Town Of Lowell, Lake County, Indiana Town Council Resolution No. 2023-<u>02</u>

A RESOLUTION ADOPTING THE ABBREVIATED TITLE VI PLAN/NON-DISCRIMINATION AGREEMENT FOR THE TOWN OF LOWELL

WHEREAS, the Town Council of the Town of Lowell, Lake County, Indiana (hereinafter the "Town Council"), is the duly elected legislative body of the Town of Lowell, Lake County, Indiana (hereinafter the "Town"), a unit of local government; and

WHEREAS, the Town is required to conform to Title VI of 1964 Civil Rights Act and all related statutes, regulations, and directives, which provide that no person in the United States shall, on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance (23 CFR 200.9 Title 49 CFR 21); and

WHEREAS, the Town believes it is in the best interest of the citizens of Lowell as well as the health and general welfare of the Town to adopt, maintain, and revise from time to time, procedures in the Town of Lowell, Indiana known as Abbreviated Title VI Plan/Non-Discrimination Agreement;

Now, Therefore, Be IT Resolved By The Town Council Of The Town Of Lowell, Lake County, Indiana:

That the Town Council now approves and adopts the *Town of Lowell, Indiana Abbreviated Title VI Plan/Non-Discrimination Agreement,* which is attached to this Resolution as Exhibit "A".

DULY PASSED, RESOLVED, AND ADOPTED by the Lowell Town Council of the Town of Lowell, Lake County, Indiana, this <u>24th</u> day of <u>April</u>, 2023.

TOWN OF LOWELL, LAKE COUNTY, INDIANA BY ITS TOWN COUNCIL: C Todd Angerman, President John Yelkich, Vice-President Michael Gruszka, Member Shane/Tucker/Member John Alessia, Member Judíth Walters, Clerk-Treasure

Page 1 of 2

APPROVED BY THE EXECUTIVE this 24th day of April , 2023.

ATTEST:

Todd Angerman, President

Judith Walters, Clerk-Treasurer



MEMORANDUM

DATE: April 24, 2023

TO: Lowell Town Council

FROM: Craig Hendrix, PE, Town Manager, Title VI/ADA Coordinator

SUBJECT: Goals and Accomplishments Report

BACKGROUND

The Lowell Town Council passed Resolution No. 2023-13 adopting its updated Title VI Plan on April 24, 2023. Similarly, the Council adopted its ADA Transition Plan on August 23, 2013. Pursuant to our current Title VI and ADA Transition Plan, I have prepared this 2024 Goals and 2023 Accomplishment Report for your review. This report will be submitted annually at the time of adoption of the updated Title VI Plan.

2023 PLAN SUMMARY

On occasion Lowell receives federal and state funding for infrastructure improvement projects. As a condition of receiving these funds, Lowell must revise and adopt a new Title VI Plan every year and a new ADA Transition Plan every three years. Lowell's Title VI Plan was adopted this day. Lowell will prepare and adopt a revised ADA Transition Plan before June 9, 2023.

To date, Lowell has received no complaints related to its Title VI or ADA Plans.

Lowell received no voluntary public involvement surveys. These forms are placed near the agendas at every public meeting and can be found on the town's website.

2023 ACCOMPLISHMENTS

The following is a listing of accomplishments for 2023:

- 1. Updated, adopted and implemented Lowell's Title VI Plan.
- 2. Published annual nondiscrimination statement.
- 3. Posted an annual nondiscrimination statement at Lowell Town Hall and at its wastewater treatment plant and street department garage.
- 4. Included Title VI Assurances in all bid documents utilizing federal or state monies.

- 5. Monitored and used Census data, voluntary surveys, and other methods to ensure minority populations and LEP individuals have meaningful access to Lowell's programs, activities and services. Provided blank forms at each public meeting.
- 6. Updated town website equipped with technology making it accessible to the blind.
- 7. Posted Lowell's Title VI and ADA policies and forms on Lowell's website.
- 8. Continued to utilize live streaming of public meetings.
- 9. Updated and adopted new employee handbook.
- 10. Attended INDOT Title VI Coordinator training on March 22, 2023.
- 11. Conducted training for town employees and town council members.
- 12. Added language to all public meeting agendas regarding those requesting accessible needs accommodations.

2024 GOALS

The following is a listing of proposed goals for 2024:

- 1. Continue to implement Lowell's Title VI Plan.
- 2. Continue to publish annual nondiscrimination statement.
- 3. Continue to post an annual nondiscrimination statement at Lowell Town Hall, wastewater treatment plant and street department garage.
- 4. Continue to review town programs and activities for Title VI compliance.
- 5. Continue to monitor and use Census data, voluntary surveys, and other methods to ensure minority populations and LEP individuals have meaningful access to Lowell's programs, activities and services.
- 6. Continue to post Lowell's Title VI and ADA policies and forms on Lowell's website.
- 7. Continue to implement live streaming of public meetings.
- 8. Update ADA Transition Plan to keep current.
- 9. Receive and conduct employee training.

Prescribed by State Board of Accounts	
Town of Lowell	

Title VI Notice of Nondiscrimination

General Form No. 99P (Revised 1995) To: Lowell Tribune P.O. Box 275, Fowler, IN 47944-0275 Federal ID.: 45-2211406

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I hereby certify that the foregoing account is just and correct, that the amount claimed is
legally due, after allowing all just credits, and that no part of the same has been paid.

PUBLISHER'S AFFIDAVIT

Personally appeared before me, a notary public in and for said county and state, the undersigned **Don Hurd** who, being duly sworn, says that he is publisher of the **Lowell Tribune** newspaper of general circulation printed and published in the English language in the town of **Lowell** in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for

1 time(a)	مالي الم	c 11' .'	
l_time(s)	, the dates of	I publication	being as follows:

March 1, 2023	
Date: March 1, 2025	
Signed: OM & Kun	Coublisher
Subscribed and sworn to before me this1_	day ofMarch 2023.

repueles .. a mat Notary:

My commission expires January 30, 2029

WEDNESDAY MARCH 1 2023

SPORTS

gHI 73

they turned it over, which resulted in a basket by Madison Gora to make it a

six-point lead for Highland. At the 1:27 mark, Laub will not let

es. It says a lot about this really

Lowell linkshed the fourth quarter Lowell linkshed the fourth quarter with coach Donovan Estridge get-ting all his players into the game. The Devits defeated Highland by the score

LMS 8th grade guard Josie Laub demonstrates toughness LEGAL

Highland 33 Lowell 23

By Scorr Forester for the Locell Tribune

The Lowell girls sith grade team played in the second game of a double header on Thursday, Feb. 23 after the 7th grade A team defrated Highland by the score of 33-20. It was going to be a challenge for the Devils as they were mixing some key players. They were going up against a nitheir Trojan team. However, cr. Lowell led by the score of 6-4 after one number.

tightand played better in the second

Highland phycel hefter in the second quarter and took an 11-9 lead at the half then wore down the Devils the rest of the way to vin 33-23. Watching Lowell guard Josie Lauh play, the ralented eighth grader always tools to make the right play on the court, either with her passing or ber service ability.

court, enter with ner passing of her screing ability. The vision Law has of seeing the flowr at this age will only come in hardy next year when she gets to high school to play for head coach Kelly Chaver, who should have some very talented players coming back next season.

season. I was so impressed with Josie on how she handled her team that was nussing some very talented players. But teanumate Brooke Dawson, who is going to be another good ball player for the Devils in the future, couldn't for the Devils in the fatter, could in payer the how good she really is at the lev-dor skill she has us an eighting reader due to foul evolute. Dawson picked up four early foulds in the first haff. Lowell coach Ginny Fleming ran a perfect set of the jump Ball to start the game. Laub laid it in for a 241score. Highland, who has some length and speed on their team, tied the game Laub action barries secret inside.

Laub scored her fourth point when

Lowell 33 **Highland 20**

By Scott Forrester

On Thursday, Feb. 23, the Lowell Middle Schwals eventh grade team took control of the conference and beat Highland 33-20, with each team com-ting in with one loss each. When you have strong guard play like the Devids have, hings will work out to your benefit. Especially if they can play desires also. Leading the Devids in scoring was goord Ella Lubas with 11 points. A very tooph defensive-minded guard

very tough defensive-minded guard by the name of Lavla Baron also had

by the name of Layla Beron also had a good game from the field and scored eight points. The one player who is on this team that keeps gotting better and better is forward Kurtney Witzewski, who scored six points but also played very scored defense and reboundate the full t

good defense and rebounded the ha get the fast break going for Lowell. Two other starters who understand exactly how to play team basketball, Alivia Madison and Bella Vaught, had four points each but had trenvende

passes and found the open person to core. Both did an all-around excellent joh Lowell jumped out to a 7-1 lead

when Baron attacked the basket and got fouled. She made 1 of 2 from the Highland tied the same at 1-1 when

Laney Poppa went to the line and split a pair after Lahas picked up a loul. At the 4:02 mark, Madison knocked

down a jumper for a 3-1 score. Then a steal by Vaught resulted in a 5-1 score when Bella took it to the gluss for the bucket.

Lowell played a 1-3-1 defense and gave Highland all kind of problems. The Devils came up with a stop and Wilczewski put the Devils ahead 7-1 after hitting a nice jumper from the

Poppa stopped the Lowell 6-0 run when she beat the Devils' press to make it a 7-3 score.

The Devils are projected to have sorte experience going into next sen-son. The only seniors on the team this year are Kollin and Janes Miranon-tes, she model. Blank said the group of juniors is very talented, and they have some young swimmers who she described as "promising."

she went up strong underneath for the bucket, and then off of a Highland turnover, Dawson scored on a nice out-of-bounds set for a 6-2 Red Devil advantage. vers kept the Devils from Tun adding to their lead. Highland closed

At the 1:27 mark, Laub will not let ber team quit even though they were struggling offensively. She attacked the rim to draw the foul and sunk both tosses for a 19-15 score. The Trojons came down and spread the Devils out. They passed the hall in kit to a meahen who surged action out the scoring in the lirst quarter on a basket by Lucy Sjoquist. The Devils led 6-4. the Devils out. They passed the ball inside to Agreadon who second again to make it a 21-15 lead. Lowell turned the ball over again and Savannah Ballard attackeds the basket and got fould. She made both free throws for a 25-15 subvartage. With the quarter coming to an end, Luidu ussed her sourt awareness to find Peyton Lonanti for the basket under-neath. The Devils trailed 23-17 after three quarters.

led 6-4. Lowell continued to get themselves in trouble with turnovers, and Daw son picked up some fouls. The Trojans tors a 7-6 lead on a three by Anabel Agredano. Both learns then struggled to score. Highland got the ball isoide multiple times but could't finish at the fini, and Lowell was still having too many turnovers.

and Lowell was still having too many turnews. At the 1:35 mark, Laub scored her excent point of the first half after tenebing down a three from the top of the key, but Shi'Lyn lordan converted on a micr not-ob-hounds set in the the game at 9.9. The last two points of the first half came when Laub foulde Agreduas. who then such both first threes to give the Trajans a 11-9 kead at the half. Highland was duing a good job of getting the boll inside but just could reinsh at the rint. But that was about the change in the second half. Seening the first form points of the third quarter, Highland opened up a 15-9 score until Lub, who always seems to find the ball on the court.

seems to find the ball on the court, grabbed an offensive rebound and put it back off the board for a 15-11 score

Lowell was having a hard time stay ing in frunt of the Highland players. Agredano once again used her speed to beat exervice down court to make it a 17-11 game. Using her left hand, Laub dribbled

passed her defender up top and scored at the rim to cut the Trojan lead to just four points at 17-13. The Devils got the ball back but

Guard play leads 7th grade Lady Devils past Trojans

c / the grade Lady Detection of the second system of the second system. Lowell calance down and second spanse. The second system of the second system of the second system of the second system. The second secon

Highland did not score a field goal the entire period. Taking over in the second quarter was Red Devil Ells Labas, who scored three field goals plus had a free throw. Notody for Highland could stay in front of the theleted goand as ske got to the rim multiple times to score. Up by the source of 13-3 after a bar-ket by Labas, Vanit got feathed going up for the shou underneath which som her to the line for two shus. The Red Devil stak body for a 15-3 came.

Devil such both for a 15-3 game. The only score that Highland had came at the 4:24 mark when Koulian

got fouled and made 1 of 2 from the charity stripe for a 15-4 score. Attacking the basket was no prob-

lem for Labas. She scored again to put the Devils ahead 17-4.

the Devils ahead 17-4. The speed and quick hands of Baron up top would get any ball handler nervous. She came up with the skeal and took it right to the glass for the score and the fout. The Devils took a commanding 19-4 lead. A shake-and-bake move by Labas

on the next trip down the court made it look like the all time great from the Baltimore Ballets Earl "The Pearl" Monrue. She scored again as the Devils took a 22-4 lead into the locker

room at the half. Labas ended the scor-ing on a free throw after hitting the of-fensive glass. Nobody had the answers for this talented lefty for this talented lefty. Scoring nine points to lead all scorers at the break was Ella Labas fol-lowed by four points from both Hella Vaught and Alivia Madison. Layla

The best of the source of the source of the source of 3-20. Leading the way for I owell was Elib Labas with 11 points followed by Layla Barow with eight points followed by Layla Barow with eight points and sources with fight points and the support of the source of th

KOTLIN From Page 8 Bank said it is "en honor and privilege to work with such a unique group of young people." She said the Red Devil swim tenm is working hard and hey re regionning to make waves around the Region. "They are respected in our confer-ence and sectional and seen as a threat

and challenge to other teame." Blank said. "I stress to them that they never know when they will be next up and to be ready. They make me laugh net ne honesity the best kirk in school. The team will be different without the sce-niors. Lanow they will move on to do big things. They have made program a better place and me a better coach."

Advertising

BOAT PARADE PERMIT Color Lake Survey of Color Market Color Lake Survey of Color Market Color Lake, You Kun Market Color Lake, You Kun Market Materil Recorders, Division of Law Information, and Performant Information, and Performant and Diz Auto S-b-1, for a permit to conduct a fifther – Rol Trade. The creation scheduled to be held on July 14, 2020 of Color Lake. In Color Lake Lake Control, Any perove objecting to such an event may do other or both of the B-1 Market State.

following: A. File a petition with the central office of the division requesting an informal learning. The petition must be sepred by at least twenty-fixe (25) individuals who are at least

(23) Individual webs or spirits (23) Individual webs or spirits (applies (13) years of dia di ba opplies (23) years of dia di ba opplies (23) years of dia di ba opplies (23) years of dia di A hearing under this classes in gas-rand by 312 IAC 233. Il Aquesta di chiston accify the petitioner to willing shen as instit determinanto in model to inacce deng the lacture. Following the receipt of nance care that classes of perior Report compared that failed the perior Report compared individual perior Report compared administra-per register of nance chiever manufailed in the spirit of the compared administra-per register of nance chiever manufailed in the spirit of the compared in the spirit of the spirit of the spirit of nance chiever manufailed in the spirit of the spirit commutation. Highland was just on much for the Quarters. Highland was just on much for the Devils in the paint throughout the entire fourth quarter. The Trojans outscored Lowell 10-6 to win the hall game by 10 points with a score of 33-23 petitioner may require request of the under 312 IAC 3-1 3.1 2023

LEGAL Advertising

LEGGAL AC good player who will do just fine once she gets to high school for coach Kelly she gots to high school for ceach Kelly Charez. Charez almost had her onlire team varisty and JV at the gome supported the seventh and eighth grade team for the Pevils. All the girls cheered and elapped toudly and represented Lowel backethall, which was a nice thing to ell Baron pitched in three points. The Devils really calmed down on offense in the second quarter while committing only two tornovers. The third quarter opened up with a hucket by Witzewski. She hit a base-line jumper for a 24-4 score. Lowell put on an aggressive press and Highland turned the ball over, which resulted in a basket by Labas to and Highland turned the ball over, which results in a basket by Labas to extend the Fowell lead to 22 points. At the 3:25 mark, flighland fically corred their first basket in seven min-uter when Koulianos sourced, but the Devids still beld a 36-6 astronatage. A hustle play for a score by Baron put her team up 28-6, but Highland closed out the third quarter on a 5-0 run to make it a 28-11 score after third outer.

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Town of Lowell Title VI/ADA Plan 3.21.23

Printed Name Signature GREGORY WHITE NE Daniel W Myor 177 TAN OFST Cado SHAPiRO A. Wolt M O phen On 59 ac anel

The following attended training regarding the above subject(s):



TOWN OF LOWELL, INDIANA ABBREVIATED TITLE VI PLAN/NON-DISCRIMINATION AGREEMENT

501 East Main Street Lowell, IN 46356 219.696.7794

> Approved April 24, 2023

TOWN OF LOWELL INDIANA TITLE VI PLAN/NONDISCRIMINATION AGREEMENT

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A. POLICY STATEMENT

The Town of Lowell (hereafter referred to as "Town") is required to conform to Title VI of the Civil Rights Act of 1964 (Title VI) and all related statutes, regulations, and directives, which provide that no person shall be excluded from participation in, denied benefits of, or subjected to discrimination under any program or activity receiving federal financial assistance from the U.S. Department of Transportation (DOT) on the grounds of race, color, age, national origin, gender, disability or income status.

The Town assures that no person in the United States shall, on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance (23 CFR 200.9 Title 49 CFR 21).

The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs and 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).

Pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973 (29 USC §794), the Town hereby gives assurance that no qualified disabled person shall, solely by reason of his disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination, including discrimination in employment, under any program or activity that receives or benefits from Federal financial assistance.

In the event the Town distributes federal aid funds to a sub-recipient, the Town will include Title VI language in all written agreements and will monitor for compliance. The Town's Title VI Coordinator is responsible for initiating and monitoring Title VI activities, preparing reports and other responsibilities as required by 23 CFR 200.9 Title 49 CFR 21.

LOWELL TOWN COUNCIL PRESIDENT

Todd Angerman

Date

B. AUTHORITIES

Title VI of 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance(23 CFR 200.9 Title 49 CFR 21).

The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs and 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).

C. ORGANIZATION AND STAFFING

Town Council Lowell Town Hall 501 E Main St, Lowell, IN 46356 Phone: 219-696-7794

Utility Billing Department Lowell Town Hall 501 E Main St, Lowell, IN 46356 Phone: 219-696-7794

> **Town Court** Lowell Town Hall 501 E Main St, Lowell, IN 46356 219-696-4077

Building Department

Lowell Town Hall 501 E Main St, Lowell, IN 46356 Phone: 219-696-7794 Clerk-Treasurer Lowell Town Hall 501 E Main St, Lowell, IN 46356 Phone: 219-696-7794

Public Works Department

Lowell Town Hall 501 E Main St, Lowell, IN 46356 Phone: 219-696-7794

Community Development

Lowell Town Hall 501 E Main St, Lowell, IN 46356 Phone: 219-696-7794

Fire Department

1331 East Commercial Ave. Lowell, IN 46356 Phone: 219-696-6144

Town Manager

Lowell Town Hall 501 E Main St, Lowell, IN 46356 Phone: 219-696-7794

Engineering Department

Lowell Town Hall 501 E Main St, Lowell, IN 46356 Phone: 219-696-7794

Parks Department

Lowell Town Hall 501 E Main St, Lowell, IN 46356 Phone: 219-696-1570

Police Department

1331 East Commercial Ave. Lowell, IN 46356 Phone: 219-696-0411

D. FILING A COMPLAINT

Complaint Procedure - Any person who believes that he or she as a member of a protected class, has been discriminated against based on race, color, national origin, gender, age, disability, religion, low income status, or Limited English Proficiency (LEP) in violation of Title VI of the Civil Rights Act of 1964, as amended and its related statutes, regulations and directives, Section 504 of the Vocational Rehabilitation Act of 1973, Americans with Disabilities Act of 1990, as amended, the Civil Rights Restoration Act of 1987, as amended, and any other Federal nondiscrimination statute may submit a complaint. A complaint may also be submitted by a representative on behalf of such a person.

It is the policy of the Town to conduct a prompt and impartial investigation of all allegations of discrimination and to take prompt effective corrective action when a claim of discrimination is substantiated.

No one may intimidate, threaten, coerce or engage in other discriminatory conduct against anyone because they have taken action or participated in an action to secure rights protected by the civil rights laws. Any individual alleging such harassment or intimidation may submit a complaint by following the procedure printed below.

Any individual who feels that he or she has been discriminated against may submit a written or verbal complaint to the designated Title VI Coordinator. A complaint must include the name, address and telephone number of the individual making the complaint (complainant) and a brief description of the alleged discriminatory conduct including the date of harm. An individual submitting a complaint alleging discrimination may include any relevant evidence, including the names of witnesses and supporting documentation.

Complaints should be directed to the Title VI Coordinator:

Craig Hendrix, Town Manager 501 E. Main Street Lowell, Indiana 46336 219-696-7794 <u>chendrix@lowell.net</u>

Within 60 days of the receipt of the complaint the Town will conduct an investigation of the allegation based on the information provided and issue a written report of its findings to the complainant. The Town will attempt to obtain an informal voluntary resolution to all complaints at the lowest level possible.

A complainant's identity shall be kept confidential except to the extent necessary to conduct an investigation. All complaints shall be kept confidential.

These procedures do not deny the right of any individual to file a formal complaint with any government agency or affect an individual's right to seek private counsel for any complaint alleging discrimination.

Complaints may also be filed with the following government agencies:

Indiana Department of Transportation Indianapolis District EEOC Office 101 West Ohio Street, Suite 1900 Indianapolis, IN 46204 Phone: (800) 669-4000 Fax: (317) 226-7953 TTY: 1 (800) 669-6820

Economic Opportunity Division 100 N. Senate Ave., Room N750 Indianapolis, IN 46204 Phone: (317) 233-6511 Fax: (317) 233-0891

Indiana Civil Rights Commission 100 N. Senate Ave., Room N103 Indianapolis, IN 46204 Toll Free: 1 (800) 628-2909 Phone: (317) 232-2600 Fax: (317) 232-6560 Hearing Impaired: 1 (800) 743-3336

E. COMPLAINT PROCESSING

- 1. The Title VI Coordinator will review the complaint upon receipt to ensure that all information is provided, the complaint meets the 180 day filing deadline and falls within the area under the jurisdiction of the Town.
- 2. The Title VI Coordinator will then investigate the complaint. If the complaint is against the Town then the Town Council or their designee will investigate the complaint. Additionally, a copy of the complaint will be forwarded to the Town Attorney.
- **3.** If the complaint warrants a full investigation, the Complainant will be notified in writing by certified mail. This notice will name the investigator and/or investigating agency.
- 4. The party alleged to have acted in a discriminatory manner will also be notified by certified mail as of the complaint. This letter will also include the investigator's name and will request that this party be available for an interview.
- **5.** Any comments or recommendations from legal counsel will be reviewed by the Title VI Coordinator and Town Council or any other Town staff member that the Coordinator deems necessary to provide input into the resolution of the complaint.
- **6.** Once the Town representative(s) have investigated the report findings, the Town will adopt a final resolution.
- 7. All parties will be properly notified of the outcome of the Town's investigative report.
- 8. If the complainant is not satisfied with the results of the investigation of the alleged discriminatory practice(s), she/he shall be advised of their right to appeal the Town's decision. Appeals must be filed within 180 days after the Town's final resolution. Unless new facts not previously considered come to light, reconsideration of the Town's determination will not be available.
- **9.** The foregoing complaint resolution procedure will be implemented in accordance with the Department of Justice guidance manual entitled "Investigation Procedures Manual for the Investigation and Resolution of Complaints Alleging Violations of Title VI and Other Nondiscrimination Statues," available online at: http://www.justice.gov/crt/about/cor/Pubs/manuals/complain.pdf
- **10. Title VI Complaint Filing -** Complaints filed with the Town of Lowell, Indiana, based on violations of Title VI of the Civil Rights Act of 1964, must include the following information:
 - Name of Complainant
 - Address of Complainant
 - Name of Agency / Department Accused of Discriminatory Practices
 - Address of Agency

- Date of Complaint
- Telephone Number of Complainant
- Name of Individual Accused of Discriminatory Practices
- Date of Alleged Discrimination
- Description of Alleged Discrimination (see below)

Appendix E provides a sample complaint form that may be used for this process.

- 11. 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 / Ethnicity / Color / Religion
 - Age

•

- National Origin
- Sex

• Disability

- Income Status
- Explanation of Alleged Discrimination Please explain as clearly as possible what happened. Provide the name(s) of witness(s) and others involved in the alleged discrimination. (Attach additional sheets if necessary and provide a copy of written material pertaining to your case.)
- Signature of Complainant

• Date of Complaint

Note: The Town of Lowell 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 Town. Please inform the Title VI Coordinator if you feel you were intimidated or experience perceived retaliation in relation to filing a complaint.

- **12. Letter Acknowledging Receipt of Complaint** Following receipt of the complaint alleging discriminatory actions / behavior, the Title VI Coordinator will send the complainant a letter acknowledging receipt by the Town of the complaint.
- **13. Letter Notifying Complainant that the Complaint is Substantiated** If, after investigation, the Town determines that the filed complaint alleging a Title VI violation <u>has been</u> substantiated, the Town shall notify the complainant of such determination and that the Town has implemented measures to correct the issue. Such notice shall also indicate that the complainant may be notified again by the Town or state or federal authorities if an administrative hearing process is initiated.
- 14. Letter Notifying Complainant that the Complaint is Not Substantiated If, after investigation, the Town determines that the filed complaint alleging a Title VI violation <u>has not been</u> substantiated, the Town shall notify the complainant of such determination and that the Town is closing the file for this issue. Such notice shall also indicate that the complainant has the right to:

i. appeal within seven (7) calendar days of receipt of this final written decision from the Town, and/or

 file a complaint externally with the U.S. Department of Transportation and/or the Federal Transit Administration at Federal Transit Administration Office of Civil Rights Attention: Title VI Program Coordinator East Building, 5th Floor – TCR 1200 New Jersey Ave SE Washington DC, 20590

F. ENVIRONMENTAL JUSTICE

In accordance with Title VI of the Civil Rights Act of 1964, each Federal agency shall ensure that all programs or activities receiving Federal financial assistance that affect human health or the environment do not directly, or through other arrangements, use criteria, methods, or practices that discriminate on the basis of race, color, or national origin. Part of Title VI reads, "No person in the United States shall, on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance."

The three fundamental environmental justice (EJ) principles are:

- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, 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 populations and low-income populations.

The Town of Lowell has a commitment to these three environmental justice principles in all work that the Town performs.

G. ADMINISTRATION - WORK PLAN

Pursuant to 23 CFR 200, the Town of Lowell has designated a Title VI Coordinator who is responsible for initiating, monitoring, and ensuring the Town's compliance with Title VI requirements for the following work plan:

- Administer, coordinate and implement the Title VI Plan and distribute internally and externally via website and update annually as required.
- Ensure that Assurances are used in contracts for federal projects, as applicable.
- Attend Title VI training.
- Collect, review and preserve public involvement (statistical) data (e.g. race, color, national origin, language, gender) of participants in activities and programs to ensure the Town of Lowell's continued compliance with Title VI.
- Review written Title VI complaints and ensure every effort is made to resolve complaints informally at the local or regional level and review and update the Town's Title VI Plan and procedures as required.
- Maintain a log of all Title VI complaints.
- Prepare and submit annual Goals and Accomplishments reports to the Town Council.
- Implement a plan that provides training to Town Staff on the basic requirements of the Title VI implementation plan.

H. LIMITED ENGLISH PROFICIENCY (LEP) POLICY

On August 11, 2000, the President signed an executive order, *Executive Order 13166: Improving Access to Service for Persons with Limited English Proficiency (LEP)*, to clarify Title VI of the Civil Rights Act of 1964. It has as its purpose, to ensure meaningful access to programs and services to otherwise eligible persons who are not proficient in the English language. In addition, The US Department of Transportation published *Policy Guidance Concerning Recipients' responsibilities to Limited English Proficient Person* in the December 14, 2005 Federal Register. This guidance outlines the following four factors that the Town uses to access the LEP populations in Lowell.

- 1. The number and proportion of LEP persons eligible to be served or likely to be encountered by the Town.
- 2. The frequency with which LEP individuals come into contact with the program, activity or service.
- 3. The nature and importance of the program, activity, or service provided by the program.
- 4. The resources available to the Town and costs.

Summary of the four factor analysis:

Factor 1- The number and proportion of LEP persons eligible to be served or likely to be encountered by the Town is provided below by using US Census information. Only the estimated numbers are provided because the actual number of persons who can speak English less than "very well" are not documented as needing assistance by Town Staff. The total population is provided below to shown general distribution of race and ethnicity in the community. The estimated number of persons that may not speak English "very well" follows and is taken from the US Census Bureau 2019 American Community Survey.

The U.S. Census Bureau provides statistics from April 1, 2020 for the Town of Lowell as follows:

Total population = 10,680

Population by Ethnicity:

Hispanic or Latino = 812 (7.6%) Non- Hispanic or Latino = 9,868

Population by Race:

White = 9,697 (90.8%), African American = 22 (0.2%), Asian = 11(0.1%), American Indiana or Alaska Native = 22 (0.2%),

Native Hawaiian and Pacific Islander = 0, Identified as two or more races = 278 (2.6%).

The US Census Bureau 2015-2019 American Community Survey 5-Year Estimates under "Language spoken at home" indicates the number of people in Lowell who speak English less than "very well" is estimated at 4.8% of 812 people over the age of 5 years old with an error of margin of +/-0.8%.

Factor 1(continued)-

Considering the margin of error, the number of people in the community that *may* be considered as LEP is estimated at 39 individuals. Based on actual contact between Town Staff and the community there have been no requests from anyone in the service area asking the Town to provide language translation services. Therefore, the LEP population in the community is probably much less than the estimate shown above.

Factor 2- The frequency with which LEP individuals come into contact with the program, activity or service:

There have not been any recent recorded language translation requests nor has there been any complaints concerning discrimination regarding the LEP population known to the Town at this time.

Factor 3- The nature and importance of the program, activity, or service provided by the program:

If at any time a LEP individual requests translation services that are considered important such that denial or delay of access or services or information could have serious or even life-threatening implications, the Town will provide, upon request, services to assist the LEP population including translation of vital Town documents and interpretation services. The Town is not required to provide any and all documents to be translated in their entirety but only enough to convey the basic meaning of those documents to the requesting individual(s).

Factor 4- The resources available to the Town and costs:

The Town of Lowell has a relatively small population of individuals that may be LEP and recent history does not show a need for an intricate plan to accommodate LEP persons. Therefore, using funds to provide all but minimal services is not practical at this time. Considering the minor numbers as estimated in Factor 1 above for the LEP population, the Town plans to provide basic services upon request as discussed in factor 3 above.

Summary of LEP Accommodation Plan

- The Town of Lowell strives to serve its population to the best of its ability and will provide upon request, services to assist the LEP population including translation of vital documents and interpretation services deemed necessary to provide meaningful access to Town services.
- A U.S. Census Bureau ISpeak card is available as part of this document (see Appendix I) and on the Town's webpage and is also available at the Lowell Town Hall located at 501 E Main Street Lowell, Indiana 46336. The distribution of the ISpeak cards may extend to different Departments as the need arises in the future.
- This card allows LEP individuals to communicate their preferred language to Town Staff whereas Town Staff may then access a language translation service to accommodate the needs of the person with LEP. A translation service called INDY Translations, phone number 1-800-695-8772 is available to Town Staff or other translation services may be used as determined by the Town.
- Collect public involvement data to monitor possible LEP individuals in the community. The Town of Lowell utilizes a voluntary public involvement survey to collect information regarding persons affected by proposed projects. The survey permits respondents to remain anonymous, while voluntarily answering questions regarding their gender, ethnicity, race, age, disability status, and household income. This voluntary public involvement survey is available at all public hearings and meetings. Once the survey data has been collected, it will be reviewed and then the survey will be placed in a file for future reference. In the case enough surveys are collected over time to show a significant increase in LEP populations, the Town may consider changes to their LEP policy. Completed surveys shall be retained for a period of three years from the date of the meeting and/or completion of the related project, if applicable. See Appendix G for a sample of this Survey.
- Review written Title VI complaints and ensure every effort is made to resolve complaints informally at the local or regional level and review and update the Town's Title VI plan and procedures as required.
- Staff Training- Staff for the Town will be provided training on the requirements for providing meaningful access to services for LEP persons. Considering the relatively small size of the Town and the estimated small number of LEP individuals in the service area and limited financial resources, current training may be limited to web access to this document and it's attachments by all Town Staff, a log showing the names of all Staff that have been made aware of this document (sign off that they have read the document) and require that all new employees receive the same training. See Appendix H for a sample Training Log.

Standard U.S. DOT Title VI Assurances

The **Town of Lowell, Indiana** in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Sub-Title A, Office the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidden that it will affirmatively insure that in any contact 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.

The Town of Lowell, Indiana (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. 2000d-4 (hereinafter referred to as the Act), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations (CFR), Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, Title 23 Code of Federal Regulations, Part 200, Title VI Program and Related Statutes - Implementation and Review Procedures (hereinafter referred to as the Regulations) and other pertinent nondiscrimination authorities and directives, to the end that in accordance with the Act, Regulations, and other pertinent nondiscrimination authorities and directives, no person in the United States shall, on the grounds of race color, or national origin, sex (23 USC 324), 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 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.

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

- 1. That the Recipient agrees that each "program" and each "facility as defined in subsections 21.23(e) and 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 Transportation Program and, in adapted form in all proposals for negotiated agreements:
- 3. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to the Act and the Regulations.
- 4. That the Recipient shall insert the clauses of Appendix B of this assurance, 'as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
- 5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.

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

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

Dated:

Town of Lowell, Indiana

By:

Todd Angerman, Town Council President

APPENDIX A

(to be inserted in all Federal Aid Contracts when the Town uses federal aid transportation money outside INDOT 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 the Regulation relative to nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter, "DOT") 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) Nondiscrimination: The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by section 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 race, color, or national origin.

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

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

(a) Withholding of payments to the contractor under the contract until the contractor complies, and/or

(b) Cancellation, termination or suspension of the contract, in whole or in part.

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

The contractor shall take such action with respect to any subcontractor procurement as the (Recipient) or the (Name of Appropriate Administration) may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the (Recipient) to enter into such litigation to protect the interests of the (Recipient), 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

(Applicable when land is acquired from the United States)

A. The following clauses shall he 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 **Town of Lowell, Indiana** will accept Title to the lands and maintain the project constructed thereon, in accordance with (Name of Appropriate Legislative Authority), the Regulations for the Administration of the Federal Aid Transportation Program and the policies and procedures prescribed by INDOT or FHWA 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, Nondiscrimination in federally assisted programs of the Department of Transportation (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. .2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the **Town of Lowell, Indiana** all the right, Title and interest of the Department of Transportation in and to said lands described in Exhibit "A" attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto **Town of Lowell, 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 **Town of Lowell, Indiana**, its successors and assigns.

The **Town of Lowell, Indiana**, in consideration or the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person shall on the grounds of race, color, or national origin, he 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 **Town of Lowell, Indiana** shall use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Sub-Title 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, and as said Regulations may be amended [,] and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to reenter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.*

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

APPENDIX C

(Applicable when land is acquired through the federal highway program and then the Town sells or leases the same property to another entity)

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by the **Town of Lowell, Indiana** pursuant to the provisions of Assurance 6(a).

The (grantee, licensee, lessee, permitee, etc., as appropriate) for himself, his heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with 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, 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, **Town of Lowell Indiana** shall have the right to terminate the [license, lease, permit, etc.] and to re-enter and repossess said land and the facilities thereon, and hold the same as if said [licenses, lease, permit, etc.] had never been made or issued.

[Include in deed.]*

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

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by the **Town of Lowell, Indiana** pursuant to the provisions of Assurance 7.

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 race, color. or national origin shall be excluded from participation in, denied the benefits of, or he otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land and the furnishing of services thereon, no person on the ground of, race, color, or national origin 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, Sub-Title 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), and as said Regulations may be amended.

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

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

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

[Include in deeds]*

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

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

Appendix D- Title VI Complaint Log

Town of Lowell Title VI Complaint Log

Case Number	Complainant/ Address	Filing Date	Basis	Status	Disposition
-					
-					

Appendix E- External Complaint of Discrimination



INSTRUCTIONS: EXTERNAL COMPLAINT OF DISCRIMINATION

The purpose of this form is to help any person interested in filing a discrimination complaint with the Town of Lowell. You are not required to use this form. You may write a letter with the same information, sign it, and return it to the address below. All bold items must be completed for your complaint to be investigated. Failure to provide complete information may impair the investigation of your complaint.

Title VI of the Civil Rights Act of 1964, as amended and its related statutes and regulations (Title VI) prohibit discrimination on the basis of race, color, national origin, sex, age, disability/handicap, or income status in connection with programs or activities receiving federal financial assistance for the United States Department of Transportation, Federal Highway Administration, and/or Federal Transit Administration. These prohibitions extend to the Town of Lowell as a sub-recipient of federal financial assistance.

Upon request, assistance will be provided if you are an individual with a disability or have Limited English proficiency (LEP). Complaints may also be filed using alternative formats such as computer disk, audiotape, or Braille.

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

The Town of Lowell is prohibited from retaliating against any individual because he or she opposed an unlawful policy or practice, filed charges, testified, or participated in any complaint action under Title VI or other nondiscrimination authorities.

Please make a copy of your complaint form for your personal records. Do not send your original documents as they will not be returned. Mail the original complaint form along with any copies of documents or records relevant to your complaint to the address below.

Complaints of discrimination must be filed within 180 days of the date of the alleged discriminatory act. If the alleged act of discrimination occurred more than 180 days ago, please explain your delay in filing this complaint.

******Your complaint <u>cannot</u> be processed without your signature.

Title VI Coordinator Craig Hendrix, Town Manager 501 E. Main Street Lowell, Indiana 46336 219-696-7794 <u>chendrix@lowell.net</u>

COMPI	AINANT	INFORM	ATION
	I A A I I AI I A		

Name (first, middle, last)

Address (number and street, city, state, ZIP code)

Home telephone number	Work telephone number	Cellular telephone number
() -	() -	() -

PERSON / DEPARTMENT YOU BELIEVE DISCRIMINATED AGAINST YOU				
Name (first, middle, las	(t)		Title	
Name of department				
Name of department				
Address (number and s	treet, city, st	ate, ZIP code)		
Home telephone number	er	Work telephone number	Cellular tel	ephone number
() -		() -	()	-
When was the last alle	eged discrim	inatory act? (month, day, year))	
Complaints of disorim	ination mus	t be filed within 180 days of tl	ha allagad disari	minatory act If the
		rred more than 180 days ago,		
this complaint.	nation occu		preuse explain y	our doney in ming
The alloged disarimin	ation was he	sod on:		
The alleged discrimination	ation was da	seu on:		
Race	Color	Age	Gender	National
				Origin
Disability	Ancestry	Retaliation	Religious	0
			Affiliation	

Name of complainant

Date (month, day, year)

Describe the alleged act(s) of discrimination. *(Use additional pages, if necessary)*

Provide the names of any indi	<u>viduals with additional inform</u>	mation regarding your complaint:
Name of witness 1 (first, middle	e, last)	Title
Name of company		
Address (number and street, cit	v, state, ZIP code)	
Home telephone number	Work telephone number	Cellular telephone number
Include a brief description of the of discrimination:	e relevant information the with	ess may provide to support your complaint

Name of complainant	Date (month, day, year)

Name of witness 2 (first, mid	dle, last)	Title
0	. ,	
Name of company		
Address (number and street,	city, state, ZIP code)	
		1
Home telephone number	Work telephone number	Cellular telephone number
() -	-	· · ·
Include a brief description of	the relevant information the w	itness may provide to support your complaint
of discrimination:	the relevant information the w	these may provide to support your complaint
of discrimination:		

Name of witness 3 (first, mide	dle, last)	Title
	,	
Name of company		
Address (number and street, o	city, state, ZIP code)	
Home telephone number	Work telephone number	Cellular telephone number
() -	() -	() -
	the relevant information the w	itness may provide to support your complaint
of discrimination:		

Appendix F- Complainant Consent/ Release Form

COMPLAINANT CONSENT / RELEASE

Telephone number	
() -	

As a complainant, I understand that during an investigation it may become necessary for the Town of Lowell to reveal my identity to individuals outside of the Town of Lowell 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 Town of Lowell 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 Town of Lowell.

Please read both paragraphs below, check your choice of CONSENT or CONSENT DENIED and sign below. (*Please mark one*)

CONSENT

I have read and understand the above information and authorize the Town of Lowell 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 Town of Lowell 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.

CONSENT DENIED

I have read and understand the above information and do not want the Town of Lowell 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 Town of Lowell making a determination in my case.

Signature	Date (month, day, year)

Appendix G- Voluntary Title VI Public Involvement Survey

VOLUNTARY TITLE VI PUBLIC INVOLVEMENT 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 CRF §200.9(b)(4)). The Town of Lowell is distributing this voluntary survey to fulfill that requirement to gather information about the populations affected by proposed projects.

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

If you have any questions regarding the Town of Lowell's responsibilities under Title VI of the Civil Rights Act of 1964 or the Americans with Disabilities Act, please contact the VI Coordinator.

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.

Date: (month, day, year)				
Project Name:				
Proposed Project Location:				
Gender: Female Male Ethnicity: Hispanic or Latino Not Hispanic or Latino				
Race: (Check one or more)				
American Indian or Alaska Native Asian Other				
Native Hawaiian or Other Pacific Islander White				
Black or African-American Multiracial				
1-21 22-40 Yes				
Age: Disability: No				
Household Income:				
0-\$12,000 \$12,001-\$24,000 \$24,001-\$36,000				
\$36,001-\$48,000 \$48,001-\$60,000 \$60,000+				
Title VI Coordinator				
Craig Hendrix, Town Manager 501 E. Main Street				

Lowell, Indiana 46336 219-696-7794

chendrix@lowell.net

Appendix H- Staff Training Log

Title VI Plan/Nondiscrimination Policy Staff Training Log

I have read the town of Lowell's Title VI Plan/Nondiscrimination Agreement and by initialing the "I agree" column below do hereby agree to adhere to the Town's policy of nondiscrimination and will not discriminate against any person on the grounds of race, color, national origin, sex, age, disability or income status as described in the plan.

Employee Name (Please Print)	I Agree	Date

Image: style s	Employee Name (Please Print)	l Agree	Date
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Appendix I- U.S. Census Bureau ISpeak Card





