Title VI Implementation Plan

For 2020

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INTRODUCTION

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

This Title VI Implementation Plan has been implemented and adopted by the Perry County Board of Commissioners and is effective for the 2020 plan year. This plan will be renewed annually.

TITLE VI NONDISCRIMINATION NOTICE & POLICY

Perry County values each individual's civil rights and intends to provide equal opportunity and equitable service for the citizens of this county. As a recipient of federal funds, Perry County will conform to Title VI and all related statutes, regulations, and directives, which provide that no person shall be excluded from participation in, denied benefits of, or subjected to discrimination on the grounds of race, color, age, sex, sexual orientation, gender identity, disability, national origin, religion, income status, or limited English proficiency. Perry County further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, regardless of whether those programs and activities are federally funded.

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

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

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

Perry County also assures that every effort will be made to prevent discrimination through the impacts of its programs, policies and activities on minority and low-income populations in compliance with the requirements of Environmental Justice (EJ) regulations. In addition, Perry County will take reasonable steps to provide meaningful access to services for persons with limited English proficiency (LEP). Perry County will, where necessary and appropriate, revise, update and incorporate nondiscrimination requirements into appropriate manuals, directives and regulations.

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

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

Teresa Kanneberg
ADA & Title VI Coordinator
Perry County Courthouse
2219 Payne Street
Tell City, IN 47586
Office: (812) 547-2758
Fax: (812) 547-9786
E-mail: countyadmin@perrycounty.in.gov

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

/S/ Thomas J. Hauser 02/03/2020
President Date
Perry County Board of Commissioners

TITLE VI ASSURANCES

Perry County (hereinafter referred to as the "Recipient") HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the Department of Transportation and the Federal Highway Administration, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 200d-4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations (CFR), Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes – Implementation and Review Procedures (hereinafter referred to as the Regulations) and other pertinent nondiscrimination authorities and directives, to the end that in accordance with the Act, Regulations, and other pertinent nondiscrimination authorities and directives, no person in the Unites States shall, on the grounds of religion, race, color, or national origin, sex (23 USC 324), sexual orientation, gender identity (Executive Order 13672), age (42 USC 6101), disability/handicap (29 USC 790) and low income (Executive Order 12898) be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from the Department of Transportation, including the Federal Highway Administration and Indiana Department of Transportation, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by Title 49 Code of Federal Regulations, subsection 21.7(a)(1) and Title 23 Code of Federal Regulations, section 200.9(a)(1) of the Regulations, copies of which are attached.

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

1. That the Recipient agrees that each "program" and each "facility" as defined in 49 CFR subsections 21.23(e) and (b) and 23 CFR 200.5(k) and (g) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.

2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all Federal-Aid Highway Programs and, in adapted form in all proposals for negotiated agreements:

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

3. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to the Acts and the Regulations.

4. That the Recipient shall insert the clauses of Appendix B of this assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.

5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.

6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over or under such property.

7. That the Recipient shall include the appropriate clauses set forth in Appendix C of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under the Federal Aid 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 he delegates specific authority to give reasonable guarantee that it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.

10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

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

PERRY COUNTY BOARD OF COMMISSIONERS Dated: 02/03/2020

/S/ Thomas J. Hauser
President

/S/ Randy Kleaving
Commissioner

/S/ Bill Amos
Commissioner

APPENDIX A

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

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

(2) **Nondiscrimination**: The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of religion, race, color, national origin, sex, sexual orientation, gender identity, age, disability/handicap and low income in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by 49 CFR Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

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

(4) **Information and Reports**: The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by *Perry County* or the *Indiana Department of Transportation (INDOT)* or the *Federal Highway Administration (FHWA)* to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to *Perry County* or *INDOT* or the *FHWA* as appropriate, and shall set forth what efforts it has made to obtain the information.

(5) **Sanctions for Noncompliance**: In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, *Perry County* shall impose such contract sanctions as it or *INDOT* or the *FHWA* may determine to be appropriate, including, but not limited to:

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

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

The contractor shall take such action with respect to any subcontract or procurement as *Perry County* or *INDOT* or the *FHWA* may direct as a means of enforcing such provisions including sanctions for non-compliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contract may request *Perry County* to enter into such litigation to protect the interests of *Perry County* 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 *Perry County* will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code of Federal Regulations, the Regulations for the Administration of Federal-Aid Highway Programs and the policies and procedures prescribed by *INDOT* or the *FHWA* and, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation and Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. .2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto *Perry County* all the right, title and interest of the Department of Transportation in and to said lands described in Exhibit "A" attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto *Perry County* 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 *Perry County* its successors and assigns.

Perry County, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person shall on the grounds of religion, race, color, national origin, sex, sexual orientation,

gender identity, age, disability/handicap and low income be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on over or under such lands hereby conveyed [,] [and)* (2) that Perry County shall use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of -the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes – Implementation and Review Procedures, and as said Regulations may be amended [,] and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to re-enter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.*

APPENDIX C

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

The (grantee, licensee, lessee, permitee, etc., as appropriate) for himself, his heirs, personal representatives, successors in interest, and assigns, as 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, permitee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes – Implementation and Review Procedures, and as said Regulations may be amended.

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

That in the event of breach of any of the above nondiscrimination covenants, *Perry County* 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.

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

[Include in deed.]*

That in the event of breach of any of the above nondiscrimination covenants, *Perry County* shall have the right to re-enter said lands and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of *Perry County* and its assigns.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by *Perry County* pursuant to the provisions of Assurance 7(b).

The (grantee, licensee, lessee, permitee, etc., as appropriate) for himself, his personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds, and leases add "as a covenant running with the land") that (1) no person on the ground of religion, race, color, national origin, sex, sexual orientation, gender identity, age, disability/handicap and low income shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land and the furnishing of services thereon, no person on the ground of religion, race, color, national origin, sex, sexual orientation, gender identity, age, disability/handicap and low income shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permitee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964), Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes – Implementation and Review Procedures, and as said Regulations may be amended.

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

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

[Include in deeds]*

That in the event of breach of any of the above nondiscrimination covenants, *Perry County* shall have the right to re-enter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of *Perry County* and its assigns.

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

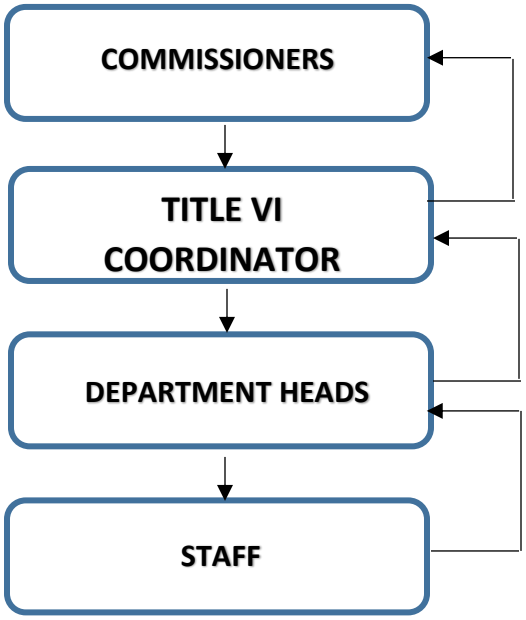
TITLE VI COORDINATOR

Teresa Kanneberg
ADA & Title VI Coordinator
Perry County Courthouse
2219 Payne Street
Tell City, IN 47586
Office: (812) 547-2758
Fax: (812) 547-9786
E-mail: countyadmin@perrycounty.in.gov

Perry County's Title VI Coordinator is appointed by the Commissioners and is delegated the authority to administer and implement Perry County's Title VI Implementation Plan and Policy. The Title VI Coordinator will keep the Commissioners informed on the progress of Title VI Implementation and will prepare annually a Goals & Accomplishments Report and applicable updates to the Title VI Implementation Plan for their approval.

The Title VI Coordinator will obtain the necessary training and affiliations to ensure that Title VI requirements are included in policy directives and that the procedures used have built in safeguards to prevent discrimination. The Title VI Coordinator will provide Perry County Department Heads with Title VI information, resources and training to assist them and their staff in complying with Title VI requirements and the County's Title VI Nondiscrimination Policy.

The flow of Title VI information is illustrated in the chart below:



A list of Perry County Departments and contact information is in **Appendix A**.

GRIEVANCE POLICY AND PROCEDURE

Grievance Policy

In accordance with the requirements of Title VI of the Civil Rights Act of 1964 (Title VI), Title II of the Americans with Disabilities Act of 1990 (ADA), and applicable amendments, laws, executive orders, and regulations, Perry County will not discriminate against persons based on race, color, national origin, sex, sexual orientation, gender identity, age, religion, income status, limited English proficiency, or disability. Perry County is committed to ensuring that all people, including individuals with disabilities, are able to take part in and benefit from the variety of public services and activities offered by the County.

Grievance Procedure

Title VI and the ADA require public entities to adopt and publish grievance procedures to assure prompt and equitable resolution of any grievance regarding discrimination. The purpose of this grievance procedure is to resolve as promptly as possible any problems, grievances or conflicts related to the County's compliance without the need for the grievant to resort to other remedies available under the law.

CONTENTS:

1. Who may file a grievance?
2. When should the grievance be filed?
3. What should the grievance include?
4. Where should I file my grievance?
5. What happens after my grievance is filed?
6. When will I receive a response?
7. What happens if I am not satisfied with the response?

1. Who may file a grievance?

An individual who feels that he or she has been subjected to discrimination may file a grievance. A representative may also file the grievance on the individual's behalf.

2. When should the grievance be filed?

Before filing a grievance, the grievant and/or representative may seek an informal resolution by contacting the applicable department head. If the concern is not resolved in a timely fashion, the grievant or representative may file a formal grievance under this procedure.

A grievance should be filed as soon as possible and no later than 90 calendar days of the date of the alleged discriminatory act or practice.

3. What should the grievance include?

A formal grievance should be in writing and contain the following information about the alleged discrimination:

- Name of the grievant,
- Contact information (address, telephone number, e-mail address),
- Basis for the allegation (i.e. race, color, age, disability, etc.),
- A detailed description of the alleged discrimination (who, how, when, where & why you believe you were discriminated against, including the location(s), names(s), and contact information of all witnesses, if applicable),

- Signature of the grievant, and
- Any other information that is deemed significant.

Whenever possible, the Perry County Grievance Form (**Appendix B**) should be used.

Assistance may be given in filing the grievance for people with disabilities. Please contact the Perry County ADA & Title VI Coordinator to request assistance.

4. Where should I file my grievance?

The grievance may be submitted in person or mailed to the ADA & Title VI Coordinator at the following address:

ADA & Title VI Coordinator
c/o Administration Office
Perry County Courthouse
2219 Payne Street
Tell City, IN 47586

For assistance please call 812-547-2758.

A grievance is considered complete when all necessary information is provided in writing and is signed. The ADA & Title VI Coordinator will notify the grievant in writing if the grievance is incomplete and allot 15 calendar days for the grievant to respond and provide the information needed to complete the grievance.

5. What happens after my grievance is filed?

Within 30 calendar days after receipt of a completed grievance, the ADA & Title VI Coordinator or his/her duly designated investigator will perform an investigation. The investigation may include meeting or speaking with the grievant and any other person(s) the investigator believes to have relevant knowledge concerning the grievance to discuss possible resolutions if applicable.

If Perry County does not have sufficient jurisdiction to investigate the grievance, the ADA & Title VI Coordinator will refer the grievant to the appropriate local, state or federal agency holding such jurisdiction. In such cases the ADA & Title VI Coordinator will notify the grievant in writing that the grievance is outside the County's jurisdiction and where it has been referred for further handling.

6. When will I receive a response?

The ADA & Title VI Coordinator or his or her duly designated investigator will review the factual information and evidence gathered, and a written response will then be issued to the grievant within 60 calendar days after the investigation began.

7. What happens if I am not satisfied with the response?

If the grievant is not satisfied with the response, he or she has the right to appeal. An appeal request must be submitted within 15 calendar days after receipt of the response. The appeal request must be submitted in writing to the ADA & Title VI Coordinator, and it must state the reason(s) for the appeal request.

Within 30 calendar days after receipt of the appeal request, the ADA & Title VI Coordinator will meet with the Perry County Commissioners to form a special appeal committee which shall have the authority to negotiate a settlement on behalf of the County.

After formed, the committee will meet within 30 calendar days and make a determination. The grievant will then be notified in writing of the determination. If the grievant is not satisfied with the results of the appeal, the grievant may file a grievance with the appropriate agency of the State or Federal government. The U.S. Department of Justice Civil Rights Division may be contacted at (888) 736-5551.

Using the Perry County Grievance Procedure is not a prerequisite to pursuing assistance from other agencies. However, in the interest of a prompt resolution of the grievance, Perry County strongly encourages using this procedure before any of the other available alternatives.

Perry County will keep all grievances and appeals for a minimum of three (3) years.

ENVIRONMENTAL JUSTICE

Executive Order 12898 - Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations directs each federal agency to administer and implement its programs, policies and activities so as to identify and address disproportionately high and adverse human health or environmental effects on minority and low-income populations. Environmental Justice (EJ) is a component of Title VI which includes three fundamental principles:

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

Perry County will observe these three principals in all work that the County performs.

LIMITED ENGLISH PROFICIENCY (LEP) POLICY

Executive Order 13166 - Improving Access to Services for Persons with Limited English Proficiency requires Federal agencies to examine the services they provide, identify any need for services to those with limited English proficiency (LEP), and develop and implement a system to provide those services so LEP persons can have meaningful access to them. The Executive Order also requires that the Federal agencies work to ensure that recipients of Federal financial assistance provide meaningful access to their LEP applicants and beneficiaries.

In accordance with the Executive Order, the U.S. Department of Transportation (DOT) issued Policy Guidance Concerning Recipient's Responsibilities to Limited English Proficient (LEP) Persons. This guidance outlines four factors that Perry County will use to assess the LEP populations and decide what reasonable steps should be taken to ensure meaningful access for LEP persons:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the County.
2. The frequency with which LEP individuals come in contact with County programs, activities or services.
3. The nature and importance of services provided by the County to the LEP population.
4. The resources available to the County and costs to provide LEP assistance.

Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by the County.

Demographic information for Perry County (**Appendix C**) is collected and analyzed on an annual basis. Based on the most recent available data, it has been determined that 99.6% of Perry County's total population age 5 and older speak English very well. Since the projected number of LEP persons living in Perry County is very low, there is a low probability that Perry County Departments and staff will encounter citizens who are unable to access the county's services due to a language barrier.

Factor 2: The frequency with which LEP individuals come in contact with County programs, activities or services.

Perry County Departments and staff have been instructed to document all encounters with LEP persons, including phone inquiries and/or office visits, on a LEP Encounter Log Form (**Appendix C**) that has been provided to them by the Title VI Coordinator.

Factor 3: The nature and importance of services provided by the County to the LEP population.

Since the overwhelming majority of Perry County's population speak English, it is unlikely that there is a need to engage in any type of outreach to LEP individuals. Encounters with LEP individuals will be monitored, and Perry County will assist the LEP population if the need should arise that translation services or translation of documents are requested.

Factor 4: The resources available to the County and costs to provide LEP assistance.

Perry County will explore available resources that could be used for providing LEP assistance as well as identify documents that would be most valuable to be translated if needed. Local citizens will likely be available to provide translation for some languages such as Spanish. Translation for other languages may require an interpreter service for which the County would pay a fee.

SUMMARY OF LEP POLICY

Although there is a very low percentage of LEP individuals in Perry County, reasonable steps will be taken to provide the opportunity for meaningful access to LEP persons who have difficulty communicating in English. Perry County will weigh the costs and benefits of translating documents and will explore available resources including local interpreters. All Perry County Departments have "I Speak" Cards (**Appendix D**) to assist in identifying the language interpretation needed. Demographics will continue to be monitored and updates to this LEP Policy will be made as required.

EMPLOYER/EMPLOYEE DISSEMINATION & TRAINING

All Perry County employees and newly-hired employees receive nondiscrimination information and sign an acknowledgement form (**Appendix E**) indicating they have reviewed and will abide by Perry County's Title VI Nondiscrimination Policy. All signed forms are kept on file by the Title VI Coordinator. Ongoing training and education opportunities will continue to be provided to employees as they become available or as needed or requested.

The Title VI Coordinator will meet periodically with Department Heads to collect any documented reports and log forms, and to share and discuss compliance goals and important information and resources. Department Heads will disseminate information to their staff and ensure that nondiscrimination is periodically a topic of discussion.

DATA COLLECTION & ANALYSIS

Pursuant to 23 CFR 200.9(b) (4), Perry County shall collect and analyze statistical information regarding demographics to assist in monitoring and ensuring nondiscrimination in all of its programs and activities. In addition to analyzing Census data, a voluntary Title VI Public Involvement Survey (**Appendix F**) is made available at all public hearings and meetings held at the Courthouse. The survey allows respondents to remain anonymous and asks questions regarding their gender, ethnicity, race, age, income, and if they are disabled. A locked drop box is located just outside the meeting room door for respondents to deposit their surveys. Completed surveys will be analyzed periodically and retained by the Title VI Coordinator for three (3) years.

COMMUNITY INVOLVEMENT & OUTREACH

Perry County is committed to ensuring that community involvement and outreach are done in a respectable manner that will allow for diverse involvement. Public meetings provide opportunities for input and comments on the County's nondiscrimination plans and the programs, activities and services that the County offers. Public meetings are published on the

County's website **www.perrycounty.in.gov**, and meeting announcements and agendas are sent to the local newspaper and other media outlets. All meetings are held in accessible locations. Meeting minutes and other various news and events are also published on the County website.

DISSEMINATION OF TITLE VI INFORMATION

Title VI information with the Title VI Coordinator's name and contact information is displayed in all Perry County buildings and in locations where public meetings are held. A nondiscrimination statement is also published annually in the local newspaper. Perry County's Title VI Implementation Plan and Policy is published on the County website **www.perrycounty.in.gov**. Individuals with limited English proficiency may obtain a translated copy of the plan upon request. Any questions or comments regarding Perry County's Title VI Implementation Plan and Nondiscrimination Policy should be directed to the Title VI Coordinator.

SUBRECIPIENT REVIEW PROCEDURES

All contractors, subcontractors, vendors and consultants who receive payments from Perry County where funding originates from any Federal assistance programs are subject to the provisions of Title VI. Perry County will include Title VI language, as per the Standard U.S. DOT Title VI Assurances, as relevant and appropriate, in written agreements and bid notices. Written agreements relevant to Title VI shall not contain any form of discrimination, either written or implied.

APPENDIX A

Perry County Department List

PERRY COUNTY DEPARTMENT LIST

ADA & Title VI Coordinator	**Teresa Kanneberg**	**(812) 547-2758**
Administrator	Teresa Kanneberg	(812) 547-2758
Assessor	Mendy Lassaline	(812) 547-5531
Auditor	Pam Goffinet	(812) 547-6427
Circuit Court	Judge Lucy Goffinet	(812) 547-7048
Circuit Court Clerk	Amanda Mogan	(812) 547-3741
Commissioners	Bill Amos District 1 Tom Hauser District 2 Randy Kleaving District 3	(812) 547-2758
Community Corrections	Traci Fischer	(812) 547-9775
Coroner	Warren Taylor	(812) 547-5164
Council	Charles Baumeister District 1 Danny Bolin District 2 Luke Thomas District 3 Earla Williams District 4 Steve Goodson At Large David Etienne At Large Lynn Fulkerson At Large	(812) 547-2758
Emergency Management Agency	Steve Hauser	(812) 547-4426
Health Department	William Marcrum, MD	(812) 547-2746
Highway Department	Steve Howell	(812) 843-3232
Parks & Recreation	Greg Hendershot	(812) 547-3453
Planning & Zoning	Hubert Voges	(812) 547-7121
Probation	Brandi Glenn	(812) 547-8456
Prosecutor	Jason Hoch	(812) 547-2750
Purdue Extension	Cathy Boerste	(812) 547-7084
Recorder	Jane A James	(812) 547-4261
Recycling Management District	Ken Smith	(812) 547-9787
Sheriff	Alan Malone	(812) 547-2441
Soil and Water Conservation District	Darlene Fischer	(812) 547-4686
Surveyor	David Lynch	(812) 719-0763
Treasurer	Amanda Lasher	(812) 547-4816
Veterans Service	Wayne Hubert	(812) 547-2506

APPENDIX B

Grievance Form & Complaint Log

PERRY COUNTY GRIEVANCE FORM

Instructions: Please fill out this form completely in blue or black ink or type. Sign and submit to the ADA & Title VI Coordinator, c/o Administration Office, Perry County Courthouse, 2219 Payne Street, Tell City, IN 47586. For assistance please call 812-547-2758.

THIS FORM IS OPTIONAL AND IS PROVIDED FOR YOUR CONVENIENCE.

Grievant Name:_____

Address:_____ E-mail:_____

Home Telephone:_____ Work:_____ Cell:_____

If an authorized representative is filing this grievance on behalf of another person, his/her personal information must also be included:

Representative Name:_____

Address:_____ email:_____

Home Telephone:_____ Work:_____ Cell:_____

Please tell us why you believe the discrimination occurred: Race, Color, Gender, Age, Disability, National Origin, Other (Specify):_____

Date of Incident:_____ Time of Incident:_____

Location or Address of Incident:_____

Describe your grievance:_____

_____

_____

What type of corrective action would you like to see be taken?_____

_____

If the incident involved a Perry County employee, please list his/her name:_____

Names and contact information of witnesses:_____

_____

If your grievance is being filed on behalf of another person or group of people, all grievants must be identified by name:_____

Grievant Signature:_____ **Date:**_____

Authorized Representative Signature:_____ **Date:**_____

PERRY COUNTY TITLE VI COMPLAINT LOG

Case No.	Investigator	Complainant	Sub-recipient	Protected Category	Date Filed	Date of Final Report	Disposition

APPENDIX C

Demographics & LEP Encounter Log Form

PERRY COUNTY DEMOGRAPHICS

2010 CENSUS POPULATION		
Total Population	**19,338**	
One Race	19,188	99.2%
White	18,557	96%
Black or African American	471	2.4%
American Indian and Alaska Native	36	0.2%
Asian	69	0.4%
Native Hawaiian and Other Pacific Islander	4	0.0%
Some other race	51	0.3%
Two or More Races	150	0.8%
Hispanic or Latino (of any race)	192	1%

2018 American Community Survey (ACS) DEMOGRAPHIC ESTIMATES		
Total Population	**19,141**	
One Race	18,881	98.6%
White	18,131	94.7%
Black or African American	577	3%
American Indiana and Alaska Native	34	0.2%
Asian	95	0.5%
Native Hawaiian and Other Pacific Islander	0	0.0%
Some other race	44	0.2%
Two or More Races	260	1.4%
Hispanic or Latino (of any race)	260	1.4%

2018 American Community Survey (ACS) LANGUAGE SPOKEN AT HOME		
Population 5 years and over	**18,070**	
English Only	17,958	99.4%
Language other than English	112	0.6%
Speak English less than “very well”	67	0.4%
Spanish	44	0.2%
Speak English less than “very well”	15	0.1%
Other Indo-European languages	28	0.2%
Speak English less than “very well”	12	0.1%
Asian and Pacific Islander languages	40	0.2%
Speak English less than “very well”	40	0.2%
Other languages	0	0.0%

LEP ENCOUNTER LOG FORM

Date of Encounter:_____

Encounter was: In person By phone Other:_____

Reason person was in your department:_____

_____

Describe how (if) communication was accomplished:_____

_____

_____

_____

_____

_____

_____

Department Head's Signature:_____

- -

LEP ENCOUNTER LOG FORM

Date of Encounter:_____

Encounter was: In person By phone Other:_____

Reason person was in your department:_____

_____

Describe how (if) communication was accomplished:_____

_____

_____

_____

_____

_____

_____

Department Head's Signature:_____

APPENDIX D

I Speak Cards

2004 Census Test

United States Census 2010

LANGUAGE IDENTIFICATION FLASHCARD

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

DB-3309

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U.S. CENSUS BUREAU

☐ Cocher ici si vous lisez ou parlez le français.	13. French
☐ Kreuzen Sie dieses Kästchen an, wenn Sie Deutsch lesen oder sprechen.	14. German
☐ Σημειώστε αυτό το πλαίσιο αν διαβάζετε ή μιλάτε Ελληνικά.	15. Greek
☐ Make kazye sa a si ou li oswa ou pale kreyòl ayisyen.	16. Haitian Creole
☐ अगर आप हिन्दी बोलते या पढ़ सकते हों तो इस बक्स पर चिह्न लगाएँ।	17. Hindi
☐ Kos lub voj no yog koj paub twm thiab hais lus Hmoob.	18. Hmong
☐ Jelölje meg ezt a kockát, ha megérti vagy beszéli a magyar nyelvet.	19. Hungarian
☐ Markaam daytoy nga kahon no makabasa wenno makasaoka iti Ilocano.	20. Ilocano
☐ Marchi questa casella se legge o parla italiano.	21. Italian
☐ 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
☐ 한국어를 읽거나 말할 수 있으면 이 칸에 표시하십시오.	23. Korean
☐ ໃຫ້ໝາຍໃສ່ຊ່ອງນີ້ ຖ້າທ່ານອ່ານຫຼືປາກພາສາລາວ.	24. Laotian
☐ Prosimy o zaznaczenie tego kwadratu, jeżeli posługuje się Pan/Pani językiem polskim.	25. Polish

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Economics and Statistics Administration
U.S. CENSUS BUREAU

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

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

APPENDIX E

Employee Acknowledgement

an Equal Opportunity Employer

Perry County values each individual's civil rights and intends to provide equal opportunity and equitable service for the citizens of this county. As a recipient of federal funds, Perry County will conform to Title VI of the Civil Rights Act of 1964 as amended, and all related statutes, regulations, and directives, which provide that no person shall be excluded from participation in, denied benefits of, or subjected to discrimination on the grounds of race, color, age, sex, sexual orientation, gender identity, disability, national origin, religion, income status, or limited English proficiency. Perry County further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, regardless of whether those programs and activities are federally funded.

All Perry County employees are expected to consider, respect and observe nondiscrimination laws and Perry County's Nondiscrimination policies in their daily work responsibilities and interactions with other employees and the public. Perry County employees should work to prevent and alleviate any barriers to service or public use that would restrict public access or usage and take prompt and reasonable action to avoid or minimize discrimination incidences. If another employee or citizen approaches with a question, concern or complaint regarding discrimination, please refer them to Perry County's ADA & Title VI Coordinator:

Teresa Kanneberg
ADA & Title VI Coordinator
Perry County Courthouse
2219 Payne Street
Tell City, IN 47586
Office: (812) 547-2758
Fax: (812) 547-9786
E-mail: countyadmin@perrycounty.in.gov

Employee Name: _____ Date: _____
(Please Print)

Employee Signature: _____ Dept: _____

Employee signature confirms receipt and understanding of Perry County's Title VI policy.

APPENDIX F

Public Involvement Survey

VOLUNTARY TITLE VI
PUBLIC INVOLVEMENT SURVEY
Perry County, Indiana

Completing this form is voluntary but encouraged. You are not required to provide the information requested in order to participate in this meeting.

Title VI of the Civil Rights Act of 1964 states that "no person in the United States shall on the ground of race, color, or national origin be excluded from participation in, be denied benefits of, or otherwise be subjected to discrimination under any program, service, or activity receiving federal financial assistance." As a recipient of federal funds, Perry County must provide opportunity for the public to comment on programs, projects and activities that may affect them and the County. By completing this form, you are helping Perry County to collect statistical data to aid in assessing the County's outreach efforts to those who are affected and/or interested in County programs, projects and activities.

If you have any questions or concerns regarding this form, please contact Perry County's Title VI Coordinator, Teresa Kanneberg, 2219 Payne St, Tell City, IN 47586; Office (812) 547-2758; E-mail pccomm@psci.net; fax (812) 547-9786.

Please fold and place the completed survey in the box provided or you may mail, E-mail, or fax to the Title VI Coordinator. Thank you for your participation!

Date (month, day, year):	
Meeting attended: ☐ Commissioners ☐ County Council ☐ Other:_____	
Meeting purpose (name of program, project, service or activity):	
Gender: ☐ Female ☐ Male	Ethnicity: ☐ Hispanic or Latino ☐ Not Hispanic or Latino National Origin: ☐ USA ☐ Other_____
Race: ☐ American Indian or Alaska Native ☐ Asian ☐ Black or African-American ☐ Native Hawaiian or Other Pacific Islander ☐ White ☐ Multiracial	
Age: ☐ 1-21 ☐ 22-40 ☐ 41-65 ☐ 65+	Disability: ☐ Yes ☐ No
Household income: ☐ 0 - $12,000 ☐ $12,001 - $24,000 ☐ $24,001 - $36,000 ☐ $36,001 - $48,000 ☐ $48,001 - $60,000 ☐ $60,001 +	

Comments: