

The Town of Beverly Shores, Indiana

IMPLEMENTATION PLAN
FOR
TITLE VI OF THE CIVIL RIGHTS ACT OF 1964
(AS AMENDED)

May 15, 2018

1. TITLE VI OVERVIEW

Title VI of 1964 Civil Rights Act, as amended, provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance. 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-funded or not.

Title VI seeks to prevent and eliminate existing discrimination and ensure that public funds are used for public benefit and to establish a mechanism for accountability. The full text of Title VI prohibits discrimination on the basis of race, color or national origin.

2. POLICY STATEMENT

To establish a policy of non-discrimination in the conduct of its business, including its Title VI responsibilities as it relates to federally-funded projects, the Town of Beverly Shores recognizes its responsibilities to the community in which it operates and to the society it serves. It is the Town's policy to utilize its best efforts to assure that no person shall, on the grounds of race, color, sex or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any programs receiving federal financial assistance.

3. TITLE VI COORDINATOR & RESPONSIBILITIES

The Town's Title VI Coordinator is Ellen Hundt. The Town's Title VI Coordinator responsibilities include:

- Implementing, monitoring and ensuring the Town's compliance with the Title VI regulations.
- Conducting Title VI reviews with Town staff in an effort to assist with identifying, addressing, and eliminating discrimination concerns in each Town department.
- Working with staff to develop and disseminate Title VI information to residents, contractors, vendors, etc.
- Ensuring Title VI language is included in Town of Beverly Shores contracts, which are funded with federal financial assistance.
- Collecting, reviewing, and preserving statistical data (race, color, national origin, language) of participants in activities and programs to monitor and report the Town's continued compliance with Title VI.
- Collecting, reviewing, and preserving data regarding the number of federally funded projects awarded within the last three (3) years or that are on-going.
- Completing annual reports.
- Addressing all Title VI discrimination complaints.

4. GENERAL RESPONSIBILITIES

A. Public Dissemination

Beverly Shores will disseminate Title VI Program information to Town employees, sub-recipients, and contractors, as well as the general public. Public dissemination will include posting of public statements, inclusion of Title VI language in contracts, and announcements of hearings and meetings in newspapers when determined necessary and funding is available.

B. Prevention of Discrimination

Procedures will be implemented to detect and eliminate discrimination when found to exist, including, but not limited to, providing regular Title VI training and having signed Assurances of nondiscrimination, investigating complaints, monitoring activities and changes in requirements and regulations, and ensuring that the Title VI implementation plan is annually updated to remain eligible for federal funds.

A log of all complaints will be kept on file, which will be used to monitor any discriminatory trends or issues. This data will be basis of continuing education and policy updates, if needed, to assure the Town remains in compliance with its Title VI obligations.

C. Annual Reports

The Town's Title VI Coordinator will be responsible for ensuring that annual reporting as required by federal and State agencies, including the Indiana Department of Transportation is completed in a timely manner. The report will review Title VI accomplishments and goals for the upcoming year.

D. Remedial Action

Beverly Shores will actively pursue the prevention of any Title VI deficiencies or violations and will take the necessary steps to ensure compliance through a program review with the program administrative requirements. If irregularities occur in the administration of the program's operation, procedures will be promptly implemented to resolve Title VI issues and remedial action agreed to be necessary will be reduced to writing, all within a period not to exceed 90 days.

Indiana DOT will be notified of any complaint filed at Beverly Shores, Indiana involving Title VI issues, as well as any resolution.

5. FILING A COMPLAINT

Any person that believes that he or she, as a member of a protected class, has been discriminated against based on race, color, national origin, or Limited English Proficiency, in violation of Title VI of the Civil Rights Act of 1964, as amended and its related statutes, regulations and directives,

including the Civil Rights Restoration Act of 1987, as amended, may submit a complaint. A complaint may also be submitted 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.

6. COMPLAINT PROCEDURE

Any individual who feels that he or she has been discriminated against may submit a complaint to the Town's Title VI Coordinator. The complaint must be submitted in writing. The Town recommends that complaints be submitted on the form identified as Appendix A. Complaints should be submitted to the Town's Title VI Coordinator. The complaint should be submitted within 180 days of the alleged discrimination.

Complaint forms may be obtained on-line or in person from the Title VI Coordinator at the Town Administration Building at 500 Broadway, Beverly Shores, IN 46301, or by calling 219-728-6531.

Individuals are not required to use the Town's complaint form. If necessary, the Town's Title VI Coordinator will help an individual reduce his or her complaint to writing for his or her signature.

Generally, a complaint should include the name, address and telephone number of the individual complaining (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:

Title VI Coordinator
500 Broadway
Beverly Shores, IN 46301
PH: 219/728-6531

Within 60 days of 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 try to obtain an informal voluntary resolution to all complaints at the lowest possible level.

A complainant's identity shall be kept confidential except to the extent necessary to conduct an investigation. All complaints shall be kept confidential, except as otherwise required by law.

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

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

Indiana Civil Rights Commission
100 North Senate Avenue, 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

EXHIBIT A

TITLE VI COMPLAINT OF DISCRIMINATION

**Return to: Town of Beverly Shores
Title VI Coordinator
500 Broadway
PO Box 38
Beverly Shores, Indiana 46301**

**Tel: (219) 728-6531
E-mail address:**

INSTRUCTIONS:

Title VI of the Civil Rights Act of 1964, as amended, and its related statutes and regulations, prohibit discrimination on the basis of race, color, and national origin in connection with programs or activities receiving federal financial assistance from the United States Department of Transportation, the Federal Highway Administration, and/or the Federal Transit Administration. These non-discrimination provisions extend to the Town of Beverly Shores' subrecipients, consultants, and contractors, whether federally funded or not.

The purpose of this form is to help any person interested in filing a complaint of discrimination with the Town of Beverly Shores. If the complaint is against the Town of Beverly Shores, the Town's Title VI Coordinator will forward the complaint to the appropriate state or federal agency for investigation.

Use of this form is not required to file a complaint. Alternately, you may write a letter with the same information and submit it to the address indicated above. You must sign the complaint or it will not be processed. All forms in bold must be completed for your complaint to be investigated. Failure to provide this information may delay investigation of your complaint.

The Town of Beverly Shores is required to implement measures to ensure that persons with limited English proficiency and persons with disabilities have meaningful access to the services, benefits, and information of all its programs and activities. Upon request, assistance will be provided if you are an individual with a disability or have limited English proficiency. For assistance in filing a complaint for individuals with limited English proficiency or disabilities, please contact the Town of Beverly Shores' Title VI Coordinator.

Complaints of discrimination must be filed within 180 days of the date of the alleged discriminatory act. Please make a copy of your original complaint form for your records. Do

not send original documents of any exhibits you submit. Mail the original complaint, along with copies of any documents or records relevant to your complaint to the address above.

COMPLAINT INFORMATION

Name: _____

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

Telephone number: _____

E-mail address: _____

Date: _____

PERSON/AGENCY YOU BELIEVED DISCRIMINATED AGAINST YOU

Name: _____

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

Telephone number: _____

When was the last discriminatory act? (month, date, year) _____

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

The alleged discrimination was based on:

☐ Race

☐ Color

☐ National Origin

Describe the alleged acts of discrimination. (Use additional pages, if necessary.)

Provide the names of any individuals with additional information about your complaint, including a brief description of the relevant information such individual may have regarding your complaint:

How would you like your complaint to be resolved?

Have you filed a complaint alleging the same discrimination with another state or federal agency? ☐ Yes ☐ No

If yes, please identify the name of the agency and the date you filed your complaint. Please provide a case number, if known.

Signature:

Date:
