



Town of West Terre Haute
TITLE VI IMPLEMENTATION PLAN
2027

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Introduction

This Title VI Implementation Plan is a part of the Town of West Terre Haute 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, Town of West Terre Haute seeks to provide continued transparency, clarity and technical guidance for internal and external constituents regarding its Title VI program.

Town of West Terre Haute Title VI Non-Discrimination Notice & Policy

Town of West Terre Haute values each individual's civil rights and wishes to provide equal opportunity and equitable service for the citizens of this state. As a recipient of federal funds, Town of West Terre Haute conforms 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 under any program or activity receiving federal financial assistance from Town of West Terre Haute on the grounds of race, color, age, sex, sexual orientation, gender identity, disability, national origin, religion, income status or limited English proficiency. Town of West Terre Haute 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 Town of West Terre Haute 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. §§ 6101-6107; Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 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, Town of West Terre Haute hereby gives assurance that no qualified disabled person shall, solely by reason of 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 this federal financial assistance.

Town of West Terre Haute 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 addition, Town of West Terre Haute will take reasonable steps to provide meaningful access to services for persons with limited English proficiency (LEP). Town of West Terre Haute will, where necessary and appropriate, revise, update and incorporate nondiscrimination requirements into appropriate manuals, directives and regulations.

Whenever Town of West Terre Haute distributes federal-aid funds to a second-tier subrecipient, Town of West Terre Haute will include Title VI language in all written agreements.

The following individual has been identified as Town of West Terre Haute's Title VI and ADA 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.

Tommy Roberts
Title VI / ADA Program Manager
500 National Ave
West Terre Haute, IN 47885
Thomas.Roberts@westterrehautein.gov

Town of West Terre Haute 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).

Title VI Assurances & Implementation

Fully executed Assurances are included in Appendix A and integrated into this document. This Title VI Implementation Plan has been adopted, implemented and is being adhered to by Town of West Terre Haute. Town of West Terre Haute has implemented this plan by resolution and it is effective for 2027. This plan will be renewed on or before 10/1/2027.

Signed by: _____

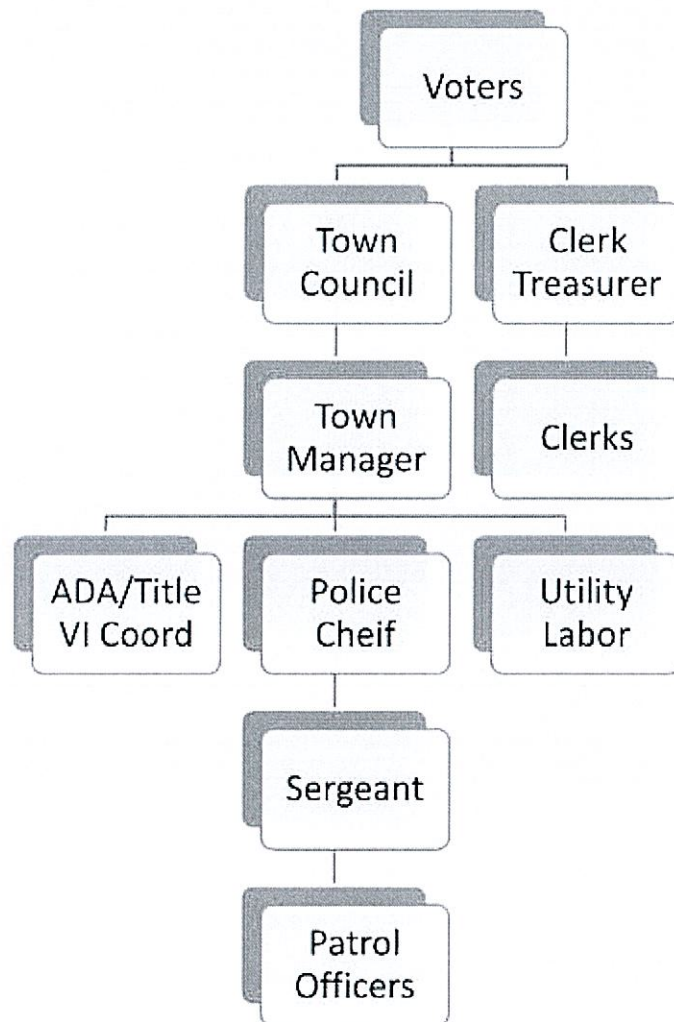
Date: _____

Printed Name: _____

Title _____

The individual above is a duly authorized representative of Town of West Terre Haute.

Town of West Terre Haute Organization and Staffing



Town of West Terre Haute Overview of Title VI Program

Data collection, Analysis & Reporting

The type of data collected is dependent on the program area's objective. Town of West Terre Haute collects various types of data to ensure compliance with Title VI. Some information is collected for a period of time with the objective of determining what data needs to be collected.

The following types of data are currently being collected by Town of West Terre Haute:

- Complaints received, logged, processed and investigated by Town of West Terre Haute
- Environmental Justice analysis and reports
- Limited English Proficiency reports
- Title VI Training
- Public Involvement Survey
- Records of meeting minutes and discussions related to Title VI in all program areas.
- Town of West Terre Haute collects data related to specific program areas being reviewed this year for disparate / disproportionate impacts or other evidence of potential discrimination or discriminatory outcomes.

Complaints of Discrimination

How to File a Complaint?

While a Complainant may preliminarily submit his or her complaint by online form submission, mail, facsimile, or email to the Title VI Coordinator, a signed, original copy of the complaint must be mailed to the Title VI Coordinator to officially begin the complaint process. Any person with a disability may request to file his or her complaint

using an alternative format. Town of West Terre Haute does not require a Complainant to use the Town of West Terre Haute complaint form when submitting his or her complaint.

Direct all complaints of discrimination pursuant to Title VI to:

Tommy Roberts, Title VI Coordinator
500 National Ave
West Terre Haute, IN 47885
Thomas.Roberts@westterrehautein.gov
812-243-3044

Elements of a Complete Complaint

A complaint must be both written and signed to be complete. Verbal complaints must be reduced to writing and provided to the Complainant for confirmation, review and signature before processing. The complaint form is available for download from the Town of West Terre Haute website at: <https://www.townofwestterrehaute.com/>

Additionally, a complaint must include the following information:

- The full name and address of the Complainant;
- The full name and address of the Respondent, the individual, agency, department or program that allegedly discriminated against Complainant; and
- A description of the alleged discriminatory act(s) that violated Title VI (i.e., an act of intentional discrimination or one that has the effect of discriminating on the basis of race, color, national origin, sex, age or disability) and the date of occurrence.

Processing Complaints

The Title VI Coordinator will process all complaints. The Title VI Coordinator is responsible for:

- The Title VI Coordinator will review the complaint upon receipt to ensure that all required information is provided, the complaint meets the filing deadline date which is 180 days from the date the alleged discriminatory act occurred, and

falls within the jurisdiction of the Town. The Town will notify INDOT within 10 days of the receipt of the complaint.

- 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.
- 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.
- 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.
- Any comments or recommendations from legal counsel will be reviewed by the Title VI Coordinator and Town Council.
- Once the Town has investigated the report findings, the Town will adopt a final resolution.
- All parties associated with the complaint will be properly notified of the outcome of the Town's investigative report.
- 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.
- 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 Statutes," available online at:
<http://www.justice.gov/crt/about/cor/Pubs/manuals/complain.pdf>

Environmental Justice Analysis & Reports

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.

Town of West Terre Haute is committed to these three environmental justice principles in all work that the Town performs. As of current Town of West Terre Haute has no record of any public community member being denied of any benefits or subjected to discrimination. Also, the Town of West Terre Haute can provide data collection policies and procedures when requested.

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 Town of West Terre Haute.

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.

In addition, Town of West Terre Haute has implemented the safe harbor provision whereby it identifies and translate all vital documents into any language where the 5% threshold is met whereby 5% or more of the population in the county both:

- Does not speak English very well AND
- Primarily speaks another specific language as identified in current census data or other publically available records.

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 can only be estimated until the actual number of persons who can speak English less than “very well” are documented as needing assistance by Town Staff . With this Title VI Plan being in early development stages and considered a document that may need regular updates, US Census Bureau information is being used at this time. 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” is following in the US Census Bureau 2006–2010 American Community Survey.

The U.S. Census Bureau provides statistics from 2020 for the **Town of West Terre Haute** as follows:

Total population = 2,157

Population by Ethnicity: 2,157

Hispanic or Latino = 33 Non-Hispanic or Latino = 2,124

Population by Race: 2,034

White = 2,010, African American = 6, Asian = 0, American Indiana or Alaska Native = 11, Native Hawaiian and Pacific Islander = 0, Other = 90, Identified by two or more = 90.

The US Census Bureau 2020–2025 American Community Survey 5–Year Estimates under SELECTED SOCIAL CHARACTERISTICS estimates the number of people in **Town of West Terre Haute** who speak a language other than English to be 32 with those speaking English less than “very well” estimated at approximately 2 individuals who may be considered limited in English proficiency.

According to the census numbers above there may be up to X individuals who live in the Town of West Terre Haute that may be considered as LEP. Based on actual contact between Town Staff and the community there have been very few requests from anyone in the service area asking the Town to provide language translation services. Therefore, the LEP population is probably even less than the estimate shown above.

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

Due to the infrequent requests for translation services, there appears to be a minimal need for translation services from the Town. This may be attributed to the high percentage of younger people who are available as family members for translation services.

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.

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

Currently the town has not received any requests for interpretation services. If the town would receive this request before they could obtain a town-wide contract they would utilize Google Translate and this is a free service.

Summary of LEP Accommodation

- The Town of West Terre Haute 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 I Speak card is available as part of this document. This card allows LEP individuals to communicate their preferred language to Town Staff whereas Town Staff may then access a translation service as determined by the Town.
- The Town of West Terre Haute 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, sex, disability status, and household income. 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.
- The Town reviews written Title VI complaints and ensures 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 for the Town will be provided training on the requirements for providing meaningful access to services for LEP persons and new employees will receive the same training.

Title VI Dissemination & Accessibility Training

At the time of Hire and annually: Title VI policy education and literature will be provided to all Town of West Terre Haute employees. Town of West Terre Haute employees will be required to sign an acknowledgement of receipt indicating they have received and reviewed Title VI policy guidelines. New employees will be provided with education and literature at new employee orientation. Employees will be provided with updated education and literature as Town of West Terre Haute deems necessary.

Ongoing Training provided to current employees: Current employees will receive training yearly. Training will consist of any and all materials received from INDOT's ADA website, the Federal ADA website and information obtained from INDOT's yearly training and will be provided via email (hard copies if requested).

Employees will be expected to follow the Title VI policy and the guidelines set forth. In addition, Town of West Terre Haute employees should make every effort to alleviate any barriers to service or public use that would restrict public access or usage, take prompt and reasonable action to avoid or minimize discrimination incidences and immediately notify the Title VI Coordinator, in writing, of any questions, complaints or allegations of discrimination.

Public Involvement

Data Collection

Pursuant to 23 CFR 200.9(b) (4), Town of West Terre Haute shall collect and analyze statistical information regarding demographics to assist in monitoring and ensuring nondiscrimination in all of its programs and activities.

Town of West Terre Haute shall utilize a voluntary Title VI public involvement survey that will be available at all public hearings and meetings. The survey will allow respondents to remain anonymous. The survey will ask questions regarding the respondent's gender, ethnicity, race, age, income and if they are disabled. The facilitator of the public hearings and meetings will make an announcement at the beginning of the meeting informing attendees of the survey and its purpose and a request will be made for the attendees to complete the voluntary survey.

Completed surveys will be retained by the Title VI Coordinator for three (3) years.

The Title VI Coordinator will also collect and report statistical data for the past three (3) years as it relates to the number of federally funded projects, complaints filed and the results of those complaints, any requests for language services, demographic statistics and department compliance reviews.

Community Involvement & Outreach

Town of West Terre Haute is committed to ensuring that community involvement and outreach is done in a respectful and appropriate manner that will allow for diverse involvement. Public meetings, programs and activities will provide equitable opportunities for participation.

The Town of West Terre Haute host meetings monthly and those meetings are open to the public. Any meetings that are open to the public are published on Town of West Terre Haute website's main page. All Town of West Terre Haute public meetings are held in locations accessible to individuals with disabilities. Upon request, translators can be provided free of charge to those individuals with limited English proficiency. Auxiliary aids are also available upon request. Requests must be made within forty-eight (48) hours in advance.

Also published on the Town of West Terre Haute website are various meeting agenda's, meeting minutes, notices, events and news. Some departments

within Town of West Terre Haute utilize signage, media and social media websites as another avenue to communicate with the community.

Review of Program Area and Self-Evaluation

Department Evaluation

The **Town Council** serves as the local legislative body, responsible for setting policies, passing ordinances, approving budgets, and overseeing public services such as roads, parks, and public safety. Council members represent residents' interests, focusing on community improvement, economic development, and quality of life. They hire town managers and staff, manage zoning, taxes, and contracts, and ensure that local government operates efficiently, transparently, and ethically.

The **Clerk-Treasurer** serves as the town's chief financial officer and official record keeper. This role involves managing all town finances, including collecting revenue, paying bills, handling payroll, and overseeing investments. The Clerk-Treasurer maintains public records such as meeting minutes, ordinances, and official documents; prepares and monitors the town budget; issues licenses; and performs election-related duties. They also act as the official clerk and secretary for town council meetings, ensuring transparency, accuracy, and fiscal accountability in town operations.

The **Street and Stormwater Department** is responsible for maintaining public roads and managing the stormwater system that carries rainwater away through gutters, pipes, and drains. Their work helps prevent flooding, reduce pollution, and protect water quality. The department handles tasks such as repairing potholes, sweeping streets, inspecting and maintaining storm drains, managing runoff from construction sites, and educating the public on clean water practices, including preventing dumping into storm drains.

The **Wastewater Department** is responsible for collecting, treating, and safely disposing of sewage and wastewater from homes and businesses. By operating treatment plants and maintaining miles of sewer lines, pipes, and lift stations, the department removes harmful contaminants to protect public health and the environment. Staff ensure treated water meets required quality standards,

manage grease trap programs, handle utility billing, and respond to sewer backups and emergencies 24 hours a day.

The **Water Department** oversees the complete lifecycle of the municipal water system, from sourcing and treating water to delivering safe, potable water to homes and businesses. The department is also responsible for system maintenance, infrastructure upkeep, meter management, billing, conservation efforts, and responding to emergencies such as leaks or main breaks to ensure reliable service and water quality.

The **Police Department's** job is to protect and serve the community by enforcing laws, preventing crime, responding to emergencies, investigating incidents, and maintaining public order, which involves everything from patrolling and directing traffic to supporting victims and building community trust through proactive engagement and education. They act as first responders, ensure safety, and handle both criminal matters (like theft, DUIs, drugs) and non-criminal issues (like assisting motorists, mediating disputes).

Self-Evaluation

Public Information

Self-Evaluation General Findings:

- A poster entitled 'Equal Opportunity is the Law', defining the requirements of Title VII of the Civil Rights Act of 1964, Title I and V of the ADA, and Section 503 and 504 of the Rehabilitation Act of 1973, was observed in Town Hall.
- The Town has adopted a formal ADA grievance form and procedure for the public to express complaints regarding access or related alleged discrimination.
- The Town has not adopted a formal ADA Accommodation Request form for the public.

- Public meeting agendas for the Town that were reviewed provide no non-discrimination statement regarding how someone needing a meeting accommodation would proceed or who to contact.
- Printed materials reviewed have no information regarding ADA accommodation.
- Signage is absent at the Town Hall that would direct visitors to the accessible entrance.

Recommended Action:

- This Town should ensure that copies of the ADA Notice of Non-Discrimination are posted prominently in high public use facilities and provide it at all public facilities and on the website.
- Public notifications should always identify a contact person for individuals with disabilities who may request program modifications, or information on how a hearing or speech impaired person could communicate by telephone.
- The Town should consider developing a formal ADA Accommodation Request form for the public.
- Ensure that all public meeting agendas for all boards/commissions/committees have a non-discrimination statement that provides information regarding how someone needing a meeting accommodation would proceed and who to contact similar to that currently being used.
- A statement of non-discrimination and contact information for the person(s) who should be contacted to request an ADA accommodation should be used by all departments for all Town publications and printed materials as applicable.
- Provide outreach to persons with disabilities by finding additional methods and formats to provide information about meetings and other Town activities. The Town should endeavor to inform the public of the possible modifications required to make its services, programs, and activities accessible.

- Include the following notice on all materials printed by the Town that are made available to the public: "This publication can be made available in alternative formats, such as Braille, large print, audiotape, or .pdf. Requests can be made by calling PHONE NUMBER. Please allow at least 3 business days for your request to be processed."
- The ADA Coordinator should have a list of qualified individuals to contract for services to provide
- information in alternate accessible formats when individuals have had a request for accommodation.
- Provide all ADA-related compliance documents on the website
- Signage directing visitors to Town Hall should be placed along the accessible routes and the ISA should be placed in clear view at all accessible entrances. This would include providing directional signage at the public ROW in locations to avoid back-tracking.
- Consider a dedicated page for accessibility and other civil rights issues on the Town's Website
- Ensure that all live and recorded videos that are provided on the Town's YouTube site include closed captioning

Designation of ADA Coordinator

Self-Evaluation General Findings:

- The Town has appointed Tommy Roberts as the ADA Coordinator.
- The ADA Coordinator will attend yearly training that is hosted by INDOT's ADA Coordinator.
- The Name and contact information for the ADA Coordinator is not provided on the Town's website.
- The Town Staff Directory on the website does not list the ADA Coordinator.

Recommended Action:

- The Town should provide clear and obvious notifications and information about the ADA Coordinator to the public and employees. The identification of this person and contact information for the ADA

Coordinator should be prominent and easy to find on the Town website and other documents.

- The ADA Coordinator should enroll in the necessary continuing education courses to maintain the ADATCP.
- Consider including the name and contact information for the ADA Coordinator in the Town Personnel Policy Manual or similar orientation documents for new employees.
- Consider providing a dedicated email for the ADA Coordinator that would not change in the event of staff changes. Emails to that address could be directed to multiple staff to ensure issues are addressed promptly. An example would be 'ADACoordinator@westterrehaute.in.gov.'
- Activities related to ADA compliance should be directed to the ADA Coordinator, and each Town department should designate a liaison for ADA issues and publicize the identity of this person for all staff within their department.
- Information regarding the identity of the Town's ADA Coordinator should be provided to staff, posted at all Town facility locations, incorporated into staff and public phone directories, placed in frequently used publications, and prominently on the Town's website.
- The designated ADA Coordinator should be familiar with the requirements of ADA and get appropriate training to ensure compliance and manage the implementation of this SETP by the Town.
- It is strongly suggested that each department have one individual with knowledge of ADA issues that can respond to issues that arise within their department and assist the ADA Coordinator.

2.5 Grievance /Uniform Compliant Procedures

Self-Evaluation General Findings:

- The Town has adopted a formal ADA grievance procedure for the public to express complaints regarding access or related alleged discrimination.

- There will be a grievance form on the website that an individual can obtain and submit and is also a scanned document. The form is to be submitted to the ADA Coordinator
- There were no reported formal ADA grievances that have been filed with the Town.

Recommended Action:

- Ensure all ADA grievances from the public be submitted to the ADA Coordinator, who would then respond accordingly and work with affected departments and officials. The ADA Coordinator should be the primary contact for all ADA-related issues.
- Consider a dedicated web page that is for all ADA issues, publications, policies, etc. If provided, ensure it is prominent and easy to find from the Town's home page.
- Centralized record-keeping of complaints and tracking of complaint resolution will help the Town to regularly update its compliance efforts, and plan for additional compliance implementation. The ADA Coordinator should ensure that records are kept of all ADA-related complaints, including informal items brought to their attention.
- The Town should review its current administrative policy and be able to provide the ADA Grievance Form in an alternate accessible format, i.e., Braille, audiotape/recording, e-text, large print, etc.
- Administrative policies and procedures should continue to be developed, adopted, and implemented to provide consistency for filing complaints or grievances and record-keeping.

Public Meetings

Self-Evaluation General Findings:

The following board meet at various times on town business and would be considered open meetings that can be attended by members of the general public:

Town Council – 2nd Monday at 6pm

- Public meeting agendas for the Town Council that were reviewed provide no non-discrimination statement regarding how someone needing a meeting accommodation would proceed or who to contact.
- A YouTube site [@WestTerreHaute](#) Includes all Town Council Meetings
- Meeting Minutes are in PDF format and are able to be screen read.
- No requests for special accommodations, including American Sign Language or other interpreters, has been made at public meetings.

Recommended Action:

- The Town should schedule and hold all public meetings in the most accessible locations whenever possible. Meetings which the public regularly attends should be made the highest priority.
- Ensure that all live and recorded meetings provide a closed-captioning option to ensure access to persons with hearing loss and person who is deaf.
- Standard language on all Town publications regarding availability of alternate formats and how requests for accommodations can be made should be provided to all departments.
- Public notices and agendas for all public meetings should include information related to compliance with the ADA, including reasonable accommodations for persons with disabilities needing it to participate in meetings. Notices should include the West Terre Haute and contact person, along with deadlines, for requests to be made. The statement could include language similar to the following "Individuals with disabilities who require accommodations for participation in meetings must request accommodations at least 3 business days ahead of the scheduled meeting. Contact the ADA Coordinator, Tommy Roberts, at (812) 243-3044 or email at Thomas.Roberts@westterrehautein.gov". Ensure that meeting agendas are posted before the start of this deadline.
- Ensure that all live and recorded videos of public meetings that are available on the Town website or social media pages include an option for closed captioning.

- Ensure that meeting agendas are posted and published in advance with enough lead time to allow persons that may require an accommodation to make such request.
- The Town should develop procedures for obtaining and providing auxiliary aids such as sign language interpreters, readers, descriptive services, and other assistive technologies.
- The Town should make reasonable modifications to enable individuals with disabilities to attend and participate in all public meetings.
- Ensure that all documents provided on the website are in a format that are usable by persons utilizing a screen reading program. Signed documents are often scanned, a picture of the scanned photo of the signature could be utilized instead or a notation made on the signature line that an original with signature can be reviewed at the appropriate department office.
- Provide meeting agendas and minutes in alternative formats when requested.
- The Town should assemble and maintain a list of readily accessible meeting spaces to facilitate the scheduling of meetings and/or the relocation of meetings upon request.
- The Town should create a simple checklist for creating accessible meetings and selection of accessible meeting spaces for public meetings held at non-Town facilities. This checklist should be utilized and available to all Town departments for their programs and events.

Accommodations to Access Programs, Services and Activities

Self-Evaluation General Findings:

- There is no evidence of intentional discriminatory practices, intentional exclusion of individuals with disabilities, or practices to segregate individuals with disabilities or limit access to town programs, services, or activities.

- Public meetings are generally held in locations that are through to be accessible to persons with mobility impairments and staff had no recollection of any previous complaints of issues.

Recommended Action:

- Information directing the public how to request accommodations should appear on all public notices, announcements, and agendas.
- Continue to ensure that public meetings are held in accessible facilities.
- Front line staff, such as administrative assistants, receptionists, and staff within departments that have everyday contact with the public, should receive training on interacting and accommodating individuals with disabilities.
- The Town has no ADA Accommodation Request Form that could be used for an ASL request.
- The Town should provide additional and ongoing training for staff, including volunteers, regarding the requirements of the ADA and accommodations that provide equal access to programs, services, and activities. This would include accommodation at Vote Centers and other Town programs.
- Continue to provide services to the disabled to allow them to participate in all Town activities and programs.
- High public use facilities that sponsor a variety of programs should have an accommodation request form available and also be made available on the website and all publications that provide information about the programs sponsored there. The statement should provide contact information and deadlines for accommodation requests to participate in the programs.
- The ADA Coordinator should monitor programmatic access, making any necessary changes to ensure access and document compliance efforts.

Special Events and Private Events on West Terre Haute Property

Self-Evaluation General Findings:

The Town does host three yearly parades. These parades include the Christmas Parade, Fire Prevention Parade and the Homecoming Parade.

Recommended Action:

- Guidelines or policies should be in place for ensuring that all special events are accessible, including items such as accessible parking, designated wheelchair seating, and accessible restroom facilities. Ensure that accessible facilities are clearly marked with the ISA and that directional signage is provided, accessible facilities are shown on literature for the event, and that accessible routes are provided to and from all amenities of the events.
- Ensure that service animals are permitted inside all facilities that can be accessed by the public.

Contracted Services and Contractors

Self-Evaluation General Findings:

- No discriminatory or exclusionary practices were evident in the selection of contractors and contracted services.

Recommended Action:

- All Town contracts should be reviewed to ensure that they include specific, detailed ADA language to ensure that contractors that provide Town services to the public comply with the ADA.
- It is recommended that the Town consider a means to maintain compliance when contracting for services or when leasing facilities by:
 - Including ADA compliance requirements in new requests for proposals.
 - Reviewing ADA requirements when contracts or leases are negotiated, revised, or renewed.

Customer Services, Satisfaction, and Input

Self-Evaluation General Findings:

- Notices of this SETP process were sent to a number of disability advocacy groups and provided on the Town website.
- No complaints or grievances were reported related to inability to accommodate customers with disabilities or inability of persons with disabilities to access Town programs or facilities.

Recommended Action:

- Consider periodic customer satisfaction surveys or gather input from recipients of Town services using an alternate method, such as public hearings or focus groups. An additional emphasis should be made to survey individuals with disabilities and organizations representing individuals with disabilities.
- Partner with persons with disabilities, their caregivers, and advocates for the disabled to identify concerns and gather comments on capital improvement projects to improve accessibility to people with disabilities during design. Valid comments provided to the Town should be considered in the scheduling and prioritization of projects.
- Consider providing a specific web page where ADA-related concerns can be provided and be directed to the ADA Coordinator.

Equally Effective Communication

Auxiliary Aids and Services

Self-Evaluation General Findings:

- No departments stated that they have hired/utilized transcription services and readers.
- No departments stated that they have hired/utilized transcription services and readers.

Recommended Action:

- The Town should provide staff training and information regarding auxiliary aids and effective communication. Encourage staff to offer alternate means to complete transactions and assistance to complete Town forms if possible.
- The Town should have a complete list of auxiliary service providers, i.e., Braille transcription services, computer assisted transcript, dictation and transcription, American Sign Language (ASL) interpreters, etc.

Interpreter Services**Self-Evaluation General Findings:**

- There is not a Town-wide contract for qualified sign language interpreters for departments to select from.
- The Town has no contracts in place for on-site interpretation services.
- No departments indicated use of or requests for interpreters.

Recommended Action:

- The Town should maintain a Town-wide contract for qualified ASL interpreter services that departments could utilize as needed. At a minimum, a list of qualified individuals should be maintained for all potential services that might be required on short notice. The Town could also explore the viability of providing qualified ASL interpreters from a remote location and transmitting the disabled participant's response to the interpreter in accordance with 28 CFR 35.160(d).
- Ensure that a list of providers for interpretation services is available to Town employees that may need to utilize the service. That list should be maintained by the ADA Coordinator.
- Interpreters should be provided upon request for accommodations or considered in situations where an interpreter is known or likely to be required, such as public meetings for projects in areas with documented populations of persons with Limited English Proficiency (LEP).

Telecommunications Devices for the Deaf

Self-Evaluation General Findings:

- TDD/TTY numbers are not listed for the Town or any Town departments on the website or staff directory on the website, as there are none.
- Phone systems in Town facilities are all currently compatible with TDD systems.

Recommended Action:

- The ADA requires all Public Safety Answering Points (PSAPs) to provide direct, equal access to their services for people with disabilities who use teletypewriters (TTYs) or TDDs, including 9-1-1 services. The Title II regulation specifically prohibits emergency telephone service providers from relying on relay services. Relay services do not provide "direct access," because they require the services of a third party and are far more time-consuming than direct TTY calls. However, if a person placing a call to a PSAP voluntarily chooses to rely on a telephone relay service, the PSAP must answer and respond appropriately to such a call. PSAPs must train their call takers to effectively recognize and process TTY calls. Call takers must be trained in the use of TTY equipment and supplied with information about communication protocol with individuals who are deaf or hard of hearing, or who have speech impairments. Ensure compatibility of 9-1-1 equipment and proper training of staff.
- Consider using Relay Indiana and publishing the phone number (7-1-1 or 800-750-0750 for standard phones, 800-750-2750 for TTY Relay in English, 888-269-0678 for Spanish) for TTY/Voice communication. A person who is deaf, hard-of-hearing, deaf-blind, or speech-disabled uses a TTY to type his/her conversation to a Communications Assistant (CA), who then reads the typed conversation to a hearing person. The CA relays the hearing person's spoken words by typing them back to the TTY user. This information could be placed on the recommended website page for accessibility.

- Where an automated answering system is used for receiving and directing incoming telephone calls, the Town should enable this system to provide real-time communication with individuals using auxiliary aids and services, including TDD and telecommunications relay systems (28 CFR 35.161(b)).
- All staff responsible for responding to incoming telephone calls should be trained in the protocol and use of TDD, VP, and VRI/VRS communications. Information and training should be provided on an ongoing basis.
- The Town should develop procedures to ensure that TDD are maintained in a working and operable condition.

Website

Self-Evaluation General Findings:

- The Town website home page address is www.townofwestterrehaute.com/. The website does not include an accessibility page.
- The town website is updated and maintained by the Clerk Treasurer and her office staff. ADA Coordinator Tommy Roberts updates and maintains the town's Facebook.
- Documents available online in PDF format appear readable by a screen reader program
- Content on the website is generally readable by the screen reader program NVDA. Some documents have paragraphs that read as expected where others provide no immediate program response. Moving the cursor within paragraphs of text sometimes provides the expected NVDA response when placed in the precise position.

Recommended Action:

- The Town's website should be reviewed to maintain, update, and monitor website accessibility.
- Utilize an accessibility checklist similar to that published by the Access Board.

- The University of Wisconsin Trace Center (<https://minds.wisconsin.edu/handle/1793/6747>) provides resources and on-line information that might assist the Town in development and implementation of an accessible website.
- The Web Accessibility Initiative provides guidance on making websites fully accessible (www.w3.org/WAI/).
- The International Center for Disability Resources on the Internet (ICDRI) provides information on accessibility (www.icdri.org/section508/index.htm).
- The General Services Administration (GSA) provides resources on their website for development of compliant websites.
- The ADA National Network provides regular live webinars, which are also archived, with information on various ADA topics. Registration is free. An archived presentation entitled 'Evaluating Websites for Accessibility' (from September 5, 2019) can be found at <https://www.accessibilityonline.org/ao/archives/110746>.
- Ensure that all PDF documents are directly converted to PDF and not a scan of the original document. Scans are not compatible with many reader programs and cannot always be converted to a readable format by free PDF reader programs. Ensure that non-PDF format documents are properly formatted and usable by screen reader programs. Consider running a test of all documents to be posted to the website to ensure compliance and compatibility with screen readers prior to posting.
- Ensure that all interactive pages are compliant and able to be used by persons with vision loss.
- Consider having staff responsible for web content download NVDA or other commonly used screen reader program to test content (www.nvaccess.org/download/) and also consider having vision impaired advocates assist with review of the website and various documents for readability by programs.
- Consider adding a dedicated page for ADA and Title VI information, which is significantly lacking currently. ADA-related website content should include publicity of the statement of ADA compliance, contact information

for the Town ADA Coordinator, grievance and complaint procedures and form, publication of the self-evaluation and transition plan when completed, an annual list of ADA projects, a list of the departments that offer TDD and the phone numbers, etc.

- Provide compliant captioning of all video live stream and video recordings provided on the website to allow persons with hearing loss or person who is deaf to have access to this program of the Town. In addition, provide equally effective communication upon request, which could include written transcripts of meetings.

Alternate Communication Formats

Self-Evaluation Findings:

- Many Town departments and offices produce printed information that is distributed and available to the public in both hard copy format and electronically.
- Town staff indicated that they assist with filling out forms, if assistance is requested, or when alternative formats are not available.
- No departments have a standard procedure to communicate and produce accessible alternate formats for people with disabilities.

Recommended Action:

- The ADA Coordinator should be the main point of contact for requesting and providing information in alternate formats on a request for accommodation basis and should communicate with other departments as needed when accommodation requests are received.
- The Town should provide staff training regarding the requirements of accessible alternate formats, what accessible alternate formats are, and how to provide accessible alternate formats.
- Procedures and methods should be established for the development of accessible alternate formats of documents to ensure that requests are handled in a uniform and consistent manner.

- The Town should centralize the production of alternate formats for agendas, publications, and documents, which may result in efficiency and a cost savings.

Fees and Surcharges

Self-Evaluation Findings:

- There was no evidence of fees charged to individuals with disabilities that were not charged to individuals without disabilities to access programs, services, and activities.

Recommended Action:

- The town should continue to monitor and review policies and practices to ensure that fees and surcharges are not charged to individuals with disabilities that were not charged to individuals without disabilities

Information and Signage

Self-Evaluation Findings:

- Inaccessible entrances do not provide signage directing users to accessible entrances.

Recommended Action:

- An accessible signing strategy for the non-compliant Town Hall should be developed for interior and exterior directional, informational, and permanent room signs.
- Design standards for accessible signs should be created to guide the production and installation of the accessible signs produced internally.
- Signage replacement projects should include replacement or installation of accessible signs as required.

2.15 Staff Training

On-going compliance with the ADA can only be achieved if Town/Town/Town staff receives training and education about the rights of persons with disabilities and the obligations of public entities and its employees under Title II of the ADA.

Although training is not required by the ADA, training regarding the requirements of the ADA is recommended.

Self-Evaluation General Findings:

- The ADA Coordinator will attend INDOT's training that is held yearly in August.
- The ADA Coordinator will host training for all town staff yearly.

Recommended Action:

- The ADA Coordinator and other key staff should attend annual training on various ADA issues relevant to their respective department responsibilities.
- The Town should provide training regarding ADA and related civil rights legislation to Town staff, especially those that have frequent interaction with the public. Suggested training topics include, but are not limited to:
 - Requirements of the ADA for Town of West Terre Haute as a Title II entity
 - Consequences of Non-Compliance
 - Disability Etiquette – a good resource is www.unitedspinal.org/disability-etiquette/
 - Acceptable Terminology and Phrases
 - Grievance/Complaint Procedures
 - Reasonable Accommodations
 - Awareness and Sensitivity
 - Accessible Locations for Meetings
 - Barriers to Access – Programmatic and Physical
 - Auxiliary Aids and Services
 - TDD, VP, VRI/VRS, and other assistive technologies (e.g., Zoom)
- Town inspectors, designers, and plan reviewers should be familiar with the requirements of ADA standards and guidelines that pertain to the facilities they are responsible for. This would include ensuring compliance with the most stringent regulation (ADA-specific at a minimum) for Town facilities

constructed by the Town or private contractors prior to acceptance or approval.

- Training materials and handbooks should be prepared, if needed, in alternate formats.
- The ADA Coordinator should coordinate additional ADA training for all Department managers and staff who have regular contact with the public.

Employment

Self-Evaluation General Findings:

- The Town does not have an 'ADA Reasonable Accommodation Request Form' that is to be used by employees.
- The Town Personnel Policies Handbook includes the following relevant items
- 'Equal Employment Opportunity' states:
 - "West Terre Haute is an Equal Opportunity Employer. We affirm our commitment to provide equal opportunity in employment to persons in all job titles, without regard to race, color, religion, gender, age, disability, sexual orientation, or national origin. This policy includes recruiting, hiring, training, probation, promotion, transfer, compensation, benefits, assistance, layoff, recall, employee facilities, discharge, retirement, and all other terms and conditions of employment".
 - "All position vacancy notices, postings, advertisements, and recruiting literature shall contain the phrase 'An Equal Opportunity Employer'."
 - "Any employee with questions or concerns about any type of discrimination in the workplace shall bring these issues to the attention of his/her elected official/department head. Employees may raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment."

- Section 2.7 'Employee Medical Examinations' states that "To help ensure that employees are able to perform their duties safely, medical examinations may be required of those positions responsible for public safety prior to hiring, or anytime during the course of employment with the Town, (e.g., hiring, FMLA, ADA) which will be paid for by West Terre Haute."
- Section 4.9 'Americans with Disabilities Act (ADA)' states:
 - "It is the policy of West Terre Haute that qualified individuals with disabilities not be excluded from participating in or benefiting from the services, programs, or activities of the Town."
 - "It is the policy of the West Terre Haute not to discriminate against a qualified individual with a disability in: job application procedures; the hiring, advancement, or discharge of employees; employee compensation; job training; and other terms, conditions, and privileges of employment. It is the intent of this Town to comply with all applicable requirements of the Americans with Disabilities Act (ADA)."
 - "If a person is not able to perform the essential functions of a job, even with reasonable accommodation, then the person is not qualified for the position."
 - "West Terre Haute will reasonably accommodate persons with a disability. Such reasonable accommodation may include: making facilities readily accessible to individuals with a disability, restructuring jobs, modifying work schedules, modifying equipment, or other similar accommodations."
 - "Accommodations may not create an undue hardship for the Town or other employees. An individual who cannot be reasonably accommodated for a job, without undue hardship, will not be selected for that position."
 - "Benefits provided to disabled individuals who are qualified to perform the work are not different from the benefits provided to other employees."

- “Members of the public, including individuals with disabilities and groups representing individuals with disabilities, are encouraged to submit suggestions to the Town ADA Coordinator on how Henry Town might better meet the needs of individuals with disabilities pursuant to this policy.”
- “Any individual who believes he/she has received treatment inconsistent with the policies set forth above or any other requirement of the Americans with Disabilities Act (ADA), can file a complaint within ninety (90) days of the date of the alleged discriminatory act or practice with the Town ADA Coordinator.”

Recommended Action:

- Ensure all applicable web pages and documents include a statement about the Town being an ‘Equal Employment Opportunity’ employer or other statements compliant with applicable laws.
- Determine the potential need for alternate ways for individuals to apply for jobs if they do not have internet access. This could include providing information about where computers can be available (libraries, schools, Town facilities, etc.), providing hard copies of applications for employment in both regular and alternate formats (e.g., large print).
- The Town should continue to practice the Town policies of non-discrimination as required by ADA and other applicable laws.
- Ensure that electronic copies of all documents provided to Town employees, including the Town Personnel Policies Handbook, are fully accessible and usable by persons that use screen reading programs. Any existing scanned documents should be replaced by original PDF conversions. If signatures are desired, insert them as a picture in the PDF and ensure alt-text is provided. Run an accessibility test of all documents to ensure issues are repaired prior to the distribution of the documents to employees.
- The Town should continue to practice the Town policies of non-discrimination as required by ADA and other applicable laws for

recruiting, hiring, training, assignments, compensation, benefits, transfers, layoffs, returns from layoffs, education, and promotion.

- Members of the public, including individuals with disabilities and groups representing individuals with disabilities, should be encouraged to submit suggestions to the Town ADA Coordinator and HR Department on how the Town might better meet the needs of individuals with disabilities pursuant to employment policies.
- All job descriptions should include the same basic sections, with some higher level positions including additional requirements. Simplify the layout of job descriptions to include three (3) basic major categories:
 - Summary of the position – reason for/function of the position, purpose, role, how it fits with the operations of the organization, etc.
 - Essential Job Functions – methods, techniques, procedures and/or tools to complete the job, time allowed to perform functions, how often function is performed, how success is measured
 - Job Specifications/Qualifications – qualifications, skills and required abilities, educational criteria, certifications/licensure requirements, specialized knowledge/experience, environmental, psychological, and/or physiological requirements, etc.
- Provide job functions identified as 'Essential' based on documentable evidence about the existence of the position for performance of the function, the limited number of employees that can perform the function, and the specialization and expertise required to perform the function. Further evidence would include employer judgment, amount of time performing the function, the consequences being serious if an infrequently performed function is not performed when needed, etc.
- Ensure that 'Other Duties as Assigned' is not included as an essential job function.
- Do not include marginal or peripheral functions of positions within Essential Job Functions area, though these lesser functions can be included elsewhere if appropriate.

- Use clear, concise, non-technical language and avoid gender-specific language, jargon, technical language, ambiguity, and language that may screen out individuals with disabilities.
- Updates should include 'ADA Compliant Language'. Examples include modifying statements such as 'stand or sit' to 'stationary position', 'talk/hear' to 'communicate, convey, express oneself, exchange information', 'use hands/fingers to handle or feel' to 'operate, activate, use, prepare, inspect, detect, position', 'see' to 'detect, perceive, identify, recognize, observe, inspect, assess', 'carry or lift' to 'transport, move, position, put, install'.
- Ensure requirements in all sections are actual requirements of the position and avoid use of subjective words such as 'normal' when describing visual acuity, hearing, etc. Determine need for requirements such as sense of smell or taste, depth and/or texture perception, color perception, etc., which for many jobs is unlikely to be needed to perform the duties of the job.
- Ensure that all job descriptions include a brief statement at the bottom regarding reasonable accommodations being provided to allow qualified persons to perform essential job functions.
- Review which jobs require a valid driver's license or commercial driver's license for the employee to perform job duties due to the need to operate a Town vehicle. Remove the requirement from jobs that do not since many persons with disabilities are not able to obtain a driver's license, instead substituting the requirement with providing a valid photo ID issued by a governmental agency.
- Ensure that the job description for the position that is designated as the Town's ADA Coordinator includes this within the duties and the person in this position should have relevant experience and knowledge of the ADA and other civil rights laws related to Title I and Title II.
- An excellent resource to review when considering updates or modifications to various documents, including job descriptions, is the Job Assistance Network at <https://askjan.org/topics/jobdesc.cfm> and the U.S

Department of Labor, Office of Disability Employment Policy at <https://www.dol.gov/odep/#>.

Department Self-Evaluation Findings and Recommendations

Self-Evaluation Findings:

- The Town has numerous departments with extensive, daily public interaction both in person and over the telephone.
- No departments responded that the programs offered for persons with disabilities were different in any way.
- The Town has no ADA Work Group or similar group comprised of staff and residents with disabilities, advocates, and caregivers.
- No Town boards appear to include an ADA statement on agendas regarding how a person can request an accommodation.
- No accommodation requests appear to have been made during public meetings.

Recommended Action:

- Public interactions with persons needing special accommodation due to a disability are likely to occur for all departments at some point. Training should be provided to all departments to review how to accommodate various disabilities and provide the same level of service.
- All departments should have a liaison identified that will interact with the ADA Coordinator and be responsible for ADA compliance in their department.
- Continue to ensure that all programs offered do not segregate customers with disabilities and provide the same type and level of service.
- Ensure that all publications, documents, and forms that are provided to the public can be made available in alternate formats easily. This would include large print versions and electronic versions in multiple file formats. All departments should have an accessible workspace or clipboard that can be provided to someone that cannot reach counters that are above required height until such time that counter heights are made compliant.

- Funding will be a key component in some instances but many improvements in service to persons with disabilities can be done inexpensively and within a short timeframe.
- The report includes a number of ways that departments can accommodate persons with various disabilities, but circumstances and barriers vary between departments. Training of staff is a key component to knowing how to accommodate and provide equal service to persons with disabilities of all kinds.
- Plan reviewers, designers, inspectors, etc. that review plans and inspect buildings and sites should have adequate knowledge of the applicable standards in ADASAD (and PROWAG for ROW facilities) and special training as needed to ensure compliance with all requirements.

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 (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Highway Administration, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will 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 will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Federal Highway Administration to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a

contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the Federal Highway Administration, as appropriate, and will set forth what efforts it has made to obtain the information.

5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

Appendix B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real **property, structures, or improvements** thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the **Title of Recipient** will accept title to the lands and maintain the project constructed thereon in accordance with Title 23, United States Code, the Regulations for the Administration of Federal Aid Highway Program, and the policies and procedures prescribed by the Federal Highway Administration of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation 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 West Terre Haute all the right, title and interest of the U.S. 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 West Terre Haute 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 will be binding on the Town of West Terre Haute, its successors and assigns.

The Town of West Terre Haute, 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 will 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 with regard to any facility located wholly or in part on, over, or under such lands

hereby conveyed [,] [and]* (2) that the Town of West Terre Haute will 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, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended [, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re- enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. 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 make clear the purpose of Title VI.)

Appendix C

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the Town of West Terre Haute pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her 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:
 - 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non- discrimination covenants, Town of West Terre Haute will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*
- C. With respect to a deed, in the event of breach of any of the above Non- discrimination covenants, the Town of West Terre Haute will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the Town of West Terre Haute and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

Appendix D

CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by Town of West Terre Haute pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her 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 (1) no person on the ground of race, color, or national origin, will 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 race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non- discrimination covenants, Town of West Terre Haute will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*
- C. With respect to deeds, in the event of breach of any of the above Non- discrimination covenants, Town of West Terre Haute will there upon revert to and vest in and become the absolute property of Town of West Terre Haute and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

Appendix E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
 - Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
 - Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
 - The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
 - Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
 - The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
 - Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;

- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures Non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of Limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

Appendix F:

Title VI Complaint Procedure

The following procedures cover complaints filed under Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987.

“Any person who believes they, or any specific class of persons, were subjected to discrimination on the basis of race, color or national origin in programs or activities of a Federal-aid Recipient may file a complaint.

According to U.S. DOT regulations, 49 CFR § 21.11(b), a complaint must be filed not later than 180 days after the date of the alleged discrimination, unless the time for filing is extended by the investigating agency”.

Town of West Terre Haute will keep a log of all Title VI complaints received. The log shall include the date the complaint was filed, a summary of the allegations, the status of the complaint, and actions taken in response of the complaint.

Title VI complaint process

1. When Town of West Terre Haute receives a complaint, it will forward the complaint to INDOT, who will then forward the complaint to the Federal Highway Administration (FHWA) Indiana Division Office (Division).
2. All Title VI complaints received by the Division Office will be forwarded to Federal Highway Office of Civil Rights (HCR) for processing and potential investigation.
3. If HCR determines a Title VI complaint against Town of West Terre Haute can be investigated by INDOT, HCR may delegate the task of investigating the complaint to INDOT. INDOT will conduct the investigation and forward the Report of Investigation to HCR for review and final disposition.

The disposition of all Title VI complaints will be undertaken by HCR, through either (1) informal resolution or (2) issuance of a Letter of Finding of compliance or noncompliance with Title VI. A copy of the Letter of Finding will be sent to the Division Office

TITLE VI COMPLAINT LOG

[illegible]

Appendix D:

Title VI Complaint Form

Town of West Terre Haute policy ensures nondiscrimination compliance, on the grounds of race, color, national origin, age, disability, and Limited English proficiency (LEP), as provided by Title VI of the Civil Rights act of 1964 and related Nondiscrimination authorities. *Title 42 U.S.C. Sections 2000d*

Executive Order 13166 ensures individuals whose first language is not English and have a limited capacity to read, write or understand English have meaningful access to programs, information and services by any entity receiving Federal funding. Please provide the following information necessary in order to process your complaint. A formal complaint must be filed within 180 days of the occurrence of the alleged discriminatory act. Assistance is available upon request. Please contact Tommy Roberts.

Complete this form and return to: ADA/Title VI Coordinator at 500 National Ave, West Terre Haute, IN 47885

Complainant's Name:

Address: _____ City: _____

State: _____ Zip Code: _____

Telephone (Home): _____ Telephone (Work): _____

Person(s) discriminated against (if other than
complainant) Name:

Address: _____ City: _____

State: _____ Zip Code: _____

Telephone (Home): _____ Telephone (Work): _____

What is the discrimination based on? ☐ Race ☐ Color ☐ National Origin

☐ Disability ☐ Limited English Proficiency (LEP)

Date of the alleged discrimination: _____ Location: _____

Agency or person that was responsible for the alleged discrimination:

Have you filed this complaint with any other Federal, State, or local agency? If so, whom?

What remedy are you seeking?

List names and contact information of persons who may have knowledge of the alleged discrimination.

Describe the alleged discrimination. Explain what happened and who you believe is responsible.

Complainant should sign and date. The complaint will not be accepted if it has not been signed. You may attach any written materials or other supporting information that is relevant to your complaint.

Signature

Date

Appendix H:

NONDISCRIMINATION PROGRAM POLICY STATEMENT

The Town of West Terre Haute policy ensures nondiscrimination compliance, on the grounds of race, color, national origin disability, limited English proficiency (LEP), as provided by Title VI of the Civil Rights act of 1964 and related Nondiscrimination authorities.

The following nondiscrimination statutes and authorities include but are not limited to:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C § 2000d et seq.);
- Section 162 (a) of the Federal-Aid Highway Act of 1973 (23 U.S.C. § 324 et seq.);
- The Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101 et seq.);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.);
- Americans With Disabilities Act of 1990;
- The Civil Rights Restoration Act of 1987;
- 49 CFR Part 21;
- 23 CFR Part 200;
- 49 CFR Part 303
- USDOT Order 1050.2A;
- Executive Order # 13166 (Limited-English-Proficiency).

No person will be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any ___program or activity. Every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not. The Town of West Terre Haute sub-recipients, grant recipients, and contractors must also comply with this policy.

The Town of West Terre Haute Civil Rights Officer and program areas must work closely to implement their mutual Title VI nondiscrimination program responsibilities. Therefore, each program area will take full responsibility for preventing discrimination and ensuring nondiscrimination compliance in all of the Town of West Terre Haute programs and activities.

The Director signs assurances and delegates full authority to the Title VI/ADA Program Coordinator to oversee and implement Title VI regulations.

Dated _____

By _____

Title _____

Agency _____

Appendix I:

NOTICE OF NONDISCRIMINATION

The Town of West Terre Haute complies with all civil rights provisions of federal statutes and related authorities that prohibit discrimination in programs and activities receiving federal financial assistance.

Therefore,

Town of West Terre Haute does not discriminate on the basis of race, color, national origin, Limited English Proficiency (LEP), and disability in the admission, access to and treatment in the

Town of West Terre Haute programs and activities, as well as hiring or employment practices.

Complaints of alleged discrimination and inquiries regarding

Town of West Terre Haute nondiscrimination policies may be directed to Tommy Roberts

Free language assistance for Limited English Proficient individuals is available upon request.

This notice is available from the ADA/504/Title VI Coordinator in large print, on audiotape and in Braille.

Appendix J:

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 CFR §200.9(b)(4)). The Town of West Terre Haute 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 West Terre Haute 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 West Terre Haute's responsibilities under Title VI of the Civil Rights Act of 1964 or the Americans with Disabilities Act, please contact:

Tommy Roberts, Title VI Coordinator
500 National Ave, West Terre Haute, IN 47885
Thomas.Roberts@westterrehautein.gov

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:		
Project Name:		
Proposed Project Location:		
(Circle one)		
Gender:	Female Male	Ethnicity: Hispanic or Latino Not Hispanic or Latino
Race: (Circle one or more)		
	American Indiana or Alaska Native	Asian
	Native Hawaiian or Other Pacific Islander	White
	Black or African-American	Multiracial
Age: (Circle one)	Disability: (Circle one)	
1-21	22-40	Yes
41-65	65+	No
Household Income: (Circle one)		
\$0-\$12,000	\$12,001-\$24,000	\$24,001-\$36,000
\$36,001-\$48,000	\$48,001-\$60,000	\$60,001+
Tommy Roberts, Title VI Coordinator 500 National Ave West Terre Haute, IN, 47885 812-243-3044 Thomas.Roberts@westterrehautein.gov		

Appendix K:

2004 Census Test		2010 Census	
LANGUAGE IDENTIFICATION FLASHCARD			
☐	ضع علامة في هذا المربع إذا كنت تقرأ أو تتحدث العربية.	1. Arabic	
☐	Խոսքով կամ գրավոր լեզուներով հարցազրույցում, եթե կարող եմ հարգել Ձեր հարցերը:	2. Armenian	
☐	যদি আপনি বাংলা পড়েন বা বলেন তা হলে এই বাক্সে দাগ দিন।	3. Bengali	
☐	ឈ្មួញក្នុងប្រអប់នេះ បើអ្នកមាន ឬនិយាយភាសា ខ្មែរ ។	4. Cambodian	
☐	Motka i kahhon ya yangin untungnu' manaitai pat untungnu' 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 فارسی بلد هستید این مربع را علامت بزنید.	12. Farsi	

☐	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 kazyé sa a si ou li oswa ou pale kreyòl ayisyen.	16. Haitian Creole
☐	अगर आप हिन्दी बोलते या पढ़ सकते हैं तो इस बक्स पर चिह्न लगाईं।	17. Hindi
☐	Kos lub voj no yog koj paub twm thiab hais lus Hmoob.	18. Hmong
☐	Jelölje meg ezt a kockát, ha megérti vagy beszél 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
☐	日本語も読んだり、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
☐	ໄດ້ມາມືເຮັດວຽກ ຖ້າພົບວ່າພົບພາສາລາວ.	24. Laotian
☐	Prosimy o zaznaczenie tego kwadratu, jeżeli posługuje się Pan/Pani językiem polskim.	25. Polish

☐	Assinale este quadrado se você lê ou fala português.	26. Portuguese
☐	Însemnați această căsuță dacă citiți sau vorbiți românește.	27. Romanian
☐	Пометьте этот квадратик, если вы читаете или говорите по-русски.	28. Russian
☐	Обележите ovaj kvadratić ukoliko čitate или говорите српски језик.	29. Serbian
☐	Označte tento štvoreček, 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
☐	ให้ทำเครื่องหมายลงในช่องถ้าท่านอ่านหรือพูดภาษาไทย.	33. Thai
☐	Maaka 'i he puha ni kapau 'oku ke lau pe lea fakatonga.	34. Tongan
☐	Відмітьте цю клітинку, якщо ви читаете 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
☐	באמצעות דעם קעסטל אויב איר לייענט אדער רעדט אידיש.	38. Yiddish