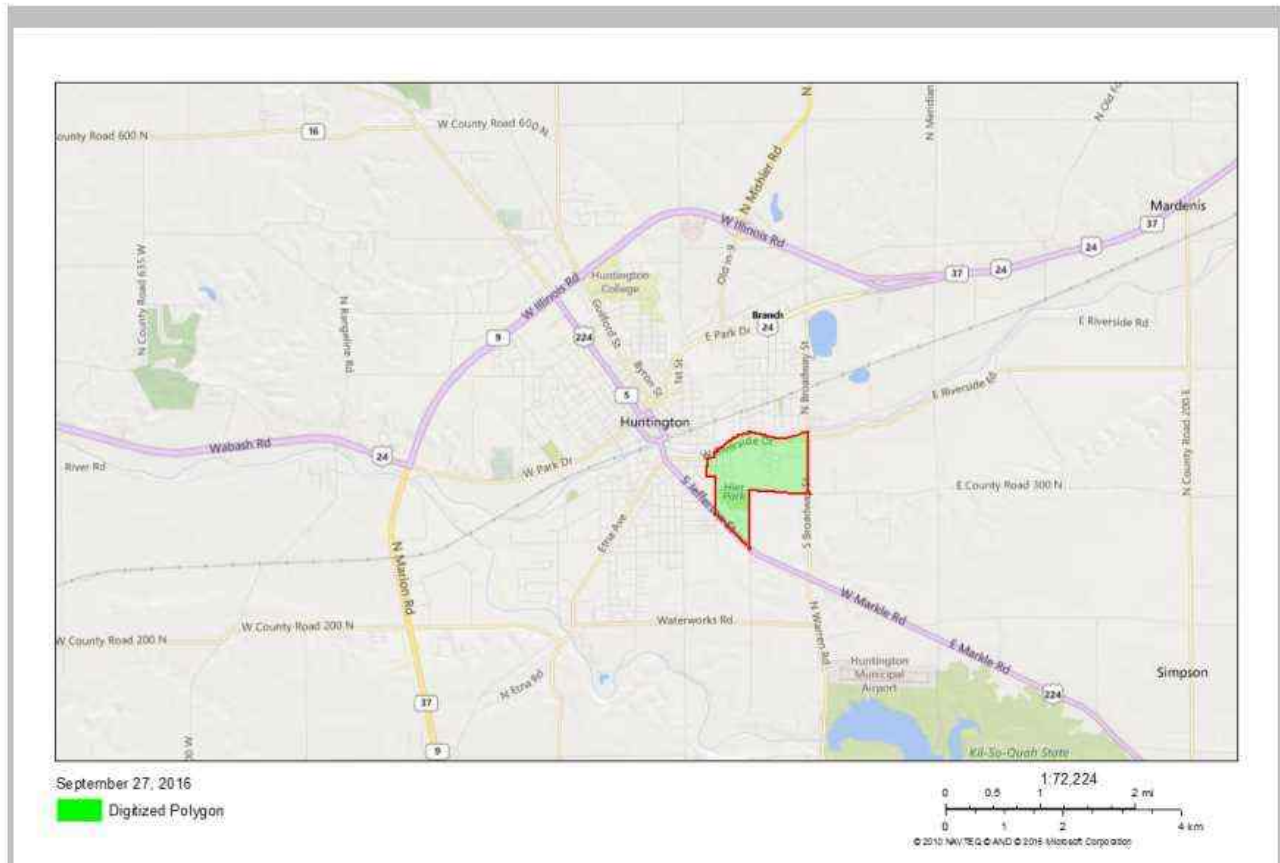


Blockgroup: 180699618001, INDIANA, EPA Region 5

Tract 9618, Block 001

Approximate Population: 648

Input Area (sq. miles): 0.42



Selected Variables	Value	State Avg.	%ile in State	EPA Region Avg.	%ile in EPA Region	USA Avg.	%ile in USA
<b>Demographic Indicators</b>							
Demographic Index	37%	27%	77	29%	74	36%	60
Minority Population	8%	19%	43	24%	38	37%	21
Low Income Population	66%	35%	90	33%	90	35%	89
Linguistically Isolated Population	0%	2%	63	2%	58	5%	44
Population With Less Than High School Education	22%	12%	85	11%	88	14%	79
Population Under 5 years of age	5%	6%	43	6%	46	6%	44
Population over 64 years of age	20%	14%	84	14%	82	14%	82

## EJSCREEN Report (Version 2016)

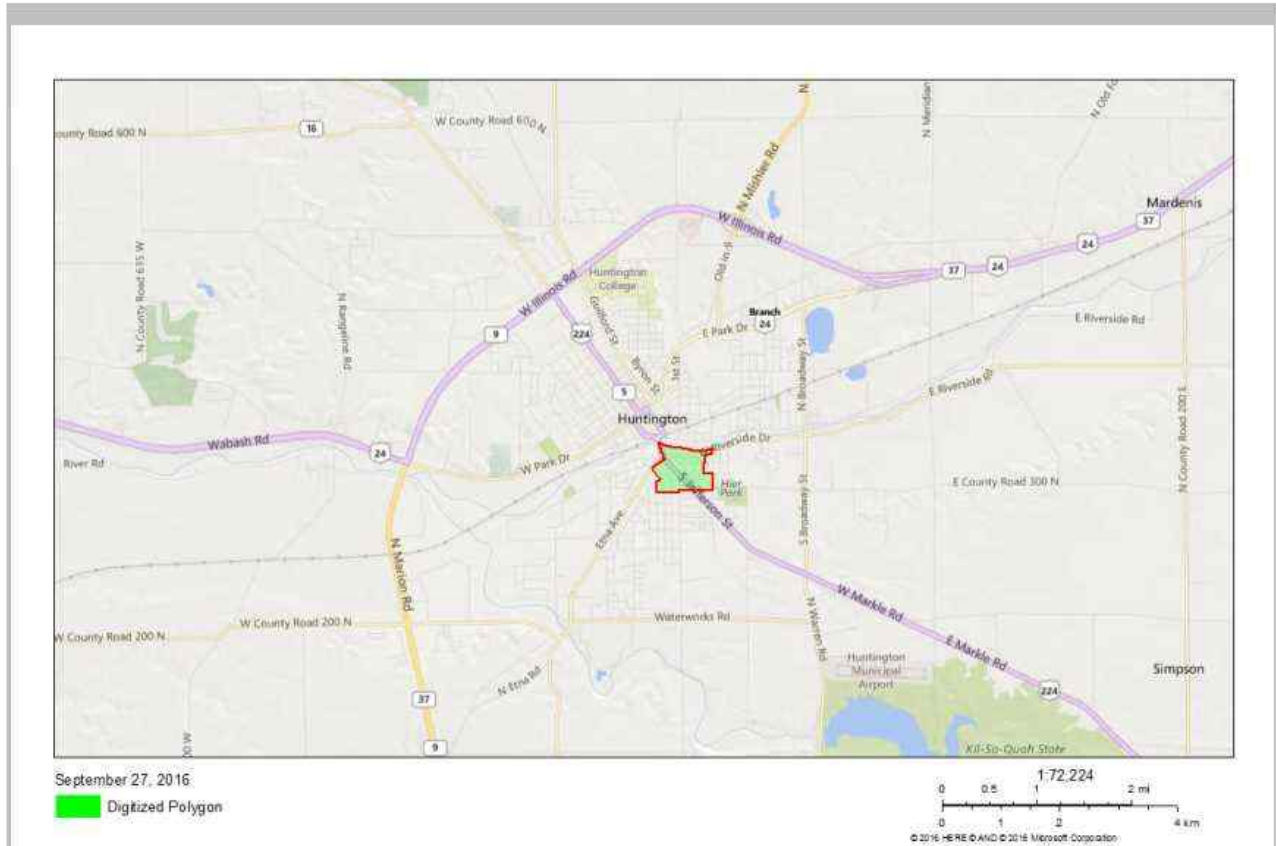
Blockgroup: 180699618002, INDIANA, EPA Region 5



Tract 9618, Block 002

Approximate Population: 1,213

Input Area (sq. miles): 0.14



Selected Variables	Value	State Avg.	%ile in State	EPA Region Avg	%ile in EPA Region	USA Avg.	%ile in USA
<b>Demographic Indicators</b>							
Demographic Index	38%	27%	78	29%	75	36%	61
Minority Population	9%	19%	44	24%	38	37%	21
Low Income Population	67%	35%	90	33%	91	35%	90
Linguistically Isolated Population	0%	2%	63	2%	58	5%	44
Population With Less Than High School Education	18%	12%	78	11%	82	14%	72
Population Under 5 years of age	16%	6%	97	6%	98	6%	97
Population over 64 years of age	1%	14%	1	14%	1	14%	1



INNOVATIVE IDEAS  
EXCEPTIONAL DESIGN  
UNMATCHED CLIENT SERVICE



### EJSCREEN Report (Version 2016)

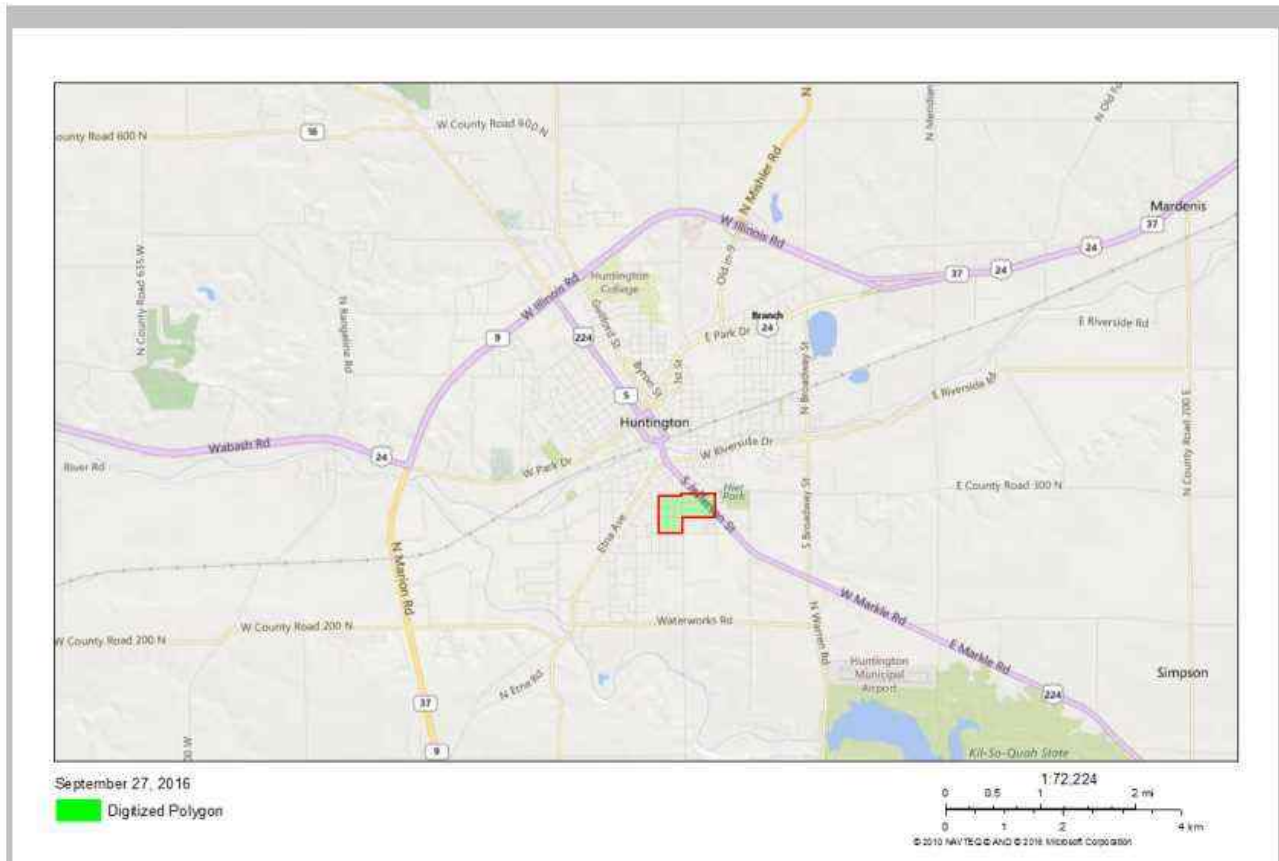


Blockgroup: 180699618003, INDIANA, EPA Region 5

Approximate Population: 747

Input Area (sq. miles): 0.10

Tract 9618, Block 003



Selected Variables	Value	State Avg.	%ile in State	EPA Region Avg.	%ile in EPA Region	USA Avg.	%ile in USA
<b>Demographic Indicators</b>							
Demographic Index	35%	27%	75	29%	73	36%	58
Minority Population	15%	19%	60	24%	54	37%	33
Low Income Population	56%	35%	82	33%	84	35%	81
Linguistically Isolated Population	0%	2%	63	2%	58	5%	44
Population With Less Than High School Education	13%	12%	61	11%	68	14%	58
Population Under 5 years of age	6%	6%	48	6%	51	6%	49
Population over 64 years of age	15%	14%	62	14%	59	14%	63



INNOVATIVE IDEAS  
EXCEPTIONAL DESIGN  
UNMATCHED CLIENT SERVICE



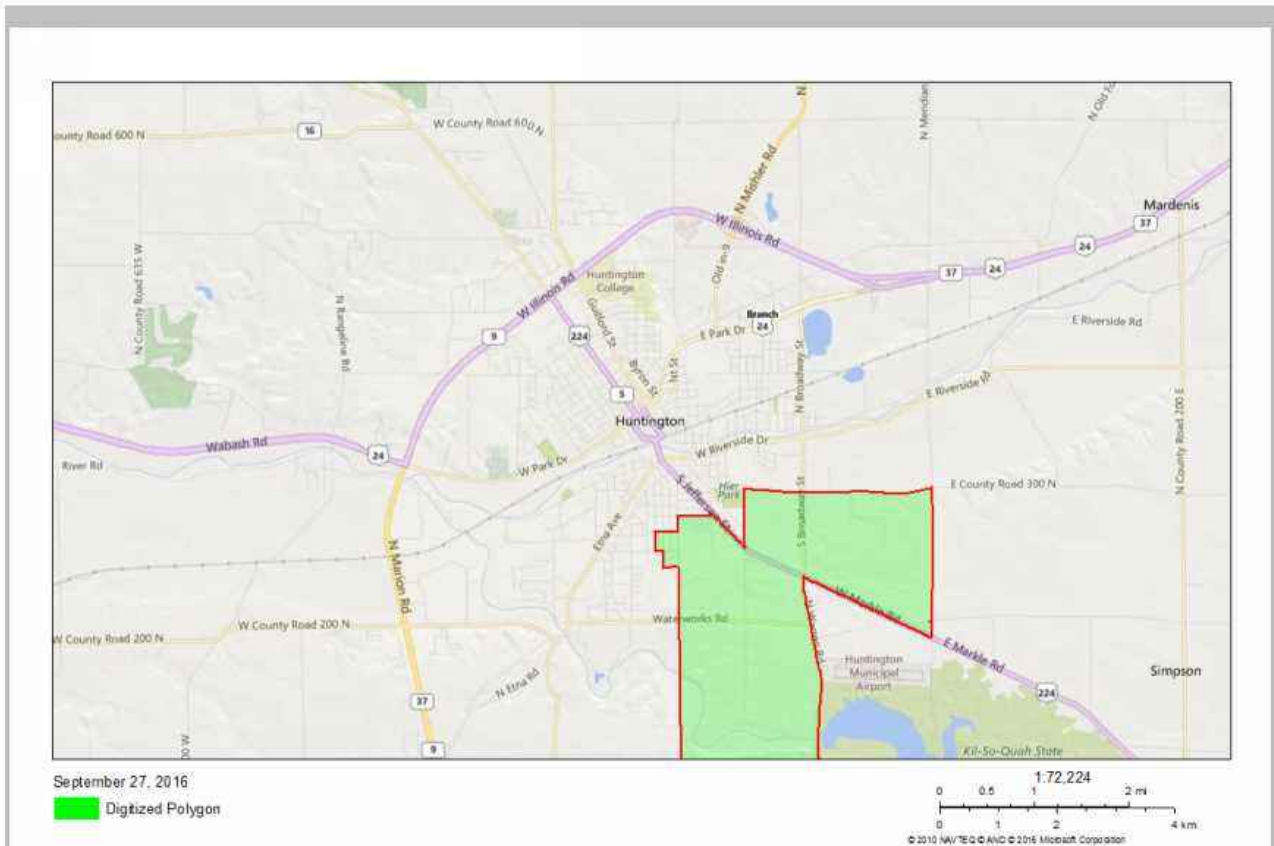
### EJSCREEN Report (Version 2016)



Blockgroup: 180699618004, INDIANA, EPA Region 5

Tract 9618, Block 004

Approximate Population: 901  
Input Area (sq. miles): 4.32



Selected Variables	Value	State Avg.	%ile in State	EPA Region Avg.	%ile in EPA Region	USA Avg.	%ile in USA
Demographic Index	23%	27%	52	29%	52	36%	36
Minority Population	7%	19%	39	24%	33	37%	18
Low Income Population	38%	35%	60	33%	64	35%	60
Linguistically Isolated Population	0%	2%	63	2%	58	5%	44
Population With Less Than High School Education	6%	12%	26	11%	33	14%	28
Population Under 5 years of age	2%	6%	12	6%	13	6%	13
Population over 64 years of age	14%	14%	54	14%	52	14%	56



INNOVATIVE IDEAS  
EXCEPTIONAL DESIGN  
UNMATCHED CLIENT SERVICE



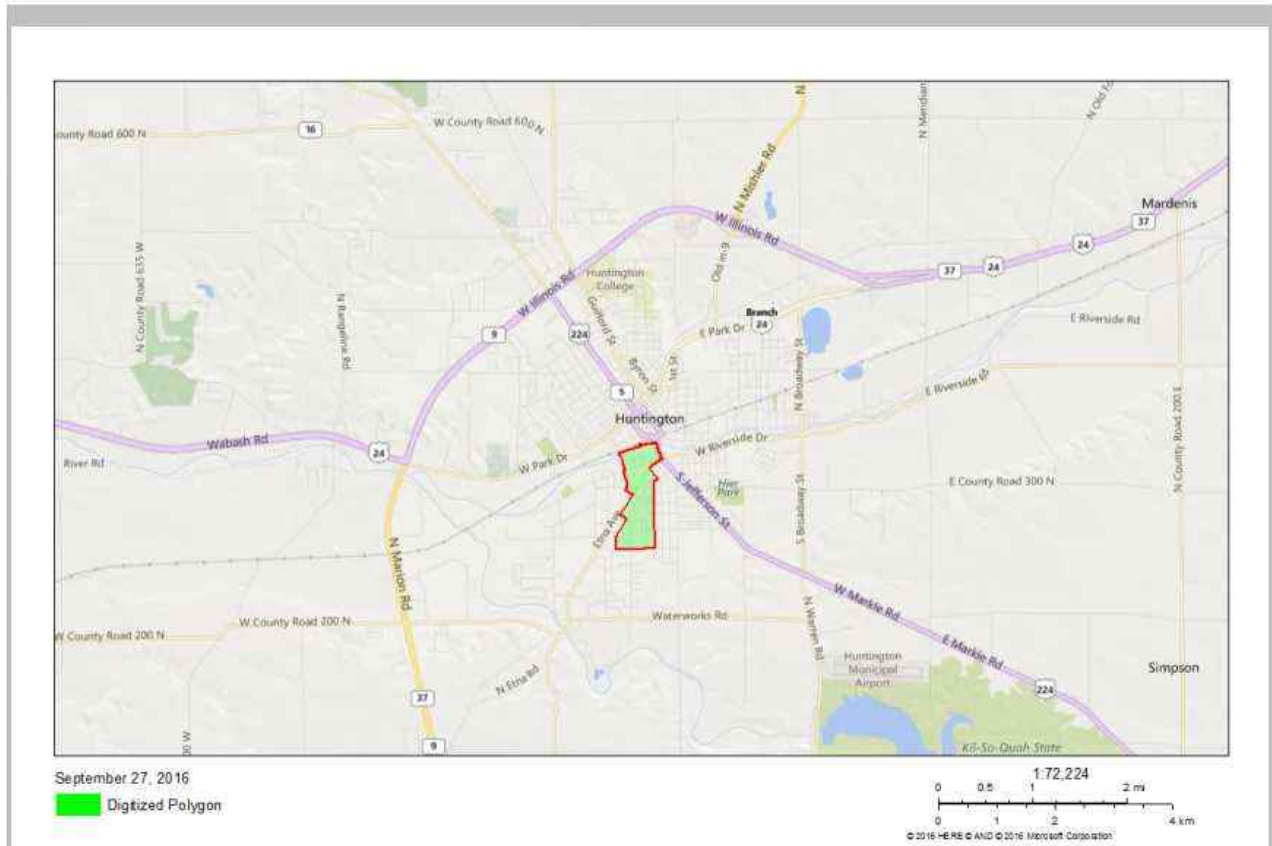
## EJSCREEN Report (Version 2016)



Blockgroup: 180699619001, INDIANA, EPA Region 5

Tract 9619, Block 001

Approximate Population: 1,031  
Input Area (sq. miles): 0.21



Selected Variables	Value	State Avg.	%ile in State	EPA Region Avg.	%ile in EPA Region	USA Avg.	%ile in USA
<b>Demographic Indicators</b>							
Demographic Index	22%	27%	50	29%	50	36%	35
Minority Population	7%	19%	37	24%	32	37%	17
Low Income Population	37%	35%	58	33%	63	35%	59
Linguistically Isolated Population	0%	2%	63	2%	58	5%	44
Population With Less Than High School Education	20%	12%	81	11%	84	14%	75
Population Under 5 years of age	8%	6%	71	6%	75	6%	72
Population over 64 years of age	14%	14%	55	14%	53	14%	57





INNOVATIVE IDEAS  
EXCEPTIONAL DESIGN  
UNMATCHED CLIENT SERVICE



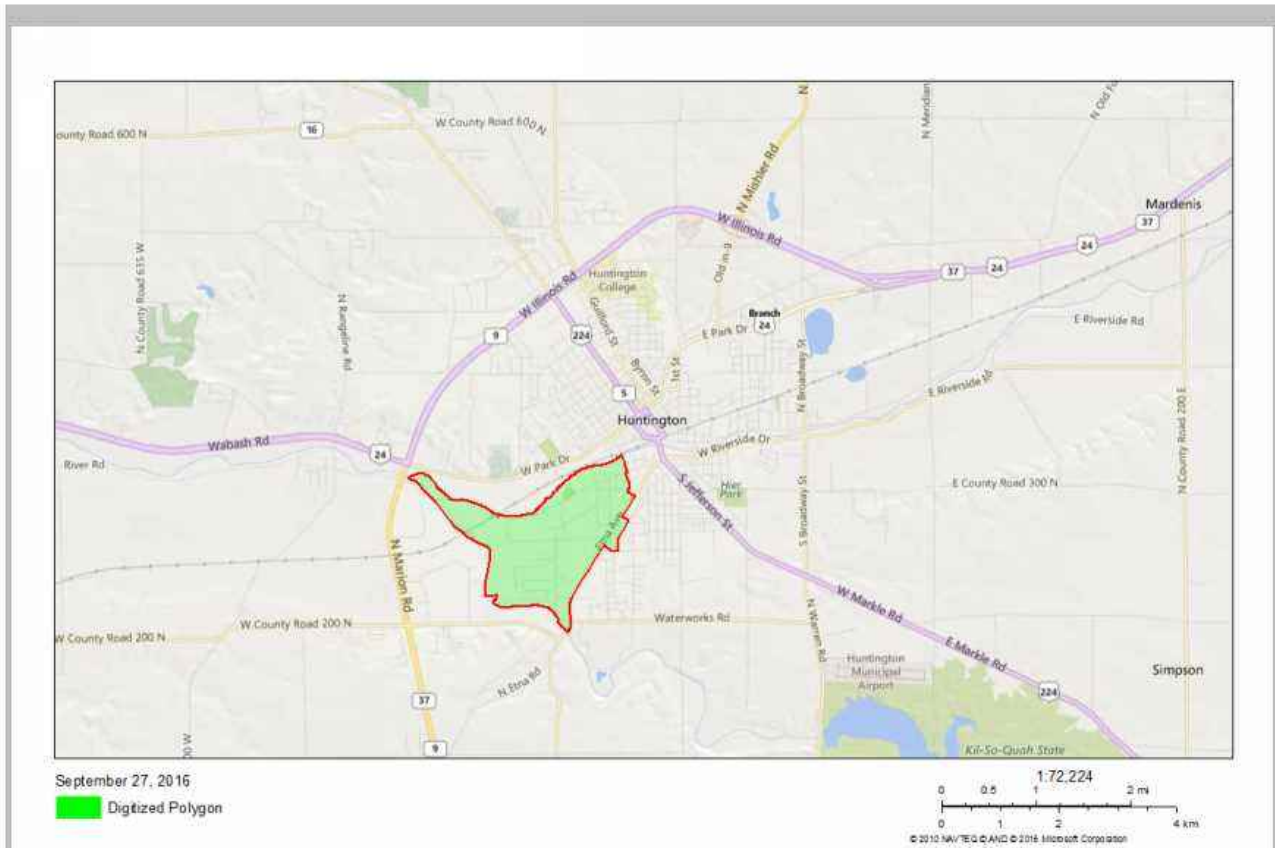
### EJSCREEN Report (Version 2016)

Blockgroup: 180699619002, INDIANA, EPA Region 5



Tract 9619, Block 002

Approximate Population: 1,413  
Input Area (sq. miles): 1.01



Selected Variables	Value	State Avg.	%ile in State	EPA Region Avg.	%ile in EPA Region	USA Avg.	%ile in USA
<b>Demographic Indicators</b>							
Demographic Index	21%	27%	47	29%	48	36%	33
Minority Population	4%	19%	26	24%	20	37%	10
Low Income Population	38%	35%	60	33%	65	35%	60
Linguistically Isolated Population	2%	2%	73	2%	69	5%	54
Population With Less Than High School Education	23%	12%	87	11%	89	14%	81
Population Under 5 years of age	5%	6%	38	6%	41	6%	40
Population over 64 years of age	23%	14%	90	14%	88	14%	88



INNOVATIVE IDEAS  
EXCEPTIONAL DESIGN  
UNMATCHED CLIENT SERVICE



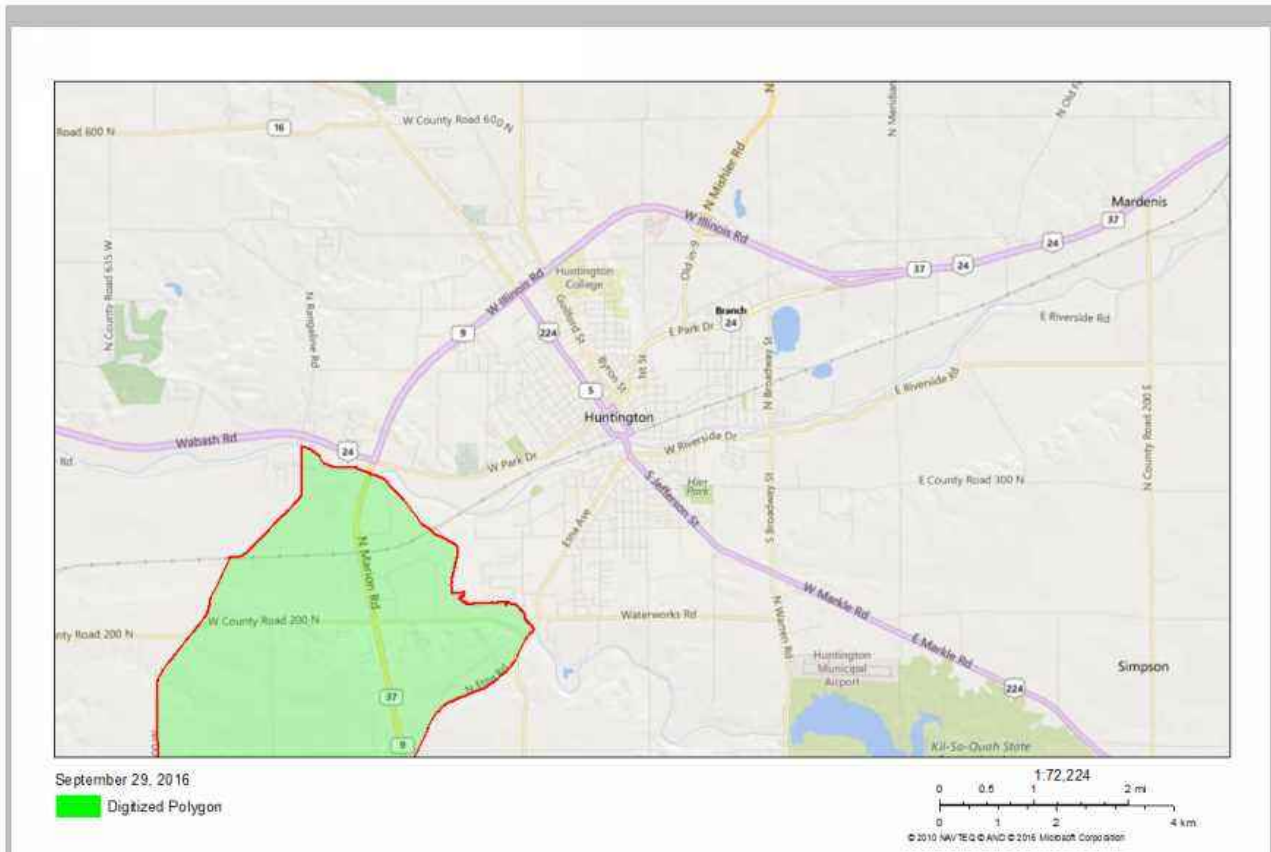
## EJSCREEN Report (Version 2016)

Blockgroup: 180699619003, INDIANA, EPA Region 5



Tract 9619, Block 003

Approximate Population: 1,109  
Input Area (sq. miles): 6.40



Selected Variables	Value	State Avg.	%ile in State	EPA Region Avg.	%ile in EPA Region	USA Avg.	%ile in USA
<b>Demographic Indicators</b>							
Demographic Index	21%	27%	46	29%	47	36%	32
Minority Population	10%	19%	48	24%	44	37%	25
Low Income Population	31%	35%	47	33%	53	35%	49
Linguistically Isolated Population	0%	2%	63	2%	58	5%	44
Population With Less Than High School Education	8%	12%	39	11%	47	14%	40
Population Under 5 years of age	7%	6%	64	6%	67	6%	65
Population over 64 years of age	15%	14%	64	14%	61	14%	64



INNOVATIVE IDEAS  
EXCEPTIONAL DESIGN  
UNMATCHED CLIENT SERVICE



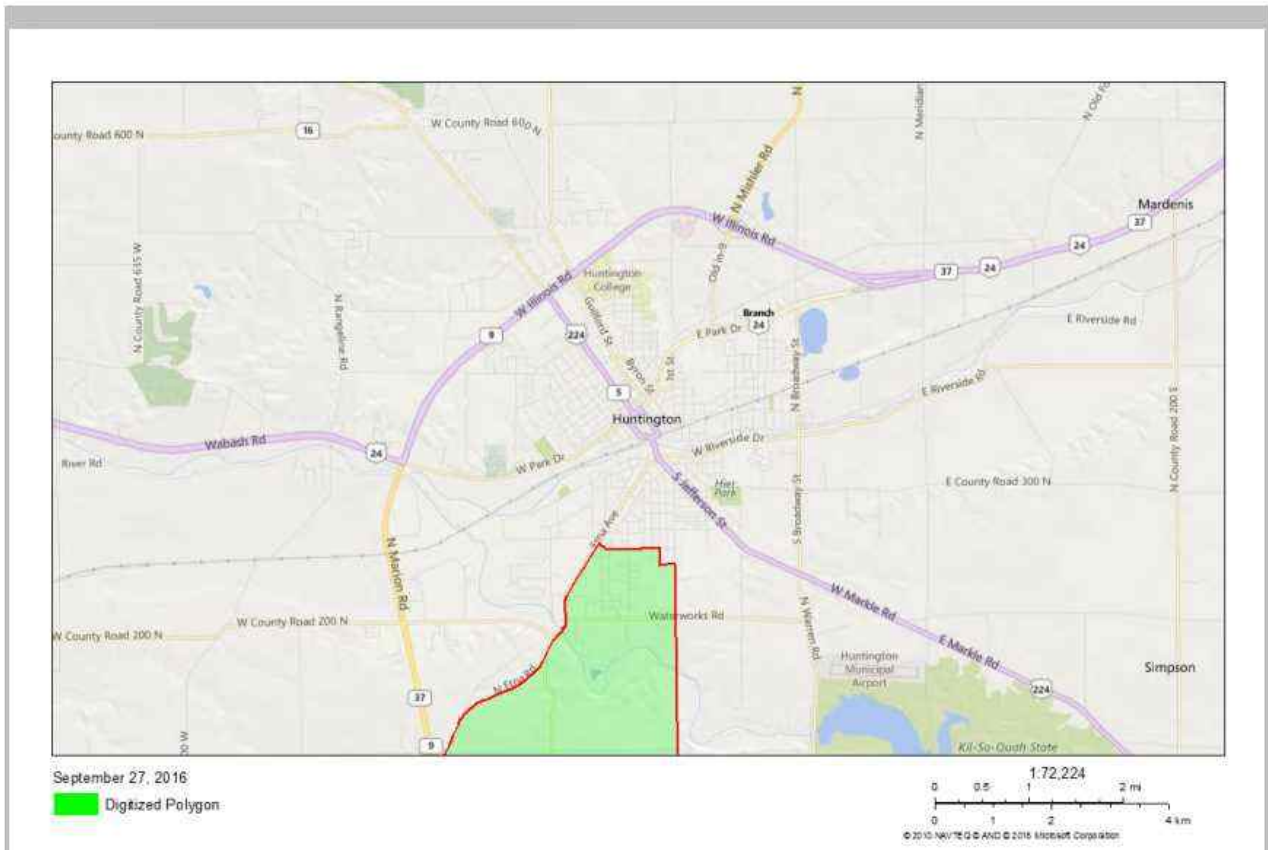
### EJSCREEN Report (Version 2016)

Blockgroup: 180699619004, INDIANA, EPA Region 5



Tract 9619, Block 004

Approximate Population: 1,001  
Input Area (sq. miles): 4.12



Selected Variables	Value	State Avg.	%ile in State	EPA Region Avg.	%ile in EPA Region	USA Avg.	%ile in USA
<b>Demographic Indicators</b>							
Demographic Index	12%	27%	18	29%	19	36%	11
Minority Population	0%	19%	5	24%	3	37%	1
Low Income Population	24%	35%	33	33%	39	35%	36
Linguistically Isolated Population	0%	2%	63	2%	58	5%	44
Population With Less Than High School Education	21%	12%	82	11%	85	14%	76
Population Under 5 years of age	5%	6%	33	6%	36	6%	35
Population over 64 years of age	18%	14%	76	14%	73	14%	75



INNOVATIVE IDEAS  
EXCEPTIONAL DESIGN  
UNMATCHED CLIENT SERVICE

## APPENDIX F – FORMS

## **CITY OF HUNTINGTON NON-DISCRIMINATION POLICY STATEMENT**

The City of Huntington reaffirms its policy to allow all individuals the opportunity to participate in federal financially assisted services and adopts the following provision:

*“No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”* In applying this policy, the City, and its sub-recipients of federal funds, shall not:

1. Deny any individual with any services, opportunity, or other benefit for which such individual is otherwise qualified;
2. Provide any individual with any service or other benefit which is inferior (in quantity or quality) to, or which is provided in a different manner from, that which is provided to others;
3. Subject any individual to segregated or disparate treatment in any manner related to such individual’s receipt of services or benefits;
4. Restrict an individual in any way from the enjoyment of services, facilities, or any other advantage, privilege, or other benefit provided to others;
5. Adopt or use methods of administration which would limit participation by any group of recipients or subject any individual to discrimination;
6. Address any individual in a manner that denotes inferiority because of race, color, or national origin;
7. Permit discriminatory activity in a facility built in whole or in part with federal funds;
8. Deny any segment of the population the opportunity to participate in the operations of a planning or advisory body that is an integral part of a federally funded program;
9. Fail to provide information in a language other than English to potential or actual beneficiaries who are of limited English speaking ability, when requested and as appropriate;
10. Subject an individual to discriminatory employment practices under any federally funded program whose objective is to provide employment;
11. Locate a facility in any way which would limit or impede access to a federally funded service or benefit.

The City of Huntington will actively pursue the prevention of any Title VI deficiencies or violations and will take the necessary steps to ensure compliance. If irregularities occur in the administration of the program’s operation, procedures will be promptly implemented to resolve Title VI issues within a period not to exceed 90 days.

The City of Huntington designates Ronda Smelser, City of Huntington Director of Human Resources and Compliance, as the City’s Title VI Coordinator. The Title VI Coordinator will be responsible for initiating and monitoring Title VI activities and other required matters, ensuring that the City of Huntington complies with the Title VI regulations, and pursues prevention of Title VI deficiencies or violations. Inquiries concerning the City of Huntington and Title VI may be directed to the Title VI Coordinator at:

Ronda Smelser, Title VI Coordinator  
300 Cherry Street  
Huntington, IN 46750  
Phone: (260) 356-1400 extension 2026 Fax: (260) 358-2330  
[Ronda.Smelser@huntington.in.us](mailto:Ronda.Smelser@huntington.in.us)

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Brooks L. Fetters  
Mayor

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Ronda Smelser  
City of Huntington Title VI Coordinator

## **CITY OF HUNTINGTON TITLE VI ASSURANCE**

The City of Huntington, Indiana (hereinafter referred to as the "Recipient"), by its Common Council and chief executive, HEREBY AGREES that as a condition to receiving any federal financial assistance from the U.S. Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d-42 USC 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, Non-Discrimination in Federally Assisted Programs for the Department of Transportation — Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the "Regulations") and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of gender, race, color, or national origin, 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 received federal financial assistance from the Department of Transportation, including the Indiana Department of Transportation, and HEREBY GIVES ASSURANCES that it will promptly take any measures necessary to effectuate this assurance. This assurance is required by subsection 21.7 of the Regulations.

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

1. That the Recipient agrees that each "program" and each "facility" as defined in subsections 21.23(e) and 21.23(b) 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 Huntington, Indiana, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office the Secretary, Part 21, Non-Discrimination in Federally-Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

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

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

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

PASSED AND ADOPTED by the Common Council of the City of Huntington by a \_\_\_\_\_ vote of all members present and voting this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**COMMON COUNCIL OF THE CITY OF HUNTINGTON**

\_\_\_\_\_  
Charles Chapman, District 1

\_\_\_\_\_  
Paul Pike, District 2

\_\_\_\_\_  
Richard Strick, District 3

\_\_\_\_\_  
Erin Covey, District 4

\_\_\_\_\_  
Joe Blomeke, District 5

\_\_\_\_\_  
Seth Marshall, At-Large

\_\_\_\_\_  
Jack Slusser, At-Large

**MAYOR and PRESIDING OFFICER**

\_\_\_\_\_  
Brooks L. Fetters

**ATTEST:**

\_\_\_\_\_  
Christi Scher McElhaney, Clerk-Treasurer



## **Appendix A**

The following language is to be inserted in all federal-aid contracts:

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 Regulations relative to non-discrimination in Federally-assisted programs of the Department of Transportation, Title 49, Code of Federal Regulations, Part 21, 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. Non-Discrimination: The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection, retention, and treatment of subcontractors, including procurements of materials in the discrimination prohibited by Section 21.5 of the Regulation, including employment practices when the contractor covers a program set for in Appendix B of the Regulations.
3. Solicitation for Subcontracts, 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 the contract and the Regulations relative to non-discrimination on the grounds of race, color, or national origin.
4. Information and Reports: The contractor shall provide all information and reports required by the Regulations, or directives issues pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the State Highway Department or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations or directives. 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 State Highway Department or the Federal Highway Administration, as appropriate, and shall set forth what efforts it has made to obtain the information.
5. Sanctions for Non-Compliance: In the event the contractor’s non-compliance with the non-discrimination provisions of this contract, the State Highway Department shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
  - a. Withholding 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 provisions of paragraphs (1) through (6) in every subcontract, including procurement of material and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the State Highway Department or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for non-compliance: provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the State Highway Department to enter into such litigation to protect the interests of the State, 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**

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 Huntington, Indiana, will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code, the Regulations for the Administration of the Department of Transportation 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, Non-Discrimination 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-4) does hereby remise, release, quitclaim and convey unto the City of Huntington, Indiana all the right, title, and interest of the Department of Transportation in and to said lands described 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 Huntington, 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 Huntington, Indiana, its successors and assigns.

The City of Huntington, Indiana, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors, and assigns, that (1) no person shall on the grounds of race, color, sex, age, disability, income status, or national origin, 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 Huntington, Indiana, shall use the 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, Non-Discrimination in Federally-assisted programs of the Department of Transportation Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended (,) and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department shall have a right to re-enter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this deed.\*

\*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose 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 Huntington, Indiana, pursuant to the provisions of Assurance 7(a).

The grantee, licensee, lessee, permittee, etc., (as appropriate) for himself, his heirs, personal representative, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases, add, "as a covenant running with the land") that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) shall remain 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, Non-Discrimination in Federally-assisted programs of the Department of Transportation — Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

(Include in licenses, leases, permits, etc.)\*

That in the event of breach of any of the above non-discrimination covenants, the City of Huntington, Indiana shall have the right to terminate the license, lease, permit, etc., and to re-enter and repossess said land and the facilities thereon, and hold the same as if said license, lease, permit, etc., had never been made or issued.

(Include in deeds)\*

That in the event of breach of any of the above non-discrimination covenants, the City of Huntington, Indiana, shall have the right to re-enter lands and facilities hereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the State of Indiana Department of Transportation 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 purpose of the Title VI of the Civil Rights Act of 1964 and the Civil Rights Act of 1987.

**CITY OF HUNTINGTON TITLE VI COMPLAINT FORM**

Title VI of the Civil Rights Act of 1964 states that “No person in the United States shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefit of, or otherwise be subjected to discrimination in any program, service, or activity receiving federal assistance.”

This form may be used to file a complaint with the City of Huntington based on violations of Title VI of the Civil Rights Act of 1964. You are not required to use this form; a letter that provides the same information may be submitted to file your complaint. Complaints should be filed within 180 days of the alleged discrimination. If you could not reasonably be expected to know the act was discriminatory within 180 day period, you have 60 days after you became aware to file your complaint.

If you need assistance completing this form, please contact Ronda Smelser by phone at (260) 356-1400 extension 2026 or via e-mail at *Ronda.Smelser@huntington.in.us*.

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: \_\_\_\_\_ (home) \_\_\_\_\_ (work) \_\_\_\_\_ (other)

Individual(s) discriminated against, if different than above (use additional pages, if needed).

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: \_\_\_\_\_ (home) \_\_\_\_\_ (work) \_\_\_\_\_ (other)

Please explain your relationship with the individual(s) indicated above:

Name of agency and department or program that discriminated:

Agency or department name: \_\_\_\_\_

Name of individual (if known): \_\_\_\_\_

**CITY OF HUNTINGTON TITLE VI COMPLAINT FORM (CONTINUED)**

Date(s) of alleged discrimination:

Date discrimination began \_\_\_\_\_ Last or most recent date \_\_\_\_\_

**ALLEGED DISCRIMINATION:** If your complaint is in regard to discrimination in the delivery of services or discrimination that involved the treatment of you by others by the agency or department indicated above, please indicate below the basis on which you believe these discriminatory actions were taken.

Race  Color  Religion  National Origin  Age  Sex

Disability  Income  Other  (please specify) \_\_\_\_\_

Please explain as clearly as possible what happened. Provide the name(s) of witness(es) and others involved in the alleged discrimination (attach additional sheets, if necessary, and provide a copy of written material pertaining to your case).

Signature: \_\_\_\_\_

Please return completed form to:

Ronda Smelser  
Title VI Coordinator  
300 Cherry Street  
Huntington, IN 46750  
Phone: (260) 356-1400 extension 2026  
Fax: (260) 358-2330  
*Ronda.Smelser@huntington.in.us*

Note: The City of Huntington prohibits retaliation or intimidation against anyone because that individual has either taken action or participated in action to secure rights protected by policies of the City. Please inform the person listed above if you feel you were intimidated or experience perceived retaliation in relation to filing this complaint.

## COMPLAINANT CONSENT/RELEASE FORM

Name <i>(first, middle, last)</i>	Telephone number (     )         -
Address <i>(number and street, city, state, ZIP code)</i>	
Case number(s) <i>(if known)</i>	
<p>As a complainant, I understand that during an investigation it may become necessary for the City of Huntington to reveal my identity to individuals outside of Huntington City Government in the course of verifying information or gathering facts and evidence to develop a basis for making a civil rights compliance determination. I understand that it may be necessary for the City of Huntington to share information, including personal details collected as part of its complaint investigation. In addition, I understand that as a complainant, I am protected by Title VI of the Civil Rights Act of 1964, as amended, and its related statutes and regulations prohibiting intimidation or retaliation for taking action or participating in an action to secure rights protected by the nondiscrimination statutes enforced by the City of Huntington.</p>	
<p><i>Please read both paragraphs below, check your choice of CONSENT or CONSENT DENIED and sign below. (Please mark one)</i></p> <p><input type="checkbox"/> CONSENT _____</p> <p>I have read and understand the above information and authorize the City of Huntington to disclose my identity to individuals as needed during the course of the investigation for the purpose of verifying information or gathering facts and evidence relevant to the investigation of my complaint. I authorize the City of Huntington to receive, review, and discuss material and information about me relevant to the investigation of my complaint. I understand that the material and information will be used for authorized civil rights compliance and enforcement activities. I further understand that I am not required to authorize this release and volunteer to do so.</p> <p><input type="checkbox"/> CONSENT DENIED _____</p> <p>I have read and understand the above information and do not want the City of Huntington to disclose my identity to any individual during the course of the investigation. I understand this choice could delay the investigation of my complaint and may, in some circumstances, result in an administrative closure of the investigation of my complaint without the City of Huntington making a determination in my case.</p>	
Signature	Date <i>(month, day, year)</i>

## VOLUNTARY TITLE VI PUBLIC PARTICIPATION SURVEY

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

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

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

<b>Date: (month, day, year)</b>	
<b>Meeting:</b>	
<input type="checkbox"/> City Council	<input type="checkbox"/> Board of Public Works
<input type="checkbox"/> Board of Zoning Appeals	<input type="checkbox"/> Parks & Recreation Board
<input type="checkbox"/> Planning Commission	<input type="checkbox"/> Board of Aviation Comm.
<input type="checkbox"/> Historic Review Board	<input type="checkbox"/> Other _____
<b>Proposed Project Location:</b>	
<b>Gender:</b> <input type="checkbox"/> Female <input type="checkbox"/> Male	<b>Do You Have a Disability:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Ethnicity:</b> <input type="checkbox"/> Hispanic <input type="checkbox"/> Not Hispanic	<b>National Origin:</b> <input type="checkbox"/> USA <input type="checkbox"/> Other _____
<b>Race: (Check one or more)</b>	
<input type="checkbox"/> American Indian or Alaska Native	<input type="checkbox"/> Asian
<input type="checkbox"/> Black or African-American	<input type="checkbox"/> White
<input type="checkbox"/> Native Hawaiian or Other Pacific Islander	<input type="checkbox"/> Multiracial
<b>English Proficiency: (Check all that apply to members of your household relative to ability to speak English)</b>	
<input type="checkbox"/> Speak English "very well or well"	<input type="checkbox"/> Speak English "not well"
<input type="checkbox"/> Speak English "not at all"	<input type="checkbox"/> Primary Non-English Language Spoken _____
<input type="checkbox"/> Only English is Spoken in our Household	
<b>Age:</b>	
<input type="checkbox"/> Under 18 years	<input type="checkbox"/> 18-39
<input type="checkbox"/> 40-65	<input type="checkbox"/> 65 or over
<b>Household Income:</b>	
<input type="checkbox"/> Less than \$15,000	<input type="checkbox"/> \$15,000-24,999
<input type="checkbox"/> \$25,000-34,999	<input type="checkbox"/> \$35,000-49,999
<input type="checkbox"/> \$50,000-74,999	<input type="checkbox"/> > \$75,000

If you have any questions regarding the City of Huntington's responsibilities under Title VI of the Civil Rights Act of 1964 or the Americans with Disabilities Act, please contact Ronda Smelser, Title VI Coordinator at [Ronda.Smelser@huntington.in.us](mailto:Ronda.Smelser@huntington.in.us) or Phone: (260) 356-1400 extension 2026.







## LANGUAGE IDENTIFICATION FLASHCARDS

- |                          |   |                        |
|--------------------------|---|------------------------|
| <input type="checkbox"/> | ضع علامة في هذا المربع إذا كنت تقرأ أو تتحدث العربية.                         | 1. Arabic              |
| <input type="checkbox"/> | Խնդրում ենք նշում կատարել այս քառակուսում, եթե խոսում կամ կարդում եք հայերեն: | 2. Armenian            |
| <input type="checkbox"/> | যদি আপনি বাংলা পড়েন বা বলেন তা হলে এই বাক্সে দাগ দিন।                        | 3. Bengali             |
| <input type="checkbox"/> | ល្អបញ្ជាក់ក្នុងប្រអប់នេះ បើអ្នកអាន ឬនិយាយភាសា ខ្មែរ ។                         | 4. Cambodian           |
| <input type="checkbox"/> | Motka i kahhon ya yangin ûntûngnu' manaitai pat ûntûngnu' kumentos Chamorro.  | 5. Chamorro            |
| <input type="checkbox"/> | 如果你能读中文或讲中文，请选择此框。  | 6. Simplified Chinese  |
| <input type="checkbox"/> | 如果你能讀中文或講中文，請選擇此框。  | 7. Traditional Chinese |
| <input type="checkbox"/> | Označite ovaj kvadratić ako čitate ili govorite hrvatski jezik.               | 8. Croatian            |
| <input type="checkbox"/> | Zaškrtněte tuto kolonku, pokud čtete a hovoříte česky.                        | 9. Czech               |
| <input type="checkbox"/> | Kruis dit vakje aan als u Nederlands kunt lezen of spreken.                   | 10. Dutch              |
| <input type="checkbox"/> | Mark this box if you read or speak English.                                   | 11. English            |
| <input type="checkbox"/> | اگر خواندن و نوشتن فارسی بلد هستید، این مربع را علامت بزنید.                  | 12. Farsi              |

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

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